

Honor Code

I. Honor Code Statement

All students will sign the following pledge prior to the start of classes. Students who have not signed the pledge will not be allowed to register for classes.

HAMILTON COLLEGE HONOR PLEDGE

By my signature below, I affirm on my honor that I will abstain from dishonesty in all academic work. I have read and understand the Honor Code and I will abide by its provisions. I will work to strengthen the honor of Hamilton College and its students by upholding the Honor Code myself and working to ensure others do as well.

II. Academic Dishonesty

Any form of academic dishonesty is a serious offense in an academic community. At Hamilton such dishonesty will often result in removal from the course, assignment of an XF* for the course, or separation from the College community, or some combination of these. It is essential, therefore, that every student understands the standards of academic honesty and how to avoid dishonesty by proper acknowledgment of intellectual indebtedness. The Honor Court will not excuse a lack of awareness or understanding of what constitutes academic dishonesty. Any attempt to commit any of the following infractions also constitutes academic dishonesty. Academic dishonesty includes but is not limited to:

1. Plagiarism, Failure to acknowledge ideas, phrases, data, music, images, or other intellectual property gained from a preexisting body of work. This includes self-plagiarism, or the submission of one piece of work in more than one course without the explicit permission of the instructors involved. Guidelines for proper documentation are available from many sources, including the Hamilton College Style Sheet, which is provided to all first-year students and may be obtained at the Library or at the Writing Center. Similar guidelines for using sources in oral presentations are available from the Communication Department and the Oral Communication Center.
2. Stealing, altering, redirecting, or otherwise tampering with the form or content of digital media created or presented by another person without explicit permission of that person.
3. Forgery or falsification of academic documents. The chair of the Honor Court, after consultation with the dean of students, may remand such complaints to the Judicial Board.

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4. **Misrepresentation or falsification of data in any coursework.**
5. **Cooperative or collaborative effort in coursework without acknowledgment and explicit permission of the instructor.** Acknowledgement is necessary for collaboration, and/or cooperation, unless expressly informed that it is not. This is not meant to inhibit discussion and debate of academic subjects either inside or outside the classroom but to give deserved credit to those to whom students are creatively or intellectually indebted.
6. **Cheating on assessments.** To give or receive assistance from written material, another person, his or her paper, or any other source, including electronic sources, or to attempt to do so, on any assessment, including but not limited to examinations, homework or tests. The only exceptions will be at the explicit instruction of the teacher of the course.
7. **The submission of work as one's own that has been prepared by another person.**

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III. Student Obligation

Aside from refraining from all forms of academic dishonesty, Hamilton students are expected to take proactive steps to support the Honor Code and to respond to incidents of academic dishonesty. Such steps may include: signing pledges on exams and papers stating that the assignment has been completed in accordance with the Honor Code; informally discussing the Honor Code with other students, especially incoming students; or taking appropriate action when witnessing suspected dishonesty.

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Upon Witnessing a Violation of Academic Integrity

Violations of academic integrity are an affront to our community. The bonds which unite us make knowing how to act when you witness a violation difficult. Students who witness violations are required to take appropriate action. What constitutes appropriate action may vary with the case but include:

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- talking to, or confronting, a student who may be violating the Honor Code;
- during an in-class exam, tapping a pencil on a desk to remind other students of their obligations;
- asking an instructor to proctor an exam;
- consulting a faculty adviser or confidant for help; or
- reporting the suspected dishonesty to the instructor of the course, the chair of the Honor Court, or the dean of students.

Confronting a suspected violator can be difficult. Integrity is not always easy. But honesty and trust are at the core of every academic enterprise and the mission of Hamilton College. Our community can only thrive on candor and honor. Aside from refraining from all forms of academic dishonesty, Hamilton students are expected to take proactive steps to support the Honor Code and to respond to incidents of academic dishonesty. Such steps may include:

- signing a pledge on every exam and paper stating that the assignment has been completed in accordance with the Honor Code;
- informally discussing the Honor Code with incoming students;
- reporting suspected dishonesty to the instructor of the course, to the chair of the Honor Court, or to the dean of students;
- asking an instructor to proctor an exam when cheating has been witnessed or is suspected;
- tapping a pencil on a desk when a student witnesses cheating during an unproctored exam;
or
- confronting a student suspected of violating the Honor Code.

