

RESOLUTION TO REVISE THE GRADUATE HONOR SYSTEM CONSTITUTION

WHEREAS, the Virginia Tech community values academic integrity; and

WHEREAS, all graduate students are expected to uphold the Graduate Honor Code and exercise honesty and ethical behavior in all their academic pursuits at Virginia Tech, including study, course work, research, extension, or teaching; and

WHEREAS, the Graduate Honor System Constitution was alerted to problems in the appeals process and a desire to update language and penalties,

WHEREAS, a committee of faculty, graduate students, and administrators reviewed and revised the Constitution using guidance from other systems in the university and past cases to address concerns regarding the appeals process, and include more learner-centered language and penalties; now,

THEREFORE, BE IT RESOLVED, that the 2018 Constitution of the Graduate Honor System be adopted (attached below) as the guiding document regarding academic integrity and the process of reviewing violations for graduate students, and that the 2009 Constitution of the Graduate Honor System be retired (attached below).

RECOMMENDATION:

That the Board of Visitors approve the Resolution to Revise the Graduate Honor System Constitution.

June 4, 2018

Summary of GHS Constitution Proposed Revisions

A constitution review committee was convened in Spring 2018 by Karen DePauw, Vice President and Dean for Graduate Education, to consider proposed amendments to the language of the constitution and review and revise the Appeal Process (Article VI, Section 2). The committee was chaired by Erin Lavender-Stott, chief justice of the GHS.

After a thorough review and discussion, the committee proposes the following changes:

- Update terminology to better reflect the educational mission and functions of the honor system (all articles and sections):
 - o Change the title of chief justice to chair
 - o Change the title of investigator to associate chair
 - o Change investigative board to preliminary review panel
 - o Change judicial panel to review panel
 - o Simplify language describing the referral and review process (Article IV, sections 2, 3 and 4; Article V, sections 1, 2 and 3)
- Describe panelist recruitment and appointment process with greater clarity (Article II, sections 8 and 9)
- Update the appeal process (Article VI, section 2):
 - o Define a new role of appellate officers (Director of Undergraduate Academic Integrity Office, Associate Dean for Professional Programs in the College of Veterinary Medicine, or Associate Vice President for Research Compliance)
 - o Describe a new appeal review and decision process (see attached flow chart)
- Update penalty options (Article VII, Section 1):
 - o Remove penalty option of performing community service hours
 - o Introduce new penalty option of writing an reflection essay
 - o Introduce new penalty option of ethics course requirement (GRAD 5014: Academic Integrity and Plagiarism)
 - o Update penalty option "F#" (penalty 1. g) to "F" to reflect actual practice of how the GHS-assigned F grade appears on the transcript
- Update announcements about GHS cases to reflect changes in available media for information distribution (Article VII, Section 3)
- Update or remove references to outdated internal and external resources (Article V, Section 3; Article IX, Section 2; Article X, Article XI) such as websites.

2018

ARTICLE I: PURPOSE AND DESCRIPTION

Section 1 - Graduate Honor Code

The Graduate Honor Code establishes a standard of academic integrity. As such, this code demands a firm adherence to a set of values. In particular, the code is founded on the concept of honesty with respect to the intellectual efforts of oneself and others. Compliance with the Graduate Honor Code requires that *all* graduate students exercise honesty and ethical behavior in all their academic pursuits at Virginia Tech, whether these undertakings pertain to study, course work, research, extension, or teaching.

It is recognized that graduate students have very diverse cultural backgrounds. In light of this, the term *ethical behavior* is defined as conforming to accepted professional standards of conduct, such as codes of ethics used by professional societies in the United States to regulate the manner in which their professions are practiced. The knowledge and practice of ethical behavior shall be the full responsibility of the student. Graduate students may, however, consult with their major professors, department heads, International Graduate Student Services, or the Graduate School for further information on what is expected of them.

More specifically, all graduate students, while being affiliated with Virginia Tech, shall abide by the standards established by Virginia Tech, as described in this Constitution. Graduate students, in accepting admission, indicate their willingness to subscribe to and be governed by the Graduate Honor Code and acknowledge the right of the University to establish policies and procedures and to take disciplinary action (including suspension or expulsion) when such action is warranted. Ignorance shall be no excuse for actions which violate the integrity of the academic community.

The fundamental beliefs underlying and reflected in the Graduate Honor Code are that (1) to trust in a person is a positive force in making a person worthy of trust, (2) to study, perform research, and teach in an environment that is free from the inconveniences and injustices caused by any form of intellectual dishonesty is a right of every graduate student, and (3) to live by an Honor System, which places a positive emphasis on honesty as a means of protecting this right, is consistent with, and a contribution to, the University's quest for truth.

Section 2 - Implementation

The Graduate Honor System was established to implement the Graduate Honor Code, and its functions shall be:

1. To promote honesty and ethical behavior in all academic pursuits, including, but not limited to, study, research, teaching, and extension.

2. To disseminate information concerning the Graduate Honor System to all new graduate students, faculty, and other interested parties.
3. To consider and review all suspected violations of the Graduate Honor Code in an impartial, thorough, and unbiased manner.
4. To review all cases involving academic infractions of the Graduate Honor Code brought before the System.
5. To assure that the rights of all involved parties are protected and assure due process in all proceedings.

Section 3 - Violations

All forms of academic work including, but not limited to, course work, labwork, thesis or dissertation work, research, teaching, and extension performed by any graduate student enrolled on a part-time or full-time basis under any of the admission categories listed in the Virginia Tech Graduate Catalog shall be subject to the stipulations of the Graduate Honor Code. Violations of the Graduate Honor Code are categorized as follows: Cheating, Plagiarism, Falsification, and Academic Sabotage. Violations are defined as follows:

1. *Cheating*: Cheating is defined as the giving or receiving of any unauthorized aid, assistance, or unfair advantage in any form of academic work. Cheating applies to the products of all forms of academic work. These products include, but are not limited to, in-class tests, take-home tests, lab assignments, problem sets, term papers, research projects, theses, dissertations, preliminary and qualifying examinations given for the fulfillment of graduate degrees, or any other work assigned by an instructor or professor, graduate committee, or department that pertains to graduate work or degrees.

Any student giving or receiving unauthorized information concerning a test, quiz, or examination shall be responsible for an Honor Code violation. Submitting work that counts towards the student's grade or degree which is not the sole product of that student's individual effort shall be considered cheating, unless, for example, the professor explicitly allows group work, use of out-of-class materials, or other forms of collective or cooperative efforts. In general, all academic work shall be done in accordance with the requirements specified by the instructor or professor. In the absence of specific allowances or instructions by the professor, students shall assume that all work must be done individually.

Some uses of permanently returned, graded material ("koofers") are cheating violations of the Code. By permanently returning graded materials, a faculty member or instructor demonstrates the intent that these materials should be accessible to all students. Such materials may be used for study purposes, such as preparing for tests or other assignments, and other uses explicitly allowed by the professor or course instructor. Once test questions have been handed out, koofers may not be used. Other specific examples of the unauthorized use of koofers include, but are not limited to, using koofers during closed-book exams, handing in any type of copy (e.g., a photocopy or a transcribed copy) of someone else's work (partial or complete) from a previous term, and copying a current answer key or one that was handed out in a previous term. Students may not copy and

hand in as their own work answers taken from any kind of koofer. When in doubt of what may or may not be used, students should consult with the course instructor. In the absence of specific instructions concerning koofers from the instructor, students shall assume that all submitted work must be the product of their own efforts without koofers or other unauthorized aid/ materials.

2. *Plagiarism:* Plagiarism is a specific form of cheating, and is defined as the copying of the language, structure, idea, and/or thoughts of another and claiming or attempting to imply that it is one's own original work. It also includes the omitting of quotation marks when references are copied directly, improper paraphrasing (see [Plagiarism](#)), or inadequate referencing of sources. Sources used in preparing assignments for classes, theses, dissertations, manuscripts for publication, and other academic work should be documented in the text and in a reference list, or as directed by the instructor or professor. Sources requiring referencing include, but are not limited to, information received from other persons that would not normally be considered common knowledge ([Plagiarism](#)), computer programs designed or written by another person, experimental data collected by someone else, graded permanently-returned materials such as term papers or other out-of-class assignments (koofer), as well as published sources. A more detailed discussion of plagiarism may be found in [Plagiarism](#).
3. *Falsification:* Students who falsify, orally, in writing, or via electronic media, any circumstance relevant to their academic work shall be responsible for a violation of this Code. Included are such actions as forgery of official signatures, tampering with official records or documents, fraudulently adding or deleting information on academic documents, fraudulently changing an examination or testing period or due date of an assignment, and the unauthorized accessing of someone else's computer account or files. Violations also include willfully giving an improper grade or neglecting to properly grade submitted material, improperly influencing the results of course evaluations, and knowingly including false data or results in any paper or report submitted for a grade, as a degree requirement, or for publication.
4. *Academic Sabotage:* Academic sabotage is purposeful vandalism directed against any academic endeavor or equipment. It includes, but is not limited to, the destruction or theft of written material, laboratory or field experiments, equipment used in teaching or research, or computer files or programs. Unauthorized tampering with computer programs or systems shall constitute a violation. Academic sabotage includes deliberately crashing or attempting to crash a computer system or the use of files intended to cause or actually causing computer systems to behave atypically, thereby impeding another person's or group's efforts. In particular, knowingly infecting any system with a virus, worm, time bomb, trap door, Trojan horse, or any other kind of invasive program shall be considered a serious violation. Note that violations under this category may also lead to University judicial action or to criminal suits charged by the University.

Misconduct and unethical behavior in research and teaching deserves special mention in the Code since it is an area of special interest to graduate students. It is not a separate violation category since it may involve cheating, plagiarism, falsification, and/or academic sabotage as discussed above. *Misconduct in research* does not include those factors intrinsic to the process of research, such as honest error, conflicting data, or differences in interpretation concerning data or experimental design. Likewise, *misconduct in teaching* does not include honest disagreement

over the method of presentation of instructional material to a class or in the evaluation of the performance of a student. Research misconduct allegations may also be investigated by the [Virginia Tech Office of Research Integrity](#).

* For further information on *misconduct in research* and its definition, see the references listed under item 4 of *1991 Revision -- Reference Material Used*.

Section 4 - Composition

The Graduate Honor System shall consist of an Advisor, a Chair, one or more Associate Chair(s), GHS Facilitators, and Panelists for the Preliminary Review Panel and Review Panel. The Dean (or designee) of the Graduate School shall be responsible for the continued operation of the System. Appointment of Graduate Honor System personnel shall be made in accordance with Article XI, Section 7.

ARTICLE II: GENERAL ADMINISTRATION

Section 1 - Appointment of the Graduate Honor System Advisor

A member of the staff of the Dean of the Graduate School shall be appointed by the President to serve as the Graduate Honor System Advisor. The Advisor shall serve in an advisory capacity to the Chair and shall be present (or represented) at all hearings of both the Preliminary Review Panel and the Review Panel.

Section 2 - Duties and Functions of the Advisor

The following duties and functions shall be performed by the Advisor:

1. The advisor shall have the responsibility to train the Chair, Associate Chair(s), Facilitators, and new board and panel members.
2. The advisor shall provide counsel to the Chair and Associate Chair(s) in the preparation of cases.
3. The advisor shall provide staff for handling training sessions, scheduling meetings, and other matters related to the administration of the Graduate Honor System.
4. The advisor shall counsel faculty or students referring cases as well as those students charged with offenses.
5. The advisor (or designee) shall attend all hearings.
6. The advisor, in consultation with the Chair, shall be responsible for appointing the Associate Chair(s).
7. The advisor, upon the receiving the recommendation of the Chair, shall be responsible for approving the membership of the Preliminary Review Panel and Review Panel.

Section 3 - Appointment of the Chair

1. Nominations for the position of Chair shall be accepted from the Graduate Student Assembly, College Deans, and other members of the academic community, and applications by qualified persons shall be welcomed. Candidates for the position of Chair

must be graduate students in good standing and must have been in residence for at least one (1) semester immediately preceding nomination. Preferably, the nominee will have served as an Associate Chair or as a graduate student panelist for at least one (1) semester prior to appointment.

2. The term of office shall be one (1) year, but if available and willing, the current Chair may be re-appointed by the President of the University to serve subsequent terms, up to four (4) years, upon the recommendation of the Graduate Honor System Advisor.
3. The Chair Nominating Committee shall be convened by the Dean upon the resignation of the current Chair, upon completion of term of office, or upon termination of office. This committee shall consist of the Graduate Honor System Advisor, up to three (3) graduate student members of the Graduate Honor System, and one (1) faculty member having previously served on a Review Panel and appointed by the Dean of the Graduate School. All members shall have equal voting privileges. The function of this committee shall be to nominate a candidate for appointment by the President. The nomination process shall be to: (1) invite nominations and accept applications, (2) review applications and conduct interviews with applicants, and (3) recommend to the President of the University, from among these applicants, a nominee for the position of Chair. The recommendation of this committee shall be by majority vote.
4. The recommendation of the nominating committee is voted on by the Graduate Student Assembly (GSA) and the Commission on Graduate Studies and Policies (CGS&P).
5. The Dean of the Graduate School will forward the nomination to the President conveying the vote of the GSA and CGS&P.
6. The President shall appoint the Chair.
7. In the absence of a timely appointment, the President, through the recommendation of the Dean, can appoint the nominee as an interim Chair until the conclusion of the appointment process.

Section 4 - Duties and Functions of the Chair

The Chair shall perform the following duties and functions:

1. The Chair shall receive reports of suspected violations and determine, in consultation with the GHS Advisor, if the referred student is eligible for a Facilitated Discussion.
2. The Chair shall assign to the Preliminary Review Panel all cases not eligible for Facilitated Discussion.
3. The Chair shall preside at all Review Panel hearings. The Chair may request a member of the Review Panel to preside in his or her place.
4. The Chair shall assure justice, fairness, and due process.
5. The Chair shall secure nominations and select graduate student and faculty members for the Facilitated Discussion Process, the Preliminary Review Panel, and Review Panel, subject to approval by the Graduate Honor System Advisor.
6. The Chair shall assume responsibility for the instruction and training of graduate student and faculty members in the operation, function, and responsibility of the Graduate Honor System.
7. The Chair shall orient entering graduate students and new faculty to the values and obligations of the Graduate Honor Code.

8. The Chair shall conduct information activities and coordinate activities of the Graduate Honor System.
9. The Chair shall administer the operation of the Graduate Honor System throughout the entire calendar year.
10. The Chair shall keep the graduate community apprised of relevant activities of the Graduate Honor System.
11. The Chair shall consult with the Graduate Honor System Advisor in the appointment of the Associate Chair(s) and Facilitators.
12. The Chair shall select the panelists to hear the cases.

Section 5 - Staff of the Chair

The Chair, with the approval of the Graduate Honor System Advisor, shall appoint sufficient staff to assist with the duties of the office.

Section 6 - Appointment of Associate Chair(s)

1. The Graduate Honor System Advisor, in consultation with the Chair, shall appoint one or more Associate Chair(s). Nominations for this position shall be accepted from the Graduate Student Assembly, College Deans, and other members of the academic community; and applications from qualified personnel shall be welcomed. Students being considered for Associate Chair positions must be graduate students in good standing and must have been in residence for at least one (1) semester immediately preceding appointment. Preferably, the nominee will have served as a graduate student panelist of the Graduate Honor System for at least one (1) semester prior to the appointment. Associate Chair(s) shall serve a one (1) year term but may be re-appointed to serve subsequent terms, up to four (4) years, if available and willing.
2. The appointment of the new Associate Chair(s) shall be made upon the resignation of the current Associate Chair(s), upon completion of term of office, or upon termination of office.

Section 7 - Duties of Associate Chair(s)

Associate Chair(s) shall perform the following duties:

1. Associate Chair(s) shall gather evidence and conduct interviews with the referrer and the referred student(s).
2. Associate Chair(s) shall prepare a brief report summarizing the evidence.
3. Associate Chair(s) shall present the report summarizing the evidence to the referrer, referred student, and Chair before presenting it for review by the Preliminary Review Panel.
4. Associate Chair(s) shall convene and chair Preliminary Review Panel meetings.
5. Associate Chair(s) shall prepare a brief report for the Chair that summarizes the decision of the Preliminary Review Panel and shall brief the Chair on all the details of the case at hand.
6. Associate Chair(s) may attend and may present the evidence to the Review Panel.

7. Associate Chair(s) shall aid the Chair in convening and conducting training sessions for Preliminary Review Panel members.

Section 8—Appointment of Panelists

1. Panelists will include graduate students and faculty members from each College. Panelists will be recruited from all qualified graduate students and faculty (see Article XI Section 7).
2. Graduate student panelists shall be approved by the Graduate Honor System Advisor after training by the Chair and/or Associate Chair and following clearance of graduate student records (see Article XI Section 8). Graduate students may serve for up to four (4) years. After the four years, graduate students will take a one-year break from all duties related to the Graduate Honor System.
3. Faculty member panelists shall be approved by the Graduate Honor System Advisor after training by the Chair and/or Associate Chair. Faculty panelists may serve for up to four (4) years. After the four years, faculty will take a one-year break from all duties related to the Graduate Honor System.

Section 9—Duties of Panelists

1. Panelists shall sit on either the Preliminary Review Panel or the Review Panel.
2. Panelists shall evaluate the evidence and make recommendations regarding the case within a Preliminary Review Panel or Review Panel.
3. Panelists shall maintain the rights and confidentiality of the referred student(s) and referrer.
4. Panelists may assist in conducting educational sessions on campus and/or training sessions for new panelists.

Section 10 – Appointment of Graduate Honor System Facilitators

1. The Graduate Honor System Advisor, in consultation with the Chair, shall appoint one or more Graduate Honor System Facilitators. Applications for this position shall only be taken from current panelists. Graduate Honor System Facilitators must have significant experience with the Graduate Honor System as determined by the Graduate Honor System Advisor and Chair before appointment as Discussion Facilitators. Facilitators shall serve a one (1) year term but may be re-appointed to serve subsequent terms, up to four (4) years, if available and willing.
2. The appointment of new Facilitators shall be made as necessary to meet the needs of the Honor System.

Section 11 – Duties of Graduate Honor System Facilitators

1. Graduate Honor System Facilitators shall facilitate a discussion meeting between the referrer and the referred student(s).
2. Graduate Honor System Facilitators shall ensure that all applicable GHS guidelines are observed and followed.

3. Graduate Honor System Facilitators shall ensure that the rights of the referred and referrer are upheld.
4. Graduate Honor System Facilitators shall, upon examination of the facts of the case, have the authority to refer cases to the Chair so that they may be assigned an Associate Chair for evidence gathering and interviews.
5. Graduate Honor System Facilitators shall prepare a full report for the Chair, which summarizes the outcome of the facilitated discussion and shall brief the Chair on all the details of the case at hand.
6. Graduate Honor System Facilitators shall aid the Chair in conducting the training session(s) for new Graduate Honor System Facilitators.

ARTICLE III: FACILITATED DISCUSSION

Section 1 - Composition

1. The Facilitated Discussion shall be attended by the referrer(s) of the case, the referred student(s), and one Graduate Honor System Facilitator (as outlined in Article II, Sections 10 and 11).

Section 2 – Functions of the Facilitated Discussion

The Facilitated Discussion shall fulfill the following functions:

1. It shall assure that the rights of the referred and the referrer are protected and assure due process.
2. It shall facilitate a discussion between the referrer and referred student(s).
3. It shall attempt to build a consensus resolution to a suspected Honor Code violation without convening a Preliminary Review Panel or a Review Panel.
4. It shall create a record of an Honor Code violation if all parties conclude that a violation did occur. This record shall be kept in the Graduate Honor System case files.

Section 3 – Eligibility for the Facilitated Discussion

A suspected Honor Code violation will be eligible for a Facilitated Discussion if **ALL** of the following criteria are met:

1. The referrer of the case is a Faculty member;
2. The suspected violation involves an allegation of either 1) cheating or 2) plagiarism as outlined in Article I, Section 3 of the GHS Constitution;
3. The referred student(s) is(are) not on Graduate Honor System Probation at the time the report of the suspected violation is received by the Graduate Honor System;
4. And the violation is one for which a reasonable person who is familiar with the form and functions of the Graduate Honor System would not assign a penalty of more than the sanctions outlined in Article VII, Section 1, Item 1, Parts a-f of this Constitution.

Section 4 – Operation of the Facilitated Discussion

1. The Chair, after determining if a case eligible for a Facilitated Discussion, will notify the referrer and the referred of this determination.
2. The referrer and referred will then have no more than ten (10) University business days to notify the Chair of their desire to participate in a Facilitated Discussion; otherwise the case will be sent for evidence gathering and panel review. Exceptions to the ten-day period will only be made under extenuating circumstances, as determined by the Chair or Graduate Honor System Advisor.
3. If either the referrer or the referred student(s) does not agree to participate in the Facilitated Discussion, the case will be sent for investigation and panel review.
4. During the Facilitated Discussion, the referrer of the alleged violation and the referred student will attempt to reach a resolution to the case, with the assistance of the Graduate Honor System Facilitator. The question that the referred student and the referrer must answer is “did the student commit a violation of the honor code?” A determination of a violation shall require both the referrer and the referred student to agree that the student is responsible for violating the honor code. A determination of no violation shall require both the referrer and the referred student to agree that the student did not violate the honor code. In the absence of such an agreement, the case shall be sent for evidence gathering and panel review.
5. If the referrer and student agree that the student has committed a violation of the honor code, the referrer and student may then decide upon an appropriate penalty. Sanctions for the Facilitated Discussion will be limited to those sanctions outlined in Article VII, Section 1, Item 1, Parts a-f of this Constitution. The referrer and referred must both come to an agreement on the appropriate penalty. In the absence of such an agreement, the case shall be sent for evidence gathering and panel review.
6. The GHS Facilitator shall prepare a record of the outcome of the Facilitated Discussion. This record, the original report of the alleged violation, and any relevant evidence shall be held in the Chair’s confidential file. The Chair shall inform the Dean of the Graduate School (or designee), in writing, of the outcome of all Facilitated Discussions.
7. For cases in which the referrer or the referred withdraws from the Facilitated Discussion, no record shall be kept that either the referrer or referred participated in a Facilitated Discussion and the fact that they did participate in such a proceeding shall not be deemed relevant in any future Honor System proceedings.

Section 5 – Withdrawal from the Decision of the Facilitated Discussion

1. The referred or referrer may withdraw from a decision reached during a Facilitated Discussion for any reason.
2. If the referred or referrer wishes to withdraw from the Facilitated Discussion decision, the Chair must be notified of the desire to withdraw from the decision within two (2) calendar days of the conclusion of the Facilitated Discussion.
3. If the referred or referrer withdraws from the Facilitated Discussion decision, the case shall be immediately sent for evidence gathering and panel review.
4. In these instances no record shall be kept that the Facilitated Discussion occurred and the fact that they did participate in such a proceeding shall not be deemed relevant in any future Honor System proceedings.

ARTICLE IV: PRELIMINARY REVIEW PANEL

Section 1 – Preliminary Review Panel Waiver

1. The referred student(s) and referrer shall have the opportunity to review the report prepared by the Associate Chair, before it is presented to a Preliminary Review Panel.
2. If, after review of the materials presented in the report, the referred student(s) accepts that there is substantive evidence to support the charge and warrant a full hearing of the case by the Review Panel, the student may request a Preliminary Review Panel Waiver. This request must be submitted to the Chair within five (5) University business days of the student(s) receiving the Associate Chair's report.
3. A request for a Preliminary Review Panel Waiver must be received before a Preliminary Review Panel is scheduled.
4. A request for a Preliminary Review Panel Waiver does not, in any way, imply guilt or responsibility on the part of the student(s).
5. In cases involving multiple referred students, if all referred students do not request a Preliminary Review Panel Waiver, the case will proceed to a Preliminary Review Panel.
6. Cases for which a Preliminary Review Panel waiver is granted shall proceed directly to a Review Panel for a hearing.

Section 2 - Composition

1. The Preliminary Review Panel shall consist of trained graduate student and faculty panelists. Graduate student members of the Preliminary Review Panel shall have full voting privileges, whereas the faculty members shall serve in an advisory capacity to the student members and shall not have voting privileges.
2. The Associate Chair(s) (or designees) shall chair Preliminary Review Panel meetings and shall not have voting privileges.
3. The Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Associate Chair and the Preliminary Review Panel.

Section 3 - Functions of the Preliminary Review Panel

The Preliminary Review Panel shall perform the following functions:

1. It shall evaluate the evidence provided for the case.
2. It shall decide whether a hearing before the Review Panel should be held.

Section 4 - Operation

1. For each case without a Preliminary Review Waiver, a hearing shall be conducted by a Preliminary Review Panel, consisting of a minimum of five (5) graduate students and at least two (2) faculty members, to be selected by the Chair. The Associate Chair managing the case shall serve as chair of the Preliminary Review Panel. In addition, the Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Associate Chair and the Preliminary Review Panel.

2. Evidence gathering shall adhere to the basic tenets of due process and to the rights and responsibilities for referrer and referred as outlined in Article VIII and Article IX.
3. A decision to send the case to the Review Panel should be based upon substantive evidence to support the charge. The lack of such evidence should lead the Preliminary Review Panel to vote against sending the case to the Review Panel and consequently lead to the termination of the proceedings. Otherwise, the Preliminary Review Panel should send the case forward for the further scrutiny of the Review Panel. The fact that the case is forwarded to the Review Panel shall in no way imply guilt or responsibility for the violation; the Preliminary Review Panel is simply stating that the case should be reviewed with the aid of personal testimonies.
4. The student members shall have full voting privileges while the faculty members serve in an advisory capacity. Recommendations of the Preliminary Review Panel must be by majority vote of the graduate student members present. In the event of a tie vote, the case will go forward.

ARTICLE V: REVIEW PANEL

Section 1 - Composition

1. The Review Panel shall consist of trained graduate student and faculty panelists. Both graduate student and faculty members of the Review Panel shall have full voting rights. The Chair (or designee) shall be a non-voting member and shall serve as the panel moderator.
2. The Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Chair and the Review Panel.

Section 2 - Functions of the Review Panel

The Review Panel shall perform the following functions:

1. It shall hear evidence gathered by the Associate Chair.
2. It shall hear testimony of the referrer, referred student, and witnesses.
3. It shall hear the remarks of the University community representative of the referred.
4. It shall assure that the rights of the referrer and referred student are protected and assure due process.
5. It shall determine whether a violation occurred.
6. It shall recommend the penalty when the referred is determined to have violated the honor code.

Section 3 - Operation

1. For each case, a hearing shall be conducted by a Review Panel. The Review Panel shall consist of the Chair, a minimum of four (4) graduate students, a minimum of three (3) faculty members, and the Graduate Honor System Advisor. The number of voting faculty shall not exceed the number of voting graduate students present. The graduate students and faculty members shall be selected by the Chair with the approval of the Graduate Honor System Advisor. Each graduate student and faculty member shall have full voting privileges, while the Chair (or designee) shall be a non-voting member and shall serve as

the moderator of the hearing. In addition, the Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Chair and the Review Panel. The Associate Chair who gathered the evidence may attend the Review Panel as a non-voting member.