Honor Court Constitution

A. Purpose

The purpose of the Honor Court is to uphold Hamilton community standards of academic honesty and to ensure protection of students' rights in questions of alleged violations of the Hamilton College Honor Code.

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B. Composition

The Honor Court will be composed of the non-voting student chair and ten voting members, consisting of seven students and three faculty members. The students, ordinarily at least one from each class year, shall serve for a one-year term with a two-term limit. The student members will be selected during the spring semester of the preceding academic year, except a member from the first-year class who will be selected early in the fall semester. The Court will publish notice of the selection process to all students. The current Court will select, by a majority vote, the student members from among the names of interested and qualified persons responding to the notice. Once new members have been chosen, the Student Assembly shall offer the student body the opportunity to offer their input regarding the appointments, before holding a vote to confirm the new appointments. The Court will not consider platforms from students on disciplinary probation or who have been found responsible for violating the Honor Code. A sitting member of the Court who is found responsible for violating the Honor Code, will be dismissed from the Court.

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Faculty members will be elected by the faculty at its May meeting, one each year for staggered three-year terms. The written consent of the nominees must be presented to the Academic Council. In accordance with faculty rules, candidates may be nominated from the floor.

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The chair will be elected in the spring by the outgoing Court from among candidates nominated by that Court. A student may serve as chair for a third term on the Court.

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If the chair resigns or cannot serve for any reason, the Court will elect a chair from among its members. The Court may select a substitute chair for a given case where there is a conflict of interest with the chair, or if the chair is otherwise unable to serve.

If there is a vacancy on the Court during the academic year the Court will publish notice of the vacancy and will elect by a majority vote a substitute Court member from among the names of interested and qualified persons responding to the notice.

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All members of the Court will be invited to every Court hearing. A quorum of the Court will consist of six voting members: five students and one faculty, plus the chair, who will not vote. If a quorum cannot be attained owing to disqualification of members for conflict of interest, the hearing must be scheduled at a time when it can be heard by the maximum number of Court members who are qualified to hear the complaint. In all other instances when a quorum is not attained, the hearing will be rescheduled, unless the parties assent in writing to going forward with the number of members currently present.

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If a member of the Board believes that he or she has a conflict of interest in a particular case, that member may seek to disqualify himself or herself after consultation with the chair. The respondent may request that the chair seek disqualification of any member of the Court if the respondent believes that a conflict of interest exists with that member. The respondent must present to the chair written explanation as to the nature of the alleged conflict of interest. If the chair believes that a conflict exists, the member will be disqualified upon majority vote of the Court.

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The dean of students may establish an ad hoc hearing board whenever the regular Honor Court is not constituted or is otherwise unable to hear a case. An ad hoc hearing board will be composed of five members, including at least three students.

C. Procedures

Throughout these procedures, the 'dean of students' is understood to mean the dean or his or her designee; the 'witness of the suspected violation' is the member of the community who brought the possible violation to the attention of the Court, ordinarily the instructor of a course in which a suspected violation occurs, but may be a student or other member of the Hamilton community; the 'respondent' is the student suspected of violating the Honor Code.

Violations of the Honor Code are considered to be infractions against Hamilton College. Suspected violations of the Honor Code will be presented by the witness of the suspected violation to the dean of students or to the chair in writing. Once a suspected violation has been filed, a request by a respondent to withdraw temporarily or permanently from the College will not be approved until the hearing processes have concluded.

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The dean of students and/or the chair will investigate the suspected violation and gather any form of evidence that may aid the members of the Court in reaching a decision. The dean of students and the chair will determine if the suspected violation warrants a hearing.