2. All Review Panel hearings shall adhere to the basic tenets of due process and rights and responsibilities as outlined in Article VIII and Article IX.
3. All persons involved with the hearing have the right to be treated with respect. Persons displaying disrespect for another person at the hearing or contempt for the proceedings shall be dismissed, and the hearing shall be concluded in their absence.
4. All evidence regarding cases should be submitted to the Associate Chair(s) during the evidence gathering and interviewing process (prior to the Preliminary Review Panel meeting). If additional information is submitted after the case is sent forward by the Preliminary Review Panel, the Review Panel will decide the relevancy of that information.
5. The referred must be adjudged to have violated the honor code before any consideration is given to the penalty, unless the referred acknowledges responsibility, in which case the deliberations shall focus solely on the penalty.
6. In evaluating evidence and testimony regarding whether a violation of the honor code has occurred, each member of the Review Panel shall consider whether or not there exists substantive evidence of a violation. The decision whether a violation occurred shall be based solely on the facts regarding the charge, i.e., based on evidence collected and testimony presented at the Review Panel hearing.
7. At the conclusion of the deliberations on whether a violation occurred for each charge against the student, the Chair shall poll the members of the Panel on the question: "Has the student violated the honor code?" An affirmative vote represents "a violation," while a negative vote represents "no violation." A determination of a violation shall require a majority vote. In the absence of such a vote, the Panel shall find that no violation has occurred. An abstention shall not be counted as a vote. In the unlikely event that a majority of the Review Panel members do not vote, the current panel shall be dismissed and a new panel shall be convened to re-hear the case.
8. In determining the appropriate sanction, such factors as the referred student's past history of violations, attitude, intent, severity of the violation, and the degree of cooperation may be considered.
9. Recommendations of penalty shall be by majority vote. An abstention shall not be counted as a vote.
10. A recording of the proceedings, the confidential recommendations of the Review Panel, together with all submitted evidence and votes recorded, shall be held in the Chair's confidential file. The Chair shall inform the Dean of the Graduate School (or designee), in writing, of the findings and recommendations of the Review Panel.

ARTICLE VI: UNIVERSITY ACTION

Section 1 - Review and Decision

1. The recommendations (decision of violation, and penalty if required) of the Review Panel shall be submitted in writing by the Chair to the Dean of the Graduate School (or designee) for review and decision.

2. No penalty shall be announced until an official decision has been rendered by the Dean of the Graduate School (or designee).
3. The official decision of the Dean of the Graduate School (or designee) shall be transmitted in writing to the referred, the referrer, and the course instructor (or major professor for a research-related violation). The referred shall also be notified of the right to appeal the decision.
4. When the Review Panel's recommendation is not accepted by the Dean (or designee), the Panel shall be notified of the final decision of the Dean (or designee).

Section 2 - Appeals

1. The referred may appeal the official decision to the Dean of the Graduate School on grounds of (1) failure of the Graduate Honor System to follow proper procedures, (2) introduction of new evidence, and/or (3) severity of the penalty. The imposition of the penalty shall be deferred until the termination of the appeals process.
2. The Dean of the Graduate School must receive the appeal within five (5) University business days after the referred receives written notification of the decision and penalty.
3. In the event of an appeal, the case will be forwarded to an appellate officer, who is well versed in the Graduate Honor System, graduate academic policies, and Virginia Tech standards of ethics and have received training from the Graduate Honor System. Such officers include, but are not limited to, the Director of Undergraduate Academic Integrity, Associate Dean for Professional Programs in the College of Veterinary Medicine, or Associate Vice President for Research Compliance.
4. The appeal is not a retrial and must be focused solely upon one or more of the following: (1) failure of the Graduate Honor System to follow proper procedures, (2) introduction of new evidence, (3) severity of penalty. The appeal shall be limited to the consideration of the specific information pertaining to one or more of the above. The burden shall be placed on the appealing student to demonstrate why the original finding or sanction should be changed.
5. The decision of the appellate officer is limited to the grounds of the appeal. Judgments are made according to the following guidelines:
 - a. *Failure of the Graduate Honor System to Follow Proper Procedures*

Determine whether or not the Graduate Honor System followed proper procedures. If proper procedures were followed, then the official decision is enforced. If proper procedures were not followed, then the referred student is acquitted and the case is closed.

- b. *Introduction of New Evidence*

Determine whether or not the new evidence is relevant to the official decision. In the event that the information is determined to be relevant, the appellate officer shall inform the Dean of the Graduate School or the Graduate Honor System Advisor that a new Review Panel is requested. The new Review Panel shall have no members from a previous panel. If information is determined to be irrelevant or there is no new evidence, then the original decision is upheld.

c. *Severity of Penalty*

Determine if the penalty is too severe for the violation(s), for which the student was found responsible. The finding of a violation is not appealable and the case will not be reheard. The appellate officer has the option to consult GHS facilitators or experienced panelists who were not involved with the original case, as identified by the Chair or Advisor to the GHS, if perspective on the severity of the penalty is required. In the event that the penalty is found to be too severe, a lower penalty may be determined by the appellate officer from those specified under Article VII of this Constitution.

6. The final determination of an appeal shall be the sole responsibility of the appellate officer. The student shall be notified in writing of the disposition of the appeal.

ARTICLE VII: ACTIONS OF THE GRADUATE HONOR SYSTEM

Section 1 - Penalties

Where a violation is determined, the Review Panel or Facilitated Discussion shall also be responsible for determining an appropriate sanction. There are four major penalty levels (1-4) with increasing severity. These penalties are (1) Graduate Honor System Probation, (2) Suspension in Abeyance, (3) Suspension, and (4) Permanent Dismissal. For each charge of a Graduate Honor Code violation for which a student acknowledges responsibility or is found responsible, one of these four penalties must be given.

For cases resolved through Facilitated Discussion, only penalty 1 (Graduate Honor System Probation), subparts a-f may be applied.

For those cases where suspension or dismissal is not warranted, the subparts of penalty 1 (Graduate Honor System Probation) provide a further gradation in the penalty action. Whereas penalties 2, 3, and 4 must be given as a whole (i.e., no parts may be given without the others), penalty 1 may be given in part or in full. However, *if penalty 1 is selected, parts a and b are required*. Only parts c-i of penalty 1 shall be optional. The very minimum penalty given shall be penalty 1, parts a and b.

1. **Graduate Honor System Probation** (parts a and b mandatory, parts c-h optional)
 - a. The referred shall not be suspended from the University, but shall be placed on Graduate Honor System Probation until graduation or termination of enrollment. The sentence of Probation is a warning and is intended to serve as a deterrent against future misconduct. In the event of any other University or Graduate Honor Code violation, the appropriate parties shall be notified of the previous history of the referred. In the event of resignation and re-enrollment within a period of one (1) year, the referred shall be reinstated on Graduate Honor System Probation (penalty 1, part a only) subsequent to re-enrollment.
 - b. The referred shall also automatically receive a zero on the assignment on which the violation occurred. In cases other than those involving course work (or other

similar work where a zero is applicable), action shall be taken to negate any advantages obtained by the violation.

- c. A record of the action shall be kept in the referred student's folder (*not* the official transcript) in the Graduate School until graduation from the University or termination of enrollment.
 - d. The referred shall be required to attend a meeting or meetings with the Chair and the Dean of the Graduate School for the purpose of achieving a better understanding on the student's part of the requirements and purpose of the Graduate Honor System. Failure to participate in this meeting(s) shall constitute grounds for the *automatic* invocation of part "g" below.
 - e. The referred shall be required to write an essay on academic integrity, prevention of academic misconduct, and/or what they have learned regarding academic integrity. Additional essay topics may be requested by the Review Panel. The Chair or Associate Chair from the case will review and guide the writing of the essay. Failure to complete this assignment shall constitute grounds for the *automatic* invocation of part "g" below.
 - f. The referred shall be required to complete GRAD 5014: Academic Integrity and Plagiarism course. Failure to successfully complete this course shall constitute grounds for the *automatic* invocation of part "g" below.
 - g. The notation "placed on Graduate Honor System Probation" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.
 - h. If substantial unfair academic advantage was gained, that is to say, if the violation, undetected, would have led to an advantage over the other students (or if the referred thought it would), then a grade of "F" for the course in which the offense occurred shall also be a penalty action under this part. This grade shall appear on the student's grade report and permanent record (transcript) as an "F."
 - i. If substantial unfair academic advantage was gained, that is to say, if the violation, undetected, would have led to a substantial grade advantage over the other students (or if the referred thought it would), then a grade of "F for violation of the Graduate Honor Code" for the course in which the offense occurred shall also be a penalty action under this part. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.
2. **Suspension in Abeyance** (all parts mandatory)
- a. The referred shall be allowed to remain in the University to complete the semester in which the offense occurred or in which the hearing is held.
 - b. The penalty shall automatically include a grade of "F for violation of the Graduate Honor Code" for the course (or equivalent) in which the offense occurred. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.
 - c. After the completion of the semester as specified in item (a) above, the referred shall be suspended for a period not to exceed two (2) successive semesters or one (1) full academic year as specified by the official notification of the University action (as specified under Article VI, Section 1, item 3 of this Constitution).

- d. The notation "suspended for violation of the Graduate Honor Code" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.
 - e. Upon the referred student's re-enrollment at Virginia Tech at the end of the period of suspension, the student shall be placed on Graduate Honor System Probation (penalty 1, part a only) until graduation or termination of enrollment.
3. **Suspension** (all parts mandatory)
- a. Suspension is immediate and the student shall not be allowed to complete the current semester. In addition, the referred shall be suspended for a period not to exceed two (2) successive academic semesters or one (1) full academic year following the current semester (as specified under Article VI, Section 1, item 3 of this Constitution).
 - b. All credits shall be lost for work done during the semester in which the student is currently enrolled. The penalty shall automatically include a grade of "F for violation of the Graduate Honor Code" for the course (or equivalent) in which the offense occurred. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.
 - c. The notation "suspended for violation of the Graduate Honor Code" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.
 - d. Upon the referred student's re-enrollment at Virginia Tech at the end of the period of suspension, the student shall be placed on Graduate Honor System Probation (penalty 1, part a only) until graduation or termination of enrollment.
4. **Permanent Dismissal** (all parts mandatory)
- a. The referred shall be permanently dismissed from the University without being allowed to complete the current semester.
 - b. All credits shall be lost for work done during the semester in which the student is currently enrolled. In addition, if the offense did not occur during the semester in which the hearing is held, then a grade of "F for violation of the Graduate Honor Code" shall also be assigned for the course in which the offense was committed. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.
 - c. The referred may never re-enroll in the University.
 - d. The notation "permanently dismissed for violation of the Graduate Honor Code" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.

Section 2 - Acquittal

In the event of acquittal by the Graduate Honor System, all records of any description in conjunction with the trial shall be completely destroyed, except the "charges" and the "Findings of the System," which shall be filed in the Chair's confidential file.

Section 3 - Announcement

1. In cases where students are found in (or claim responsibility for) violation of the honor code, the penalty and specifications may be published without names, when the case is resolved, in such media as the GHS annual report and reports to the Graduate Student Assembly or Commission on Graduate Studies and Policies.
2. Exonerations may also be published (without names) if the referred so desires. A written release must be obtained from the referred prior to publication.

ARTICLE VIII: RIGHTS AND OBLIGATIONS OF THE REFERRED STUDENT

Section 1 - Rights of the Referred Student

A student referred for violating the Graduate Honor Code shall have certain procedural guarantees to ensure fair judicial hearing of evidence. These rights under the Graduate Honor Code shall be as follows:

1. Students shall be considered innocent until judged guilty.
2. Students shall have the right to refrain from speaking for or against themselves.
3. Students shall have the right to speak in their own behalf.
4. Students may choose a member of the university community, such as a fellow student, faculty member, or staff member who is willing to assist them in preparing their defense. This person may attend a Facilitated Discussion, but may only participate in an advisory capacity to the student. During a Review Panel, the student's representative shall only be allowed to address the Review Panel; they may not question witnesses. Lawyers retained by referred students shall not be permitted in Review Panel hearings or at Facilitated Discussions.
5. Students may terminate a Facilitated Discussion at any time, without reason.
6. Students shall have the right to review the report prepared by the Associate Chair, prior to the scheduling of a Preliminary Review Panel.
7. Students shall have the right to suggest corrections and/or additions to the report prepared by the Associate Chair, prior to the scheduling of a Preliminary Review Panel. All suggestions will be considered at the discretion of the Chair and the Associate Chair for the case.
8. Students may at any time privately seek counsel with their university community representative. Statements made at this time shall be confidential.
9. Students may have any Graduate Honor System function that they are entitled to attend stopped at any time for a point of clarification.
10. Students may leave any Graduate Honor System function at any time; however, it is in their best interest to remain until they are made aware of all the details.
11. Students shall have the right to receive written notice of the charges, the "Order of Events for Review Panel Hearings," and any other pertinent information sufficiently in advance of the Review Panel hearing and in reasonable enough detail to allow them to prepare a case in their behalf. Likewise, students shall have the right to examine all evidence collected during evidence gathering prior to the Review Panel hearing. The students and their representatives shall have a copy of the evidence during the Review Panel hearing.
12. Students shall have the right to be aware of all testimony.
13. Students shall have the right to face the referrer, when such opportunity exists, at the Review Panel hearing and to present a defense against the charges, including presenting

witnesses on their behalf. Consequently, students shall be consulted in the scheduling of the Review Panel hearing. However, students shall only be allowed to reschedule the Review Panel hearing once. Except under extenuating circumstances, Review Panel hearings shall not be rescheduled unless the Chair or the Graduate Honor System Advisor is notified of the requested change prior to three (3) days preceding the scheduled hearing date.

14. Failure of students to be present at Review Panel hearings, assuming reasonable effort has been made to ensure their presence, shall indicate that they are waiving their rights to face the referrer and to appear before the Review Panel.
15. Students may ask that a panel member be excused from the Review Panel hearing if they can give reasonable cause why that panel member may be biased or have some other conflict of interest. The Chair and the Graduate Honor System Advisor shall make a final ruling on any such request.
16. Students shall have the right to an appeal as specified under Article VI, Section 2.

Section 2 - Obligations of the Referred Student(s)

Students referred of Graduate Honor Code violations shall have the responsibility of cooperating with Graduate Honor System personnel. Furthermore, when a case involves other students, these students' rights to privacy should be observed. Students should be aware that the confidentiality of Honor System proceedings may be covered under the Family Educational Rights and Privacy Act (FERPA) as outlined on the University Registrar's website.

ARTICLE IX: RIGHTS AND OBLIGATIONS OF THE REFERRER

Section 1 - Rights of the Referrer

A person referring charges of a Graduate Honor Code violation against a graduate student shall be accorded the following rights:

1. Discussion of the charges between the referrer and referred prior to the Review Panel hearing shall be allowed, although the referrer shall have the right to decline to discuss the case with the referred. The referrer shall have the right, with the permission of the referred, to have one witness present when talking with the referred about the alleged violation.
2. The referrer shall have the right to choose one person (any member of the university community, such as a graduate student, a faculty or staff member, or department head) to assist them in preparation of the case. This person is not allowed to be present at the Review Panel hearing or during a Facilitated Discussion.
3. The referrer shall have the right to terminate a Facilitated Discussion at any time, without reason.
4. The referrer shall have the right to review the report prepared by the Associate Chair, prior to the scheduling of a Preliminary Review Panel.
5. The referrer shall have the right to suggest corrections and/or additions to the report prepared by the Associate Chair, prior to the scheduling of a Preliminary Review Panel. The referrer shall have the right to receive a copy of the evidence collected during the evidence gathering, the "Order of Events for Review Panel Hearings," and any other

pertinent information, if the Preliminary Review Panel sends the case to the Review Panel.

6. The referrer shall have the right to receive written notification of the final disposition of the case.
7. The referrer shall have the right to be secure in person and property.
8. Professors referring charges of violations may opt to grade or refrain from grading any assignment referred to the Graduate Honor System. It is recommended that instructors, if they are able to do so, grade the assignment with the assumption that the student is innocent of the charge. However, an incomplete grade may be assigned to the referred student pending the decision of the Graduate Honor System. The incomplete grade will be removed when the case is resolved.

Section 2 - Obligations of the Referrer

A person referring a suspected of a Graduate Honor Code violation shall accept the following obligations:

1. The referrer shall cooperate with the Chair, the Graduate Honor System advisor, the Associate Chair, and any other personnel of the Graduate Honor System.
2. The referrer shall be expected to appear at the Review Panel hearing.
3. The referrer shall have the responsibility of maintaining confidentiality in all matters pertaining to the case. However, referrers may discuss the case with their counsel (see Article IX, Section 1, item 2). The referrer should be aware that the confidentiality of Honor System proceedings may be covered under the Family Educational Rights and Privacy Act (FERPA) as outlined on the University Registrar's website.

ARTICLE X: OBLIGATIONS OF PARTIES INDIRECTLY INVOLVED IN HONOR SYSTEM CASES

1. Parties indirectly involved in Honor System cases include but are not limited to persons who witness alleged violations, witness discussions between referrers and referred students, and serve as members of the University community that help referrers and referred students prepare their case.
2. Parties indirectly involved in Honor System cases shall have the responsibility of maintaining confidentiality in all matters. Parties indirectly involved in Honor System Cases should be aware that the confidentiality of Honor System proceedings may be covered under the Family Educational Rights and Privacy Act (FERPA) as outlined on the University Registrar's website.

ARTICLE XI: GENERAL

Section 1 - Reporting of Violations

It is the obligation of all members of the academic community to report alleged violations of the Graduate Honor Code. *Reporting the observance of a Graduate Honor Code violation shall not be optional; it shall be mandatory.* Reports should be submitted in writing to the Chair or the

Graduate Honor System Advisor on forms provided for that purpose, which are available at the Graduate Honor System website. The report form also may be obtained at the Graduate School.

Alleged violations of the Graduate Honor Code must be reported within ten (10) University business days after the date of discovery. Only under very special circumstances shall exceptions to this policy be granted, and then only at the discretion of the Chair and the Graduate Honor System Advisor. A possible reason for exception could include, but is not limited to, unavoidable delays in obtaining the evidence.

Section 2 - Violations at Extended Campuses

1. Students engaged in graduate studies at any of Virginia Tech's extended campuses shall be subject to all provisions of this Constitution.
2. Designated panelists may assist in gathering evidence if it is not possible for an Associate Chair to do so. The evidence obtained shall be presented to the Preliminary Review Panel and shall be evaluated in a manner prescribed in Article IV of this Constitution.
3. Unless otherwise designated by the Chair, with the approval of the Dean of the Graduate School, all hearings shall be conducted at the Virginia Tech main campus in Blacksburg.

Section 3 - Summer

Because of the decreased availability of graduate student and faculty panelists during the summer, delays in processing and hearing cases may result. Thus, reasonable delays of this sort shall not be considered as violating the student's rights or as grounds for an appeal.

Section 4 - Graduate Students Enrolled in Undergraduate Classes

Graduate students shall be subject to stipulations within this Constitution regardless of whether they are enrolled in undergraduate or graduate classes. In cases in which the graduate student is referred in conjunction with an undergraduate student, the Graduate Honor System will work with the Office of Undergraduate Academic Integrity.

Section 5 - Undergraduate Students Enrolled in Graduate Classes

The undergraduate honor system, commonly referred to as The Virginia Tech Honor System, shall have jurisdiction over cases involving undergraduate students in graduate classes unless the student is also enrolled in the Graduate School and taking graduate classes for graduate credit under the classification of "Dual Student" or " Combined Student," and "Bachelor/Master's Degree Student," in which case the Graduate Honor System shall have jurisdiction. In cases in which an undergraduate student is referred with a graduate student, the Graduate Honor System will work with the Office of Undergraduate Academic Integrity.

Section 6 - Violations Involving Graduate Students Already Graduated

If the degree towards which the student was working at the time of the alleged violation has already been awarded, the case shall be referred to the Dean of the Graduate School who shall

convene a committee to review and investigate the charge and make recommendations. The committee composition shall be determined by the Dean of the Graduate School. The Chair of the Graduate Honor System shall be an ex officio member of this committee and shall have the same voting privileges as the other members of this committee.

Section 7 - Recruitment of Graduate Honor System Members

Recognizing that it is strongest when it fosters and reflects the support of all graduate students and faculty at the University, the Graduate Honor System shall seek to be as broadly representative of the graduate student and faculty bodies at Virginia Tech as possible. To this end, all qualified graduate students and faculty shall be encouraged to participate in the Graduate Honor System. No otherwise qualified graduate student or faculty may be excluded from membership on the basis of race, sex, handicap, age, veteran status, national origin, religion, political affiliation, or sexual orientation.

Section 8 - Clearance of Graduate Student Records

Graduate students volunteering or appointed to serve on the Graduate Honor System must receive clearance of their personal disciplinary records and their academic records through the Dean of the Graduate School. Such clearances shall be conducted consistent with the University's regulations on the confidentiality of records and shall assure a minimum academic quality credit average of 3.00 and no previous or current disciplinary action for each appointee.

Section 9 - Confidentiality

All investigations, hearings, reviews, and other associated activities of the Graduate Honor System shall conform to the University's "Confidentiality of Student Records" and FERPA policies.

Section 10 - Substitution of Graduate Honor System Personnel

The Chair or the Graduate Honor System Advisor shall be authorized, when circumstances dictate, to appoint substitutes for any Graduate Honor System personnel in any case before the Graduate Honor System. However, faculty may not be substituted for graduate students and vice versa.

Section 11 - University Policies

Where appropriate, the Graduate Honor System shall abide by all applicable policies, statements, and principles as contained in the *University Policies for Student Life*.

Section 12 – Definition of a “University business day”

A “University business day,” as referred to in this constitution, shall be defined as any day on which the main Virginia Tech campus is open and the Graduate School offices are open.

ARTICLE XII: AMENDMENTS

Proposed amendments to the Constitution of the Graduate Honor System may be initiated through one of the following channels: (1) by a majority vote of the Graduate Student Assembly, (2) by a majority vote of the Commission on Graduate Studies and Policies, or (3) by direct submission to the Chair or the Dean of the Graduate School. Also, at the discretion of the Chair and the Graduate Honor System advisor, amendments may be initiated through the Graduate Honor System. Upon receiving such proposals, the Dean of the Graduate School shall convene the Constitution Revision Committee. With the approval of two-thirds of this committee, proposed amendments shall be forwarded for approval by the Commission on Graduate Studies and Policies and thereafter through the proper channels of the University governance structure (which at the time of the 2008-09 revision is described in Policies and Procedures No. 8011). Any substantive changes in proposed amendments as they proceed through subsequent levels of approval shall be resubmitted to the Constitution Revision Committee for its approval.

The Constitution Revision Committee shall consist of the Chair, the Graduate Honor System Advisor, a minimum of six (6) panelists (minimum of four (4) graduate students and two (2) faculty), and up to two (2) other representatives from the graduate student body to be nominated by the Graduate Student Assembly.

2018 Revision

The Vice President and Dean of the Graduate School convened a Constitution Review Committee in the Spring of 2018. This revision was conducted by a panel of graduate students and faculty members in accordance with the constitution.

The goals of the revision were to address concerns about the path of appeals, update language within the constitution to better fit the Honor System's values, and include penalties that fit the Honor System's values and mission which were not available at the time of the last revision.

2008-09 Revision

At the request of the Dean of the Graduate School, a Constitution Review Committee was convened in 2008 to perform a periodic review to bring the GHS Constitution up to date with current University policies and the climate of the time. This revision was conducted by a panel of graduate students and faculty in accordance with the constitution.

The goals of the current revision were two-fold: First, revisions were intended to address substantive issues that have arisen since the 1991 revision. Second, revisions were intended to improve the efficiency and effectiveness of the Honor System. The Review Committee considered a number of changes and ultimately rejected those that did not meet either of the above mentioned goals. The committee has worked very hard to ensure that the revisions to this constitution stand for at least another 15 years.

1991 Revision

Following the conclusion of the 1987 University Self-Study, a Constitution Revision Committee was convened to evaluate the Graduate Honor System. Since the Constitution had not received serious scrutiny in a decade or more, and since the Graduate Honor System has now matured to a level where the old Constitution is hardly serviceable, the ultimate goal of this committee from the outset was a revision of the Constitution. Much work has gone into ensuring that this revision will stand the test of time and will be instructive in guiding the operation of the Graduate Honor System in the years ahead.

Reference Material Used

Revision of this document was based on a variety of materials; these include:

1. *Constitution to the Virginia Tech [Undergraduate] Honor System, published in the Pylon (1988-89). (Article VII, Article VIII, several sections of Article IX, and Appendix A are used with and without modifications by permission of the Virginia Tech [Undergraduate] Honor System). Also, a report written by the Virginia Tech [Undergraduate] Honor System Self-Study Committee was used.*
2. *The University Judicial System's Manual for Hearing Officers, published by the Dean of Students Office, Virginia Tech (1989).*
3. *Several ideas and sentences from the following sources have been used with and without modification in the writing of the section "Purpose and Description of Graduate Honor Code" (Article I, Section 1):*
 - a. *Reference 1.*
 - b. *Cornell University Course of Study, "Code of Academic Integrity", (1989-1990), pp. 33-35.*
 - c. *Bulletin of Duke University Graduate School, "Standards of Conduct", (March 1990), pp. 56-58.*
 - d. *Record of the University of North Carolina at Chapel Hill, The Graduate School, "The Honor Code", (April 1990), pp. 70-72.*
 - e. *University of Virginia Graduate Record, "The Honor System", (1987-1988), p.20 and p. 30.*
4. *Information used in defining "Misconduct in Research" (Article I, Section 3):*
 - a. *Recommendations on "Research Misconduct and Graduate Students at VPI&SU" submitted to the Constitution Revision Committee by the Degree Requirements, Standards, Criteria and Academic Policies Committee (DRSCAPC) of the Commission on Graduate Studies, January 18, 1990.*
 - b. *"Narrower Definition of Misconduct Urged," Public Affairs Newsletter, Federation of American Societies for Experimental Biology, Vol. 21, No. 12 (December 1988) p. 1.*
 - c. *Federal Register, Vol. 54, No. 151, (August 8, 1989) 32449.*
 - d. *"New Rules on Misconduct," Science, (August 11, 1989) p. 593.*
5. *"Computer Science Department Policy on Koofers, Old Programs, Cheating, and Microcomputer Use," CS Bits & Bytes (CS Dept. VPI&SU), Wednesday, February 15, 1989, pp. 7-8. (Ideas and and wording from this policy were used in Article I, Section 3.)*



CONSTITUTION OF THE GRADUATE HONOR SYSTEM

Virginia Polytechnic Institute and State University

Passed by the Commission on Graduate Studies and Policies

Effective Fall 2009

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ARTICLE I: PURPOSE AND DESCRIPTION

Section 1 - Graduate Honor Code

The Graduate Honor Code establishes a standard of academic integrity. As such, this code demands a firm adherence to a set of values. In particular, the code is founded on the concept of honesty with respect to the intellectual efforts of oneself and others. Compliance with the Graduate Honor Code requires that *all* graduate students exercise honesty and ethical behavior in all their academic pursuits here at Virginia Tech, whether these undertakings pertain to study, course work, research, extension, or teaching.

It is recognized that graduate students have very diverse cultural backgrounds. In light of this, the term *ethical behavior* is defined as conforming to accepted professional standards of conduct, such as codes of ethics used by professional societies in the United States to regulate the manner in which their professions are practiced. The knowledge and practice of ethical behavior shall be the full responsibility of the student. Graduate students may, however, consult with their major professors, department heads, International Graduate Student Services, or the Graduate School for further information on what is expected of them.

More specifically, all graduate students, while being affiliated with Virginia Tech, shall abide by the standards established by Virginia Tech, as these are described in this Constitution. Graduate students, in accepting admission, indicate their willingness to subscribe to and be governed by the Graduate Honor Code and acknowledge the right of the University to establish policies and procedures and to take disciplinary action (including suspension or expulsion) when such action is warranted. Ignorance shall be no excuse for actions which violate the integrity of the academic community.

The fundamental beliefs underlying and reflected in the Graduate Honor Code are that (1) to trust in a person is a positive force in making a person worthy of trust, (2) to study, perform research, and teach in an environment that is free from the inconveniences and injustices caused by any form of intellectual dishonesty is a right of every graduate student, and (3) to live by an Honor System, which places a positive emphasis on honesty as a means of protecting this right, is consistent with, and a contribution to, the University's quest for truth.