If it is determined not to warrant a hearing, the suspected violation will be dismissed. The witness to the suspected violation and the respondent will be informed in writing. A decision not to proceed with

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a hearing may be appealed by the witness to the suspected violation or the respondent to the Appeals Board, which may direct the Court to hear the case.

If it is determined that the suspected violation warrants a hearing, the dean of students will prepare a formal statement of the complaint and of the evidence against the respondent. The dean of students will inform the respondent in writing of the complaint, the identity of witness of the violation, the evidence available, a witness list, the range of sanctions available to the Court, and the following rights:

1. to an expeditious hearing. Should reasonable delays occur, the College will provide an explanation to all parties involved;
2. to be informed in advance in writing of the procedures to be followed in the hearing;
3. to not be tried again for the same violation unless significant new evidence arises.
4. to be considered innocent of the complaint until proven responsible by clear and convincing evidence;
5. to request an administrative hearing, conducted by the dean of students and the Honor Court chair, under the following conditions:
 - a. the respondent waives the right to an Honor Court hearing, and
 - b. the respondent admits a violation of the Honor Code, and
 - c. the witness of the suspected violation and the respondent acknowledge that they have no substantive disagreements about the facts of the complaint, and
 - d. the violation is the student's first
6. to request an administrative hearing if the violation is the student's second, as long as the student admits the violation, waives the right to an appeal, and understands that the sanction is expulsion.
7. to bring to a Court hearing an advisor, who must be another student, faculty member or administrator not connected to the complaint, and who may not serve as a witness but may only participate in a closing statement;
8. to bring relevant witnesses;
9. to confront and question the faculty witness, all other witnesses, and other evidence;
10. to testify, orally, or in a written document, or both;
11. to make a closing statement in the proceedings.

The dean of students and the Honor Court chair will decide whether to approve a request for an administrative hearing. A decision by the dean of students and Honor Court chair to deny an administrative hearing may not be appealed. Only the respondent, the witness of the suspected violation, the dean of students, and the Honor Court chair may take part in an administrative hearing. A faculty witness may suggest a sanction. After the hearing, the dean of students and the Honor

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Court chair will determine a sanction and the dean will inform the student in writing of the decision. The possible sanctions are the same as those outlined in Section D, except for separation from the College. Any complaint that may result in separation from the College will be referred to the Honor Court. The respondent may appeal the decision of the dean of students and the Honor Court chair to the Appeals Board within one week of receiving written notification of the decision.

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The chair will convene the Court for a hearing to be held as soon as possible, but no sooner than three workdays following delivery of the written charge to the respondent. The respondent will present to the dean of students a written, point-by-point response to the complaint at least 24 hours before the hearing. Failure to submit the written response to the complaint may result, at the discretion of the Honor Court, in a delay of the hearing of up to one week. Any witness to be brought to testify should be identified in this statement. All points of the complaints that are not specifically denied will be deemed admitted, and evidence, testimony, and witnesses regarding these points will be deemed unnecessary in the hearing. If the respondent chooses not to attend the hearing, the Court has the authority to hear the complaint without the testimony of the respondent.

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All hearings of the Honor Court will be conducted without regard to any matter previously developed in informal proceedings, and no decision about responsibility will be made on evidence other than that presented at the hearing. During a hearing, the Court may request additional evidence for the purposes of aiding in its deliberations, at which point the Court will reconvene along with all parties involved to present the newly requested evidence and provide all eligible parties the opportunity to ask and answer questions pertaining to that evidence.

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The dean of students may select a faculty member not connected with the complaint to present the complaint on behalf of the college and serve as advisor to the witness of the suspected violation. The faculty member or student who initiated the complaint will give testimony in the hearing and may be asked questions by members of the Court or the respondent about that testimony. The dean of students will be present at all hearings to oversee the process.

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Hearings are closed to observers. Neither party may have an attorney present at the hearing. Deliberations of the Court are strictly private. Members of the Court may not at any time discuss the facts of the complaint or particulars of the deliberations with anyone other than the chair, the dean of students, or members of the Court. Any member violating this provision will be dismissed from the Court by the chair.

The hearing will proceed as described below.