Section 2 - Implementation

The Graduate Honor System was established to implement the Graduate Honor Code, and its functions shall be:

1. To promote honesty and ethical behavior in all academic pursuits, including, but not limited to, study, research, teaching, and extension.
2. To disseminate information concerning the Graduate Honor System to all new graduate students, faculty, and other interested parties.
3. To investigate all suspected violations of the Graduate Honor Code in an impartial, thorough, and unbiased manner.
4. To try all cases involving academic infractions of the Graduate Honor Code brought before the System.
5. To assure that the rights of all involved parties are protected and assure due process in all proceedings.

Section 3 - Violations

All forms of academic work including, but not limited to, course work, labwork, thesis or dissertation work, research, teaching, and extension performed by any graduate student enrolled on a part-time or full-time basis under any of the admission categories listed in the Virginia Tech Graduate Catalog shall be subject to the stipulations of the Graduate Honor Code. Violations of the Graduate Honor Code are categorized as follows: Cheating, Plagiarism, Falsification, and Academic Sabotage. Violations are defined as follows:

1. *Cheating*: Cheating is defined as the giving or receiving of any unauthorized aid, assistance, or unfair advantage in any form of academic work. Cheating applies to the products of all forms of academic work. These products include, but are not limited to, in-class tests, take-home tests, lab assignments, problem sets, term papers, research projects, theses, dissertations, preliminary and qualifying examinations given for the fulfillment of graduate degrees, or any other work assigned by an instructor or professor, graduate committee, or department that pertains to graduate work or degrees.

Any student giving or receiving unauthorized information concerning a test, quiz, or examination shall be guilty of an Honor Code violation. Submitting work that counts towards the student's grade or degree which is not the sole product of that student's individual effort shall be considered cheating, unless, for example, the professor explicitly allows group work, use of out-of-class materials, or other forms of collective or cooperative efforts. In general, all academic work shall be done in accordance with the requirements specified by the instructor or professor. In the absence of specific allowances or instructions by the professor, students shall assume that all work must be done individually.

Some uses of permanently returned, graded material ("koofers") are cheating violations of the Code. By permanently returning graded materials, a faculty member or instructor demonstrates the intent that these materials should be accessible to all students. Such materials may be used for study purposes, such as preparing for tests or other assignments, and other uses explicitly allowed by the professor or course instructor. Once test questions have been handed out, koofers may not be used. Other specific examples of the illegal use of koofers include, but are not limited to, using koofers during closed-book exams, handing in any type of copy (e.g., a photocopy or a transcribed copy) of someone else's work (partial or complete) from a previous term, and copying a current answer key or one that was handed out in a previous term. Students may not copy and hand in as their own work answers taken from any kind of koofer. When in doubt of what may or may not be used, students should consult with the course instructor. In the absence of specific instructions concerning koofers from the instructor, students shall assume that all submitted work must be the product of their own efforts.

2. *Plagiarism:* Plagiarism is a specific form of cheating, and is defined as the copying of the language, structure, idea, and/or thoughts of another and claiming or attempting to imply that it is one's own original work. It also includes the omitting of quotation marks when references are copied directly, improper paraphrasing (see Appendix: Plagiarism, p. 16), or inadequate referencing of sources. Sources used in preparing assignments for classes, theses, dissertations, manuscripts for publication, and other academic work should be documented in the text and in a reference list, or as directed by the instructor or professor. Sources requiring referencing include, but are not limited to, information received from other persons that would not normally be considered common knowledge (Plagiarism), computer programs designed or written by another person, experimental data collected by someone else, graded permanently-returned materials such as term papers or other out-of-class assignments (koofers), as well as published sources. A more detailed discussion of plagiarism may be found at the end of this document under Plagiarism.
3. *Falsification:* Students who falsify, orally, in writing, or via electronic media, any circumstance relevant to their academic work shall be guilty of a violation of this Code. Included are such actions as forgery of official signatures, tampering with official records or documents, fraudulently adding or deleting information on academic documents, fraudulently changing an examination or testing period or due date of an assignment, and the unauthorized accessing of someone else's computer

account or files. Violations also include willfully giving an improper grade or neglecting to properly grade submitted material, improperly influencing the results of course evaluations, and knowingly including false data or results in any paper or report submitted for a grade, as a degree requirement, or for publication.

4. *Academic Sabotage:* Academic sabotage is purposeful vandalism directed against any academic endeavor or equipment. It includes, but is not limited to, the destruction or theft of written material, laboratory or field experiments, equipment used in teaching or research, or computer files or programs. Unauthorized tampering with computer programs or systems shall constitute a violation. Academic sabotage includes deliberately crashing or attempting to crash a computer system or the use of files intended to cause or actually causing computer systems to behave atypically, thereby impeding another person's or group's efforts. In particular, knowingly infecting any system with a virus, worm, time bomb, trap door, Trojan horse, or any other kind of invasive program shall be considered a serious violation. Note that violations under this category may also lead to University judicial action or to criminal suits charged by the University.

Misconduct in research and teaching deserves special mention in the Code since it is an area of special interest to graduate students. It is not a separate violation category since it may involve cheating, plagiarism, falsification, and/or academic sabotage as discussed above. *Misconduct in research* does not include those factors intrinsic to the process of research, such as honest error, conflicting data, or differences in interpretation concerning data or experimental design. Likewise, *misconduct in teaching* does not include honest disagreement over the method of presentation of instructional material to a class or in the evaluation of the performance of a student. Research misconduct allegations may also be investigated by the Virginia Tech Office of Research Integrity.

Section 4 - Composition

The Graduate Honor System shall consist of an Advisor, a Chief Justice, one or more Investigators, GHS Facilitators, an Investigative Board, and a Judicial Panel. The Dean (or designee) of the Graduate School shall be responsible for the continued operation of the System. Appointment of Graduate Honor System personnel shall be made in accordance with Article XI, Section 7.

ARTICLE II: GENERAL ADMINISTRATION

Section 1 - Appointment of the Graduate Honor System Advisor

A member of the staff of the Dean of the Graduate School shall be appointed by the President to serve as the Graduate Honor System Advisor. The Advisor shall serve in an advisory capacity to the Chief Justice and shall be present (or represented) at all hearings of both the Investigative Board and the Judicial Panel.

Section 2 - Duties and Functions of the Advisor

The following duties and functions shall be performed by the Advisor:

1. The advisor shall have the responsibility to train the Chief Justice, Investigators, Facilitators, and new board and panel members.
2. The advisor shall provide counsel to the Chief Justice and Investigators in the preparation of cases.
3. The advisor shall provide staff for handling training sessions, scheduling meetings, and other matters related to the administration of the Graduate Honor System.
4. The advisor shall counsel faculty or students referring cases as well as those students charged with offenses.
5. The advisor (or designee) shall attend all hearings.
6. The advisor, in consultation with the Chief Justice, shall be responsible for appointing the Investigators.
7. The advisor, upon the receiving the recommendation of the Chief Justice, shall be responsible for approving the membership of the Investigative Board and Judicial Panel.

Section 3 - Appointment of the Chief Justice

1. Nominations for the position of Chief Justice shall be accepted from the Graduate Student Assembly, College Deans, and other members of the academic community, and applications by qualified persons shall be welcomed. Candidates for the position of Chief Justice must be graduate students in good standing and must have been in residence for at least one (1) semester immediately preceding nomination. Preferably, the nominee will have served as an Investigator or as a graduate student panel member of the Graduate Honor Court for at least one (1) semester prior to appointment.
2. The term of office shall be one (1) year, but if available and willing, the current Chief Justice may be re-appointed by the President of the University to serve subsequent terms, up to four (4) years, upon the recommendation of the Graduate Honor System Advisor.

3. The Chief Justice Nominating Committee shall be convened by the Dean upon the resignation of the current Chief Justice, upon completion of term of office, or upon termination of office. This committee shall consist of the Graduate Honor System Advisor (Chair), up to three (3) graduate student members of the Graduate Honor System, and one (1) faculty member having previously served on the Judicial Panel and appointed by the Dean of the Graduate School. All members shall have equal voting privileges. The function of this committee shall be to nominate a candidate for appointment by the President. The nomination process shall be: (1) to invite nominations and accept applications, (2) to review applications and conduct interviews with applicants, and (3) to recommend to the President of the University from among these applicants a nominee for the position of Chief Justice. The recommendation of this committee shall be by majority vote.
4. The recommendation of the nominating committee is voted on by the Graduate Student Assembly (GSA) and the Commission on Graduate Studies and Policies (CGS&P).
5. The Dean of the Graduate School will forward the nomination to the President conveying the vote of the GSA and CGS&P.
6. The President shall appoint the Chief Justice.
7. In the absence of a timely appointment, the President through the recommendation of the Dean, can appoint the nominee as an interim Chief Justice until the conclusion of the appointment process.

Section 4 - Duties and Functions of the Chief Justice

The Chief Justice shall perform the following duties and functions:

1. The Chief Justice shall receive reports of suspected violations and determine, in consultation with the GHS Advisor, if the accused student is eligible for a Facilitated Discussion.
2. The Chief Justice shall assign to the Investigative Board all cases not eligible for Facilitated Discussion.
3. The Chief Justice shall preside at all Judicial Panel hearings. The Chief Justice may request a member of the Judicial Panel to preside in his or her place.
4. The Chief Justice shall assure justice, fairness, and due process.
5. The Chief Justice shall secure nominations and select graduate student and faculty members for the Facilitated Discussion Process, the Investigative Board, and Judicial Panel, subject to approval by the Graduate Honor System Advisor.
6. The Chief Justice shall assume responsibility for the instruction and training of graduate student and

faculty members in the operation, function, and responsibility of the Graduate Honor System.

7. The Chief Justice shall orient entering graduate students and new faculty to the values and obligations of the Graduate Honor Code.
8. The Chief Justice shall conduct information activities and coordinate activities of the Graduate Honor System.
9. The Chief Justice shall administer the operation of the Graduate Honor System throughout the entire calendar year.
10. The Chief Justice shall keep the graduate community apprised of relevant activities of the Graduate Honor System.
11. The Chief Justice shall consult with the Graduate Honor System Advisor in the appointment of the Investigators and Graduate Honor System panelists for the Facilitated Discussion.
12. The Chief Justice shall select the Judicial Panel subcommittees to hear the cases.

Section 5 - Staff of the Chief Justice

The Chief Justice, with the approval of the Graduate Honor System Advisor, shall appoint sufficient staff to assist with the duties of the office.

Section 6 - Appointment of Investigators

1. The Graduate Honor System Advisor, in consultation with the Chief Justice, shall appoint one or more Investigators. Nominations for this position shall be accepted from the Graduate Student Assembly, College Deans, and other members of the academic community; and applications from qualified personnel shall be welcomed. Members of the Investigative Panel will be invited to apply. Students being considered for Investigator positions must be graduate students in good standing and must have been in residence for at least one (1) semester immediately preceding appointment. Preferably, the nominee will have served as a graduate student panel member of the Graduate Honor System for at least one (1) semester prior to the appointment. Investigators shall serve a one (1) year term but may be re-appointed to serve subsequent terms, up to four (4) years, if available and willing.
2. The appointment of the new Investigator(s) shall be made upon the resignation of the current Investigator(s), upon completion of term of office, or upon termination of office.

Section 7 - Duties of Investigators

Investigators shall perform the following duties:

1. Investigators shall gather evidence and conduct interviews with the referrer and the accused student(s).
2. Investigators shall prepare a brief report summarizing the evidence.
3. Investigators shall present the report summarizing the evidence to the referrer, accused student, and Chief Justice before presenting it for review by the Investigative Board.
4. Investigators shall select the Investigative Board subcommittee for reviewing the evidence.
5. Investigators shall convene and chair Investigative Board meetings.
6. Investigators shall prepare a brief report for the Chief Justice which summarizes the decision of the Investigative Board and shall brief the Chief Justice on all the details of the case at hand.
7. Investigators shall present the evidence before the Judicial Panel.
8. Investigators shall aid the Chief Justice in convening and conducting training sessions for Investigative Board members.

Section 8 – Appointment of Graduate Honor System Facilitators

1. The Graduate Honor System Advisor, in consultation with the Chief Justice, shall appoint one or more Graduate Honor System Facilitators. Applications for this position shall only be taken from current members of the Investigative Board and Judicial Panel. Graduate Honor System Facilitators must have significant experience with the Graduate Honor System as determined by the Graduate Honor System Advisor and Chief Justice before appointment as Discussion Facilitators. Facilitators shall serve a one (1) year term but may be re-appointed to serve subsequent terms, up to four (4) years, if available and willing.
2. The appointment of new Facilitators shall be made as necessary to meet the needs of the Honor System.

Section 9 – Duties of Graduate Honor System Facilitators

1. Graduate Honor System Facilitators shall facilitate a discussion meeting between the referrer, and the accused student(s).
2. Graduate Honor System Facilitators shall ensure that all applicable GHS guidelines are observed and followed.
3. Graduate Honor System Facilitators shall ensure that the rights of the accused and referrer are upheld.
4. Graduate Honor System Facilitators shall, upon examination of the facts of the case, have the authority to refer cases to the Chief Justice so that they may be assigned an Investigator.

5. Graduate Honor System Facilitators shall prepare a full report for the Chief Justice which summarizes the outcome of the facilitated discussion and shall brief the Chief Justice on all the details of the case at hand.
6. Graduate Honor System Facilitators shall aid the Chief Justice in conducting training session for new Graduate Honor System Facilitators.

ARTICLE III: FACILITATED DISCUSSION

Section 1 - Composition

1. The Facilitated Discussion shall be attended by the referrer(s) of the case, the accused student(s), and one Graduate Honor System Facilitator (as outlined in Article II, Sections 8 and 9).

Section 2 – Functions of the Facilitated Discussion

The Facilitated Discussion shall fulfill the following functions:

1. It shall assure that the rights of the accused and the referrer are protected and assure due process.
2. It shall facilitate a discussion between the referrer and accused student(s).
3. It shall attempt to build a consensus resolution to a suspected Honor Code violation without convening an Investigative Board or a Judicial Panel.
4. It shall create a record of an Honor Code violation if all parties conclude that a violation did occur. This record shall be kept in the Graduate Honor System case files.

Section 3 – Eligibility for the Facilitated Discussion

A suspected Honor Code violation will be eligible for a Facilitated Discussion if **ALL** of the following criteria are met:

1. The referrer of the case is a Faculty member;
2. The suspected violation involves an allegation of either 1) cheating or 2) plagiarism as outlined in Article I, Section 3 of the GHS Constitution;
3. The accused student(s) is(are) not on Graduate Honor System Probation at the time the report of the suspected violation is received by the Graduate Honor System;
4. And the violation is one for which a reasonable person who is familiar with the form and functions of the Graduate Honor System would not assign a penalty of more than the sanctions outlined in Article VII, Section 1, Item 1, Part a-d of this Constitution.

Section 4 – Operation

1. The Chief Justice, after determining a case eligible for a Facilitated Discussion, will notify the referrer and the accused of this determination.
2. The referrer and accused will then have no more than ten (10) University business days to notify the Chief Justice of their desire to participate in a Facilitated Discussion; otherwise the case will be sent for investigation and panel review. Exceptions to the ten-day period will only be made under extenuating circumstances, as determined by the Chief Justice or Graduate Honor System Advisor.
3. If either the referrer or the accused student(s) does not agree to participate in the Facilitated Discussion, the case will be sent for investigation and panel review.
4. During the Facilitated Discussion, the referrer of the alleged violation and the accused student will attempt to reach a resolution to the case, with the assistance of the Graduate Honor System Facilitator. The question which the accused and the referrer must answer is “Is the student guilty of the alleged violation?” A determination of guilt shall require both the referrer and the accused student to agree that the student is guilty of the alleged violation. A determination of not guilty shall require both the referrer and the accused student to agree that the student is not guilty of the alleged violation. In the absence of such an agreement, the case shall be sent for an investigation and panel review.
5. If the referrer and student agree that the student is guilty of the alleged violation, the referrer and student may then decide upon an appropriate penalty. Sanctions for the Facilitated Discussion will be limited to those sanctions outlined in Article VII, Section 1, Item 1, Parts a-d of this Constitution. The referrer and accused must both come to an agreement on the appropriate penalty. In the absence of such an agreement, the case shall be sent for an investigation and panel review.
6. The GHS Facilitator shall keep a record of the outcome of the Facilitated Discussion. This record, the original report of the alleged violation, and any relevant evidence shall be held in the Chief Justice’s confidential file. The Chief Justice shall inform the Dean of the Graduate School (or designee), in writing, of the outcome of all Facilitated Discussions.
7. For cases in which the referrer or the accused withdraws from the Facilitated Discussion, no record shall be kept that either the referrer or accused participated in a Facilitated Discussion and the fact that they did participate in such a proceeding shall not be deemed relevant in any future Honor System proceedings.

Section 5 – Withdrawal from the Decision of the Facilitated Discussion

1. The accused or referrer may withdraw from a decision reached during a Facilitated Discussion for any reason.
2. If the accused or referrer wishes to withdraw from the Facilitated Discussion decision, the Chief Justice must be notified of the desire to withdraw from the decision within two (2) calendar days of the conclusion of the Facilitated Discussion.
3. If the accused or referrer withdraws from the Facilitated Discussion decision, the case shall be immediately sent for an investigation and panel review.
4. In these instances no record shall be kept that the Facilitated Discussion occurred and the fact that they did participate in such a proceeding shall not be deemed relevant in any future Honor System proceedings.

ARTICLE IV: INVESTIGATIVE BOARD

Section 1 – Investigative Board Waiver

1. The accused student(s) and referrer shall have the opportunity to review the report prepared by the Investigator, before it is presented to an Investigative Board.
2. If, after review of the materials presented in the report, the accused student(s) accepts that there is substantive evidence to support the charge and warrant a full hearing of the case by the Judicial Panel, the student may request an Investigative Board Waiver. This request must be submitted to the Chief Justice within five (5) University business days of the student(s) receiving the case packet.
3. A request for an Investigative Board Waiver must be received before an Investigative Board is scheduled.
4. A request for an Investigative Board Waiver does not, in any way, imply guilt on the part of the student(s).
5. In cases involving multiple accused students, if all accused students do not request an Investigative Board Waiver, the case will proceed to an Investigative Board.
6. Cases for which an Investigative Board waiver is granted shall proceed directly to a Judicial Panel for a hearing.

Section 2 - Composition

1. The Investigative Board shall consist of a minimum of one (1) graduate student from each College, a minimum of one (1) faculty member from each

College, one or more Investigators, and the Graduate Honor System Advisor.

2. Student members shall be selected by the Chief Justice upon consultation with the College Deans and the Graduate Student Assembly and shall be approved by the Graduate Honor System Advisor. The term of office shall be one (1) year, from the date of the appointment. If available and willing, students may be re-appointed to serve subsequent terms, up to four (4) years.
3. Faculty members shall be selected by the Chief Justice upon consultation with the College Deans and shall be approved by the Graduate Honor System Advisor. The term of office shall be two (2) years from the date of the appointment. If available and willing, faculty may be re-appointed to serve subsequent terms, up to four (4) years.
4. Graduate student members of the Investigative Board shall have full voting privileges, whereas the faculty members shall serve in an advisory capacity to the student members and shall not have voting privileges.
5. The Investigators (or designees) shall chair Investigative Board meetings and shall not have voting privileges.
6. The Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Investigator and the Investigative Board.

Section 3 - Functions of the Investigative Board

The Investigative Board shall perform the following functions:

1. It shall gather and evaluate evidence.
2. It shall decide whether a hearing before the Judicial Panel should be held.
3. It shall select an individual from its membership to present the evidence before the Judicial Panel. This normally will be the Investigator, but it may be any member present at the Investigative Board meeting.

Section 4 - Operation

1. For each case without an Investigative Board Waiver, a hearing shall be conducted by a subcommittee of the Investigative Board, consisting of a minimum of five (5) graduate students and at least two (2) faculty members, to be selected by the Chief Justice. The Investigator managing the case shall serve as chair. In addition, the Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Investigator and the Investigative Board.
2. Investigations shall adhere to the basic tenets of due process for an academic honor violation as outlined in *University Policies for Student Life*.*

3. A decision to send the case to the Judicial Panel should be based upon substantive evidence to support the charge. The lack of such evidence should lead the Investigative Board to vote against sending the case to the Judicial Panel and consequently lead to the termination of the proceedings. Otherwise, the Investigative Board should send the case forward for the further scrutiny of the Judicial Panel. The fact that the case is forwarded to the Judicial Panel shall in no way imply guilt; the Investigative Board is simply stating that the case should be reviewed with the aid of personal testimonies.
4. The student members shall have full voting privileges while the faculty members serve in an advisory capacity. Recommendations of the Investigative Board must be by majority vote of the graduate student members present. In the event of a tie vote, the case will go forward.

* "Provisions for Procedural Guarantees," The University Judicial System, *University Policies for Student Life*, Virginia Tech.

ARTICLE V: JUDICIAL PANEL

Section 1 - Composition

1. The Judicial Panel shall consist of a minimum of one (1) graduate student from each College, a minimum of one (1) faculty member from each College, the Chief Justice, and the Graduate Honor System Advisor.
2. Graduate student members shall be selected by the Chief Justice upon consultation with the College Deans and the Graduate Student Assembly and shall be approved by the Graduate Honor System Advisor. The term of office shall be one (1) year from the time of the appointment. If available and willing, students may be re-appointed to serve subsequent terms, up to four (4) years.
3. Faculty members shall be selected by the Chief Justice upon consultation with the College Deans and shall be approved by the Graduate Honor System Advisor. The term of office shall be two (2) years from the time of the appointment. If available and willing, faculty may be reappointed to serve subsequent terms, up to four (4) years.
4. Both graduate student and faculty members of the Judicial Panel shall have full voting rights.
5. The Chief Justice (or designee) shall be a non-voting member and shall serve as the panel moderator.
6. The Graduate Honor System Advisor shall be a non-voting member and shall serve in an advisory capacity to the Chief Justice and the Judicial Panel.

Section 2 - Functions of the Judicial Panel

The Judicial Panel shall perform the following functions:

1. It shall hear evidence gathered by the Investigative Board.
2. It shall hear testimony of the referrer, accused, and witnesses.
3. It shall hear the remarks of the University community representative of the accused.
4. It shall assure that the rights of the accused and the referrer are protected and assure due process.
5. It shall determine guilt or innocence.
6. It shall recommend the penalty when the accused is determined to be guilty of the charge.

Section 3 - Operation

1. For each case, a hearing shall be conducted by a subcommittee of the Judicial Panel, consisting of the Chief Justice, a minimum of four (4) graduate students, a minimum of three (3) faculty members, and the Graduate Honor System Advisor. The number of voting faculty shall not exceed the number of voting graduate students present. The graduate students and faculty members shall be selected by the Chief Justice with the approval of the Graduate Honor System Advisor. Each graduate student and faculty member shall have full voting privileges, while the Chief Justice (or designee) shall be a non-voting member and shall serve as the moderator of the hearing. In addition, the Graduate Honor System Advisor shall be a non-voting member and shall serve in an Advisory capacity to the Chief Justice and the Judicial Panel.
2. All Judicial Panel hearings shall adhere to the basic tenets of due process of an academic honor violation as outlined in *University Policies for Student Life*.
3. All persons involved with the hearing have the right to be treated with respect. Persons displaying disrespect for another person at the hearing or contempt for the proceedings shall be dismissed, and the hearing shall be concluded in their absence.
4. All evidence regarding cases should be submitted to the Investigators during the investigation and interviewing process (prior to the Investigative Board meeting). If additional information is submitted after the case is sent forward by the Investigative Board, the Judicial Panel will decide the relevancy of that information.
5. The accused must be adjudged guilty before any consideration is given to the penalty, unless the accused pleads guilty, in which case the deliberations shall focus solely on the penalty.
6. In evaluating evidence and testimony regarding guilt or innocence, each member of the Judicial Panel shall consider whether or not there exists substantive evidence of guilt. The verdict of guilt or innocence

shall be determined solely on the basis of the facts regarding the charge, i.e., based on evidence collected and testimony presented at the Judicial Panel hearing.

7. At the conclusion of the deliberations on guilt or innocence for each charge against the student the Chief Justice shall poll the members of the Panel on the question: "Is the student guilty of the alleged violation?" An affirmative vote represents "guilty," while a negative vote represents "not guilty." A determination of guilt shall require a majority vote. In the absence of such a vote, the Panel shall be deemed to have found the student "not guilty." An abstention shall not be counted as a vote. In the unlikely event that a majority of the Judicial Panel members do not vote, then the current panel shall be dismissed and a new panel shall be convened to re-hear the case.
8. In determining the appropriate sanction, such factors as the accused student's past history of violations, attitude, intent, severity of the violation, and the degree of cooperation may be considered.
9. Recommendations of penalty shall be by majority vote. An abstention shall not be counted as a vote.
10. A taped recording of the proceedings, the confidential recommendations of the Judicial Panel, together with all submitted evidence and votes recorded, shall be held in the Chief Justice's confidential file. The Chief Justice shall inform the Dean of the Graduate School (or designee), in writing, of the findings and recommendations of the Judicial Panel.

ARTICLE VI: UNIVERSITY ACTION

Section 1 - Review and Decision

1. The recommendations (verdict, and penalty if required) of the Judicial Panel shall be submitted in writing by the Chief Justice to the Dean of the Graduate School (or designee) for review and decision.
2. No penalty shall be announced until an official decision shall have been rendered by the Dean of the Graduate School (or designee).
3. The official decision of the Dean of the Graduate School (or designee) shall be transmitted in writing to the accused, the referrer, and the course instructor (or major professor for a research-related violation). The accused shall also be notified of the right to appeal the decision.
4. When the Judicial Panel's recommendation is not accepted by the Dean (or designee), the Panel shall be notified of the final decision of the Dean (or designee).

Section 2 - Appeals

1. The accused may appeal the official decision to the Dean of the Graduate School on grounds of (1) failure of the Graduate Honor System to follow proper procedures, (2) introduction of new evidence, and/or (3) severity of the penalty. The imposition of the penalty shall be deferred until the termination of the appeals process.
2. The Dean of the Graduate School must be notified of an intention to appeal within five (5) University business days after the accused receives written notification of the verdict and penalty.
3. In the event of an appeal, the Dean of the Graduate School (or designee) shall convene an Appeals Board. The Board shall consist of two (2) members [one (1) graduate student and one (1) faculty] from the Commission on Graduate Studies and Policies and one (1) faculty and one (1) graduate student representative selected at large. The members of the Appeals Board shall be appointed by the Dean of the Graduate School. When convened, the Board shall serve in an advisory capacity and the Dean of the Graduate School shall preside.
4. The accused and the University community representative of the accused may present the argument of the defense before the Appeals Board. The case of the Graduate Honor System shall be presented by one (1) graduate student and one (1) faculty member, both selected by the Chief Justice, who were members of the Judicial Panel that considered the case. The Chief Justice and the Graduate Honor System advisor shall normally present the case findings of the Graduate Honor System.
5. The appeals hearing is not a retrial and must be focused solely upon one or more of the following: (1) failure of the Graduate Honor System to follow proper procedures, (2) introduction of new evidence, (3) severity of penalty. The hearing shall be limited to the consideration of the specific information pertaining to one or more of the above. The burden shall be placed on the appealing student to demonstrate why the original finding or sanction should be changed.
6. The decision of the appeals committee is limited to grounds of the appeal. Judgments are made according to the following guidelines:
 - a. *Failure of the Graduate Honor System to Follow Proper Procedures:* Determine whether or not the Graduate Honor System followed proper procedures. If proper procedures were followed, then the official decision is enforced. If proper procedures were not followed, then the student is acquitted and the case is closed.
 - b. *Introduction of New Evidence:* Determine whether or not the new evidence is relevant to the official

decision. In the event that the information is determined to be relevant, the appeals board would request a new judicial panel hearing with no members from a previous panel. If information is determined to be irrelevant, then the official decision is upheld.

c. *Severity of Penalty*: Determine if the penalty is too severe for the violations of which the student was found guilty. The finding of guilt is not appealable and the case will not be retried. In the event that the penalty is found to be too severe, a lower penalty may be given from those specified under Article VII of this Constitution.