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1. The chair will call the hearing to order, introduce all participants and admonish all participants that they are expected to be truthful in all their testimony. No one may speak at the hearing

unless recognized by the chair, who will have full authority over the proceedings. Witnesses, other than the witness of the suspected violation, will not be present until they are called, and will be admonished at that time that they are expected to be truthful in all their testimony.

2. The **respondent** and the witness of the suspected violation may be present during the presentation of all testimony.
3. The chair will introduce the formal statement of the complaint and the **respondent's** written response, copies of which will have been provided to the members of the Court. The hearing will consider only those policy violations alleged in the written statement; new allegations may not be introduced during the hearing. No proof will be required for points that are deemed admitted. If the Court believes that a witness or party is lying, they may initiate a complaint so that the allegations of lying can be addressed in a separate hearing.
4. The witness of the suspected violation will provide evidence in support of the **complaint**, and may ask that other witnesses be called. The **respondent** may **also provide evidence, may** respond to **evidence provided by the** witness of the suspected violation, may question witnesses, and may ask that further witnesses be called. The witness of the suspected violation may **respond to evidence and** question **witnesses brought** by the **respondent**.
5. Witnesses (other than the witness of the suspected violation) will be present only during their own testimony, but must remain available for the duration of the hearing unless excused by the chair.
6. Members of the Court may question any of the participants at any point during the hearing or may have any participants recalled for questioning at the discretion of the chair. In addition to the witnesses called by the parties, the Court may have identified additional witnesses who it may call.
7. The witness of the suspected violation, and then the **respondent**, will have the opportunity to make closing statements.
8. Following presentation of evidence, the hearing will be closed and everyone except members of the Court and the dean of students will be dismissed from the hearing room. Participants may be asked by the chair to remain available while the Court deliberates. The dean of students may not participate in deliberations unless requested by the chair to address a procedural question.
9. Deliberations of the Court will proceed in two stages. First, the Court will determine whether the **respondent** violated the Honor Code. A student will only be found in violation by a vote of at least two-thirds of the Court members who heard the complaint. If the Court determines that the **respondent** did not violate the Honor Code, the **dean of students** will inform the **respondent** of the Court's findings. **Second**, if the Court determines that the **respondent** violated the Honor Code, then evidence of prior disciplinary action by the Honor Court will be entered into the deliberations by the chair, and the Court will determine a sanction by majority vote. Prior actions will be considered only in the determination of sanctions and will normally lead to a more stringent sanction. Upon conclusion of the hearing, the chair will prepare a written statement of the Court's

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findings, with rationale, for the dean of students. The chair may discuss the Court's rationale with the dean of students. The dean of students will administer any disciplinary action determined by the Court that modifies a student's status at the College.

10. The Court may conclude its deliberations and arrive at a sanction at the conclusion of the hearing, or it may, at the discretion of the chair, postpone that conclusion for not more than 48 hours. Participants in the complaint will be informed of the decision of the Court as soon as possible.
11. Should the respondent provide new evidence not available at the time of the hearing, or the Court request new evidence during the hearing, the Court will reconvene to hear the new evidence. The Court will follow the same procedures outlined above, however, the Court will not be required to re-hear evidence already presented at the earlier hearing.
12. A tape recording will be kept of the hearing. This document is an internal record of the College to be made available to the Appeals Board or to the President by the dean of students. A student preparing an appeal will also be allowed to listen to the tapes, under the supervision of the dean of students. The recording will be destroyed after the time for appeal is over.
13. A summary record of the proceedings before the Honor Court will be kept and a copy of the record supplied to the respondent if requested.