7. The final determination of an appeal shall be the sole responsibility of the Dean (or designee) of the Graduate School. The student shall be notified in writing of the disposition of the appeal.

ARTICLE VII: ACTIONS OF THE GRADUATE HONOR SYSTEM

Section 1 - Penalties

Where guilt is determined, the Judicial Panel or Facilitated Discussion shall also be responsible for determining an appropriate sanction. There are four major penalty levels (1-4) with increasing severity. These penalties are (1) Graduate Honor System Probation, (2) Suspension in Abeyance, (3) Suspension, and (4) Permanent Dismissal. For each charge of a Graduate Honor Code violation for which a student is found (or pleads) guilty, one of these four penalties must be given.

For cases resolved through Facilitated Discussion, only penalty 1 (Graduate Honor System Probation), subparts a-d may be applied.

For those cases where suspension or dismissal is not warranted, the subparts of penalty 1 (Graduate Honor System Probation) provide a further gradation in the penalty action. Whereas penalties 2, 3, and 4 must be given as a whole (i.e., no parts may be given without the others), penalty 1 may be given in part or in full. However, *if penalty 1 is selected, parts a and b must always be given*. Only parts c-h of penalty 1 shall be optional. The very minimum penalty given shall be penalty 1, parts a and b.

1. **Graduate Honor System Probation** (parts a and b mandatory, parts c-h optional)

a. The accused shall not be suspended from the University, but shall be placed on Graduate Honor System Probation until graduation or termination of enrollment. The sentence of Probation is a warning and is intended to serve as a deterrent against future misconduct. In the event of any other University or Graduate Honor Code violation, the appropriate parties shall be notified of the previous history of the accused. In the event of resignation and re-enrollment within a period of one (1) year, the accused shall be reinstated on Graduate Honor System Probation (penalty 1, part a only) subsequent to re-enrollment.

b. The accused shall also automatically receive a zero on the assignment on which the violation occurred. In cases other than those involving course work (or other similar work where a zero is applicable), action shall be taken to negate any advantages obtained by the violation.

c. A record of the action shall be kept in the accused's folder (*not* the official transcript) in the Graduate School until graduation from the University or termination of enrollment.

d. The accused shall be required to attend a meeting or meetings with the Chief Justice and the Dean of the Graduate School for the purpose of achieving a better understanding on the student's part of the requirements and purpose of the Graduate Honor System. Failure to participate in this meeting(s) shall constitute grounds for the *automatic* invocation of part "f" below.

e. The accused may be sanctioned to perform an appropriate number of hours (not to exceed 50) of service to the home academic department or other appropriate entities within the university. Failure to perform this service as specified by the Graduate Honor System shall constitute grounds for the *automatic* invocation of part "f" below.

f. The notation "placed on Graduate Honor System Probation" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.

g. If substantial unfair academic advantage was gained, that is to say, if the violation, undetected, would have led to an advantage over the other students (or if the accused thought it would), then a grade of "F# for violation of the Graduate Honor Code" for the course in which the offense occurred shall also be a penalty action under this part. This grade shall appear on the student's grade report and permanent record (transcript) as an "F#." The notation of "#" may be removed by either the student's graduation

or if the student re-takes the course.

- h. If substantial unfair academic advantage was gained, that is to say, if the violation, undetected, would have led to a substantial grade advantage over the other students (or if the accused thought it would), then a grade of "F for violation of the Graduate Honor Code" for the course in which the offense occurred shall also be a penalty action under this part. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.

2. **Suspension in Abeyance** (all parts mandatory)

- a. The accused shall be allowed to remain in the University to complete the semester in which the offense occurred or in which the hearing is held.
- b. The penalty shall automatically include a grade of "F for violation of the Graduate Honor Code" for the course (or equivalent) in which the offense occurred. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.
- c. After the completion of the semester as specified in item (a) above, the accused shall be suspended for a period not to exceed two (2) successive semesters or one (1) full academic year as specified by the official notification of the University action (as specified under Article VI, Section 1, item 3 of this Constitution).
- d. The notation "suspended for violation of the Graduate Honor Code" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.
- e. Upon the accused's re-enrollment at Virginia Tech at the end of the period of suspension, the student shall be placed on Graduate Honor System Probation (penalty 1, part a only) until graduation or termination of enrollment.

3. **Suspension** (all parts mandatory)

- a. Suspension is immediate and the student shall not be allowed to complete the current semester. In addition, the accused shall be suspended for a period not to exceed two (2) successive academic semesters or one (1) full academic year following the current semester (as specified under Article VI, Section 1, item 3 of this Constitution).
- b. All credits shall be lost for work done during the semester in which the student is currently enrolled. The penalty shall automatically include a grade of "F for violation of the Graduate Honor Code" for the

course (or equivalent) in which the offense occurred. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.

- c. The notation "suspended for violation of the Graduate Honor Code" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.
- d. Upon the accused's re-enrollment at Virginia Tech at the end of the period of suspension, the student shall be placed on Graduate Honor System Probation (penalty 1, part a only) until graduation or termination of enrollment.

4. **Permanent Dismissal** (all parts mandatory)

- a. The accused shall be permanently dismissed from the University without being allowed to complete the current semester.
- b. All credits shall be lost for work done during the semester in which the student is currently enrolled. In addition, if the offense did not occur during the semester in which the hearing is held, then a grade of "F for violation of the Graduate Honor Code" shall also be assigned for the course in which the offense was committed. This grade shall appear on the student's grade report and permanent record (transcript) as an "F*", and it shall be a permanent notation.
- c. The accused may never re-enroll in the University.
- d. The notation "permanently dismissed for violation of the Graduate Honor Code" shall appear on the student's permanent record (transcript) under the semester in which the violation occurred.

Section 2 - Acquittal

In the event of acquittal by the Graduate Honor System, all records of any description in conjunction with the trial shall be completely destroyed, except the "charges" and the "Findings of the System," which shall be filed in the Chief Justice's confidential file.

Section 3 - Announcement

In cases where students are found (or plead) guilty, the penalty and specifications may be published without names when the case is resolved, in such media as the *Collegiate Times* or the GHS annual report. Exonerations may also be published (without names) if the accused so desires. A written release must be obtained from the accused prior to publication.

ARTICLE VIII: RIGHTS AND OBLIGATIONS OF THE ACCUSED

Section 1 - Rights of the Accused

A student accused of violating the Graduate Honor Code shall have certain procedural guarantees to ensure fair judicial hearing of evidence. These rights under the Graduate Honor Code shall be as follows:

1. Students shall be considered innocent until judged guilty.
2. Students shall have the right to refrain from speaking for or against themselves.
3. Students shall have the right to speak in their own behalf.
4. Students may choose a member of the university community, such as a fellow student, faculty member, or staff member who is willing to assist them in preparing their defense. This person may attend a Facilitated Discussion, but may only participate in an advisory capacity to the student. During a Judicial Panel, the student's representative shall only be allowed to address the Judicial Panel; they may not question witnesses. Lawyers retained by accused students shall not be permitted in Judicial Panel hearings or at Facilitated Discussions.
5. Students may terminate a Facilitated Discussion at any time, without reason.
6. Students shall have the right to review the report prepared by the Investigator, prior to the scheduling of an Investigative Board.
7. Students shall have the right to suggest corrections and/or additions to the report prepared by the Investigator, prior to the scheduling of an Investigative Board. All suggestions will be considered at the discretion of the Chief Justice and the Investigator for the case.
8. Students may at any time privately seek counsel with their university community representative. Statements made at this time shall be confidential.
9. Students may have any Graduate Honor System function that they are entitled to attend stopped at any time for a point of clarification.
10. Students may leave any Graduate Honor System function at any time; however, it is in their best interest to remain until they are made aware of all the details.
11. Students shall have the right to receive written notice of the charges, the "Order of Events for Judicial Panel Hearings," and any other pertinent information sufficiently in advance of the Judicial Panel hearing and in reasonable enough detail to allow them to prepare a case in their behalf. Likewise, students shall have the right to examine all evidence collected during the investigation prior to the Judicial Panel hearing. The students and their

representatives shall have a copy of the evidence during the Judicial Panel hearing.

12. Students shall have the right to be aware of all testimony.
13. Students shall have the right to face the referrer, when such opportunity exists, at the Judicial Panel hearing and to present a defense against the charges, including presenting witnesses on their behalf. Consequently, students shall be consulted in the scheduling of the Judicial Panel hearing. However, students shall only be allowed to reschedule the Judicial Panel hearing once. Except under extenuating circumstances, Judicial Panel hearings shall not be rescheduled unless the Chief Justice or the Graduate Honor System Advisor is notified of the requested change prior to three (3) days preceding the scheduled hearing date.
14. Failure of students to be present at Judicial Panel hearings, assuming reasonable effort has been made to ensure their presence, shall indicate that they are waiving their rights to face the referrer and to appear before the Judicial Panel.
15. Students may ask that a panel member be excused from the Judicial Panel hearing if they can give reasonable cause why that panel member may be biased or have some other conflict of interest. The Chief Justice and the Graduate Honor System Advisor shall make a final ruling on any such request.
16. Students shall have the right to an appeal as specified under Article VI, Section 2.

Section 2 - Obligations of the Accused

Students accused of Graduate Honor Code violations shall have the responsibility of cooperating with Graduate Honor System personnel. Furthermore, when a case involves other students, these students' rights to privacy should be observed. Students should be aware that the confidentiality of Honor System proceedings may be covered under the Family Educational Rights and Privacy Act (FERPA) as outlined on the University Registrar's website at <http://www.registrar.vt.edu/records/ferpa.php>.

ARTICLE IX: RIGHTS AND OBLIGATIONS OF THE REFERRER

Section 1 - Rights of the Referrer

A person referring charges of a Graduate Honor Code violation against a graduate student shall be accorded the following rights:

1. Discussion of the charges between the referrer and accused prior to the Judicial Panel hearing shall be allowed, although the referrer shall have the right to decline to discuss the charge with the accused. The referrer shall have the right, with the permission of the accused, to have one witness present when talking with the accused about the alleged violation.
2. The referrer shall have the right to choose one person (any member of the university community, such as a graduate student, a faculty or staff member, or department head) to assist them in preparation of the case. This person is not allowed to be present at the Judicial Panel hearing or during a Facilitated Discussion.
3. The referrer shall have the right to terminate a Facilitated Discussion at any time, without reason.
4. The referrer shall have the right to review the report prepared by the Investigator, prior to the scheduling of an Investigative Board.
5. The referrer shall have the right to suggest corrections and/or additions to the report prepared by the Investigator, prior to the scheduling of an Investigative Board. The referrer shall have the right to receive a copy of the evidence collected during the investigation, the "Order of Events for Judicial Panel Hearings," and any other pertinent information, if the Investigative Board sends the case to the Judicial Panel.
6. The referrer shall have the right to receive written notification of the final disposition of the case.
7. The referrer shall have the right to be secure in person and property.
8. Professors referring charges of violations may opt to grade or refrain from grading any assignment under investigation by the Graduate Honor System. It is recommended that instructors, if they are able to do so, grade the assignment with the assumption that the student is innocent of the charge. However, an incomplete grade may be assigned to the accused student pending the decision of the Graduate Honor System. The incomplete grade will be removed when the case is resolved.

Section 2 - Obligations of the Referrer

A person bringing charges of a Graduate Honor Code violation against another shall accept the following obligations:

1. The referrer shall cooperate with the Chief Justice, the Graduate Honor System advisor, the Investigator, and any other personnel of the Graduate Honor System.
2. The referrer shall be expected to appear at the Judicial Panel hearing.
3. The referrer shall have the responsibility of maintaining confidentiality in all matters pertaining to the case. However, referrers may discuss the case

with their counsel (see Article IX, Section 1, item 2). The referrer should be aware that the confidentiality of Honor System proceedings may be covered under the Family Educational Rights and Privacy Act (FERPA) as outlined on the University Registrar's website at <http://www.registrar.vt.edu/records/ferpa.php>.

ARTICLE X: OBLIGATIONS OF PARTIES INDIRECTLY INVOLVED IN HONOR SYSTEM CASES

1. Parties indirectly involved in Honor System cases include but are not limited to persons who witness alleged violations, witness discussions between referrers and accused students, and serve as members of the University community that help referrers and accused students prepare their case.
2. Parties indirectly involved in Honor System cases shall have the responsibility of maintaining confidentiality in all matters. Parties indirectly involved in Honor System Cases should be aware that the confidentiality of Honor System proceedings may be covered under the Family Educational Rights and Privacy Act (FERPA) as outlined on the University Registrar's website at <http://www.registrar.vt.edu/records/ferpa.php>.

ARTICLE XI: GENERAL

Section 1 - Reporting of Violations

It is the obligation of all members of the academic community to report alleged violations of the Graduate Honor Code. *Reporting the observance of a Graduate Honor Code violation shall not be optional; it shall be mandatory.* Reports should be submitted in writing to the Chief Justice or the Graduate Honor System Advisor on forms provided for that purpose, which are available at <http://ghs.grads.vt.edu>. The report form also may be obtained at the Graduate School.

Alleged violations of the Graduate Honor Code must be reported within ten (10) University business days after the date of discovery. Only under very special circumstances shall exceptions to this policy be granted, and then only at the discretion of the Chief Justice and the Graduate Honor System Advisor. A possible reason for exception could include, but is not limited to, unavoidable delays in obtaining the evidence.