D. Sanctions

1. In the case of a first violation of the Honor Code, the Honor Court will assign sanctions commensurate with the nature of the violation. In all cases of a first violation, the student will be required to complete a tutorial on academic integrity. If a student does not complete the tutorial on academic integrity within a thirty day period following notification of the Honor Court decision, the student will not be allowed to register for subsequent semesters, or graduate, until he or she has completed the tutorial. In addition, the Court may assign one or more of the following sanctions:
 - a. In addition to any grade assigned by the faculty member for the particular academic work wherein the violation occurred, a record of the violation and all evidence pertaining to it will be kept in a separate student file in the Dean of Students' Office until one year after graduation. A copy of any letter to the student from the dean, and a report of the findings of the Honor Court, will be placed in this file, which will be open to the student's inspection.
 - b. The student will be removed from the course, and a record of the violation and all evidence pertaining to it will be kept in the student's file in the Dean of Students' Office until one year after graduation. A copy of any letter to the student from the dean, and a report of the findings of the Honor Court, will be placed in this file, which will be open to the student's

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inspection. No record of the offense will appear on the student's transcript unless a second violation occurs.

- c. The student will be removed from the course and the notation "~~XF~~" placed on his or her transcript, which will record that ~~XF~~ means "Removed from the course for academic dishonesty." When the cumulative average is calculated, ~~XF~~ will carry the numerical value of F. After a period of two years, or before graduation, whichever comes first, the student may request in writing that the ~~XF~~ be removed from the student's transcript and be replaced with a grade of F provided the student has completed all assigned tutorials and has not been found responsible for subsequent violations of the Honor Code. In extraordinary circumstances the Court after finding of responsibility in an Honor Court hearing may assign an ~~XF~~ to be recorded permanently on the student's transcript for the course in which a first violation has occurred.
 - d. The student will be suspended from the College for a length of time to be determined by the Honor Court. The notation "Suspension for academic dishonesty" will appear on the transcript. After a period of two years from the end of the term of the suspension, or before graduation, whichever comes first, the student may request in writing that the notation be removed from the transcript provided the student has completed all assigned tutorials and has not been found responsible for subsequent violations of the Honor Code. Students will not normally be allowed to transfer credits completed at other institutions while on suspension.
2. In the case of a second violation, after action by the Honor Court, an ~~XF~~ will be recorded permanently on the student's transcript for the course in which the second violation occurred, and the student will be dismissed from the College. The notation "Expulsion for academic dishonesty" will appear on the transcript.
 3. Other actions: In addition to or in place of the above actions, the Honor Court may modify the above sanctions or assign other sanctions, including community service, as it deems appropriate. It is understood, however, that such other actions will not involve the assignment of grades by the Court.

E. Records

The written record of the complaint will consist of the written statement of the charges, the written response to the charges by the respondent, any documentary evidence, the summary by the chair of the Court's actions, and the letter from the dean of students informing the respondent of the Court's findings. This record will be filed in the Dean of Students' Office and will be open to the student's inspection. The taped record is not part of the student's file and will be kept in the office of the dean of students, to be destroyed after adjudication or decision in any appeal.

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After the week has elapsed during which an appeal could be made, if one is not made, a brief account of the complaint will be made public by the chair. The name of the student or students will not appear. If an appeal is made, publication will be postponed to await the outcome of the appeal.

F. Instruction of the Community

The College will make provisions for interpreting this system to new students upon their entrance into the College. These programs will be organized by the dean of students in consultation with the Honor Court.

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G. Amendment

This constitution may be amended by the procedures set forth in Article XI of the Constitution of the Student Body of Hamilton College. The adopted amendments are contingent upon ratification by the faculty.

H. Duty of Honesty

All members of the Hamilton community are expected to be truthful in presenting testimony during any disciplinary inquiry and to cooperate fully in the investigation of infractions. Participants in disciplinary hearings will be reminded of this expectation by the chair, but failure to admonish does not remove the requirement. Lying or obstruction of any inquiry will itself be grounds for disciplinary action.

H. Notification of Parents

In serious disciplinary complaints where the penalty may be separation from the College, the dean of students may, at his or her discretion and after informing the student of his or her intention to do so, notify the student's parents or guardian in advance of the hearing. In all cases where the penalty assigned is removal from a course, suspension, or expulsion, the dean of students will notify the parents or guardian within one week of the decision and will send a copy of the notification to the student.

These provisions do not apply if the student is financially independent of his or her parents and has a separate domicile.