Section 2 - Violations at Extended Campuses

1. Students engaged in graduate studies at any of Virginia Tech's extended campuses shall be subject to all provisions of this Constitution.
2. Designated members of the Investigative Board shall gather evidence. The evidence obtained shall be presented to the Investigative Board and shall be evaluated in a manner prescribed in Article IV of this Constitution.
3. Unless otherwise designated by the Chief Justice, with the approval of the Dean of the Graduate School, all hearings shall be conducted at the Virginia Tech main campus in Blacksburg.

Section 3 - Summer School

Because of the decreased availability of graduate student and faculty board and panel members during the summer, delays in processing and hearing cases may result. Thus, reasonable delays of this sort shall not be considered as violating the student's rights or as grounds for an appeal.

Section 4 - Graduate Students Enrolled in Undergraduate Classes

Graduate students shall be subject to stipulations within this Constitution regardless of whether they are enrolled in undergraduate or graduate classes.

Section 5 - Undergraduate Students Enrolled in Graduate Classes

The undergraduate honor system, commonly referred to as The Virginia Tech Honor System, shall have jurisdiction over cases involving undergraduate students in graduate classes unless the student is also enrolled in the Graduate School and taking graduate classes for graduate credit under the classification of "Dual Student" or "Combined Student," and "Bachelor/Master's Degree Student," in which case the Graduate Honor System shall have jurisdiction.

Section 6 - Violations Involving Graduate Students Already Graduated

If the degree towards which the student was working at the time of the alleged violation has already been awarded, the case shall be referred to the Dean of the Graduate School who shall convene a committee to review and investigate the charge and make recommendations. The committee composition shall be determined by the Dean of the Graduate School. The Chief Justice of the Graduate Honor System shall be an ex officio member of this committee and shall have the same voting privileges as the other members of this committee.

Section 7 - Recruitment of Graduate Honor System Members

Recognizing that it is strongest when it fosters and reflects the support of all graduate students and faculty at the University, the Graduate Honor System shall seek to be as broadly representative of the graduate student and faculty bodies at Virginia Tech as possible. To this end, all qualified graduate students and faculty shall be encouraged to participate in the Graduate Honor System. No otherwise qualified graduate student or faculty may be excluded from membership on the basis of race, sex, handicap, age, veteran status, national origin, religion, political affiliation, or sexual orientation.

Section 8 - Clearance of Graduate Student Records

Graduate students volunteering or appointed to serve on the Graduate Honor System must receive clearance of their personal disciplinary records and their academic records through the Dean of the Graduate School. Such clearances shall be conducted consistent with the University's regulations on the confidentiality of records and shall assure a minimum academic quality credit average of 3.00 and no previous or current disciplinary action for each appointee.

Section 9 - Confidentiality

All investigations, hearings, reviews, and other associated activities of the Graduate Honor System shall conform to the University's "Confidentiality of Student Records" as outlined on the University Registrar's website at <http://www.registrar.vt.edu/records/ferpa.php>.

Section 10 - Substitution of Graduate Honor System Personnel

The Chief Justice or the Graduate Honor System Advisor shall be authorized, when circumstances dictate, to appoint substitutes for any Graduate Honor System personnel in any case before the Graduate Honor System. However, faculty may not be substituted for graduate students and vice versa.

Section 11 - University Policies

Where appropriate, the Graduate Honor System shall abide by all applicable policies, statements, and principles as contained in the *University Policies for Student Life*.

Section 12 - Definition of a "University business day"

A "University business day," as referred to in this Constitution, shall be defined as any day on which the

main Virginia Tech campus is open and the Graduate School offices are open.

ARTICLE XII: AMENDMENTS

Proposed amendments to the Constitution of the Graduate Honor System may be initiated through one of the following channels: (1) by a majority vote of the Graduate Student Assembly, (2) by a majority vote of the Commission on Graduate Studies and Policies, or (3) by direct submission to the Chief Justice or the Dean of the Graduate School. Also, at the discretion of the Chief Justice and the Graduate Honor System Advisor, amendments may be initiated through the Graduate Honor System. Upon receiving such proposals, the Dean of the Graduate School shall convene the Constitution Revision Committee. With the approval of two-thirds of this committee, proposed amendments shall be forwarded for approval by the Commission on Graduate Studies and Policies and thereafter through the proper channels of the University governance structure (which at the time of the 2008-09 revision is described in Policies and Procedures No. 8011). Any substantive changes in proposed amendments as they proceed through subsequent levels of approval shall be resubmitted to the Constitution Revision Committee for its approval.

The Constitution Revision Committee shall consist of the Chief Justice (chair), the Graduate Honor System Advisor, a minimum of three (3) members of the Investigative Board (minimum of two (2) graduate students and one (1) faculty), a minimum of three (3) members of the Judicial Panel (minimum of two (2) graduate students and one (1) faculty), and up to two (2) other representatives from the graduate student body to be nominated by the Graduate Student Assembly.

2008-09 Revision

At the request of the Dean of the Graduate School, a Constitution Review Committee was convened in 2008 to perform a periodic review to bring the GHS Constitution up to date with current University policies and the climate and practices of the time. This revision was conducted by a panel of graduate students and faculty in accordance with the Constitution.

The goals of the current revision were two-fold: First, revisions were intended to address substantive issues that have arisen since the 1991 revision. Second, revisions were intended to improve the efficiency and effectiveness of the Honor System. The Review Committee considered a number of changes and ultimately rejected those that did not meet one or both of

the above mentioned goals. The committee has worked very diligently to ensure that revisions enacted in 2009 would stand the test of time. All amendments recommended by the Constitution Revision Committee were unanimously approved by the Commission on Graduate Studies and Policies on April 15, 2009.

1991 Revision

Following the conclusion of the 1987 University Self-Study, a Constitution Revision Committee was convened to evaluate the Graduate Honor System. Since the Constitution had not received serious scrutiny in a decade or more, and since the Graduate Honor System has now matured to a level where the old Constitution is hardly serviceable, the ultimate goal of this committee from the outset was a revision of the Constitution. Much work has gone into ensuring that this revision will stand the test of time and will be instructive in guiding the operation of the Graduate Honor System in the years ahead.

Reference Material Used

Revision of this document was based on a variety of materials; these include:

1. *Constitution to the Virginia Tech [Undergraduate] Honor System, published in the Pylon (1988-89). (Article VII, Article VIII, several sections of Article IX, and Appendix A are used with and without modifications by permission of the Virginia Tech [Undergraduate] Honor System). Also, a report written by the Virginia Tech [Undergraduate] Honor System Self-Study Committee was used.*
2. *The University Judicial System's Manual for Hearing Officers, published by the Dean of Students Office, Virginia Tech (1989).*
3. *Several ideas and sentences from the following sources have been used with and without modification in the writing of the section "Purpose and Description of Graduate Honor Code" (Article I, Section 1):*
 - a. *Reference 1.*
 - b. *Cornell University Course of Study, "Code of Academic Integrity", (1989-1990), pp. 33-35.*
 - c. *Bulletin of Duke University Graduate School, "Standards of Conduct", (March 1990), pp. 56-58.*
 - d. *Record of the University of North Carolina at Chapel Hill, The Graduate School, "The Honor Code", (April 1990), pp. 70-72.*
 - e. *University of Virginia Graduate Record, "The Honor System", (1987-1988), p.20 and p. 30.*
4. *Information used in defining "Misconduct in Research" (Article I, Section 3):*
 - a. *Recommendations on "Research Misconduct and Graduate Students at VPI&SU" submitted to the Constitution Revision Committee by the Degree*

Requirements, Standards, Criteria and Academic Policies Committee (DRSCAPC) of the Commission on Graduate Studies, January 18, 1990.

- b. "Narrower Definition of Misconduct Urged," *Public Affairs Newsletter, Federation of American Societies for Experimental Biology, Vol. 21, No. 12 (December 1988) p. 1.*
 - c. *Federal Register, Vol. 54, No. 151, (August 8, 1989) 32449.*
 - d. "New Rules on Misconduct," *Science, (August 11, 1989) p. 593.*
5. "Computer Science Department Policy on Koofers, Old Programs, Cheating, and Microcomputer Use," *CS Bits & Bytes (CS Dept. VPI&SU), Wednesday, February 15, 1989, pp. 7-8. (Ideas and wording from this policy were used in Article I, Section 3.)*

APPENDIX: PLAGIARISM

The following text is reproduced with minor editorial changes, with permission, from the Constitution of the Virginia Tech [Undergraduate] Honor System.

DEFINITION

The Virginia Tech honor system constitution states that "Plagiarism includes the copying of the language, structure, ideas, and/or thoughts of another and passing off same as one's own, original work." The violation, then, consists of both *copying* and *misrepresenting the material in question*.

Generally, when a student places his or her name on any kind of work, whether it is specifically pledged or not, he or she claims responsibility for the originality of the contents except for those parts that are specifically attributed to another or that are considered common knowledge. (The concept of common knowledge poses a problem of definition, and the student should consult the section of this handbook that addresses that area.) Thus, if a student has consulted any outside source, whether published or not, and has incorporated any of its "language, structure, ideas, and/or thoughts" into his or her work without acknowledging that source, he or she may be guilty of misrepresenting the work's originality. [Furthermore, in citing a reference, the student must change both the sentence structure and the vocabulary (where possible) in expressing the original material in his or her own words.]

Copying includes a whole range of offenses. Everyone is familiar with stories involving a student who has "borrowed" or bought a term paper or laboratory report from a so-called research service, a fellow student, the Internet, or another similar source. Such wholesale copying is akin to the lifting of an assignment in its entirety from a book or journal article. In either case, the student in question submits work that is literally copied and transferred from one piece of paper to another; by claiming this work as his or her own, the student is clearly guilty of the most flagrant kind of plagiarism.

Another type of copying that is not as obvious, though equally serious, involves the translation of a part of a book, article, or other source into different words—paraphrasing. Although the language is not the same because the exact words of the source have been changed, the structure, ideas, and thoughts of the original author have been copied. Thus, the student who submits an assignment that simply paraphrases a source without identifying it may also be guilty of plagiarism.

Similarly, any combination of simple copying and paraphrasing, whether from one source or from many, is also a type of plagiarism, and the offender may be equally guilty as those students described above.

Because a person's ideas can be conveyed in many ways besides the written word, students should be aware that the copying of drawings, designs, photographs, maps, graphs, illustrations, tables, primary data, derived equations, computer programs, verbal communications of information and ideas, and other sources may also constitute plagiarism, unless the source is acknowledged and properly documented.

For the purposes of the Virginia Tech honor system, plagiarism can be broadly defined as the act of appropriating the literary composition, language, structure, ideas, and/or thoughts, drawings, laboratory reports, or computer programs of another or parts or passages thereof, and of passing them off as the original product of one's own mind. To be liable for plagiarism under the university's honor system, it is not necessary to duplicate another's literary work exactly; it being sufficient if unfair use of such work is made by lifting of substantial portions of it. Plagiarism is not confined to literal copying, but also includes any of the evasive variations and colorable alterations by which the plagiarist may disguise the source from which the material was copied. On the other hand, even an exact

counterpart of another's work does not constitute plagiarism if such counterpart was arrived at independently.

EXAMPLES OF CORRECT AND INCORRECT USES OF SOURCES

The following four examples provide illustrations of three kinds of plagiarism, as well as the proper use and acknowledgement of sources. The excerpt from Niccolo Machiavelli's *The Prince* is quoted from W. K. Marriott's translation (New York: E. P. Dutton, 1908), p. 37. The excerpts from student papers have been written for the purposes of this document.

FLAGRANT PLAGIARISM

Excerpt from The Prince

Whenever those states which have been acquired as stated have been accustomed to live under their own laws and in freedom, there are three courses for those who wish to hold them: the first is to ruin them, the next is to reside there in person, the third is to permit them to live under their own laws, drawing a tribute, and establishing within it an oligarchy which will keep it friendly to you. Because such a government, being created by the prince, knows that it cannot stand without his friendship and interest, and does its utmost to support him; and therefore he who would keep a city accustomed to freedom will hold it more easily by the means of its own citizens than in any other way.

Excerpt from a student paper

Whenever those *nations* which have been acquired have been accustomed to *living* under their own laws and in freedom, then there are three *options* for those who wish to *keep* them; the first is to ruin them, *second* is to reside there in person, and the *last* is to permit them to live under their own government, drawing a tribute, and establishing within it an oligarchy which will keep it friendly to you. Because such a government, being created by the *ruler*, knows that it cannot stand without his friendship and interest, and does its utmost to gain his support, and therefore, he who would keep a city accustomed to freedom will hold it more easily by the means of its own citizens than in any other way.

Comments

This student paper is an example of the most obvious form of plagiarism. The writer has copied Machiavelli almost verbatim without any acknowledgment. There have been some minor changes. For example, the italicized words have been changed. "States" becomes "nations," "courses" becomes "options," etc.

PLAGIARISM THROUGH PARAPHRASING

Excerpt from The Prince

Whenever those states which have been acquired as stated have been accustomed to live under their own laws and in freedom, there are three courses for those who wish to hold them: the first is to ruin them, the next is to reside there in person, the third is to permit them to live under their own laws, drawing a tribute, and establishing within it an oligarchy which will keep it friendly to you. Because such a government, being created by the prince, knows that it cannot stand without his friendship and interest, and does its utmost to support him; and therefore he who would keep a city accustomed to freedom will hold it more easily by the means of its own citizens than in any other way.

Excerpt from a student paper

There are basically three methods to maintain control over nations which formerly enjoyed their independence. First the nation can be completely destroyed. Second, the king can personally reside in the conquered territory. Finally, the king can permit them to live under their own rules; he would then levy a tax and establish a ruling clique which would be loyal to him. Since this government is created and maintained by the conquering power, the puppet government will do its utmost to support him in order to keep his friendship. In addition, by establishing a puppet government in such a manner, he will gain the allegiance of its citizens.

Comments

By paraphrasing the paragraph taken from Machiavelli, the student attempted to disguise the source of material. Nevertheless, it is quite obvious that the sentences of this writer parallel those of the Machiavelli text and are identical in meaning.

*PLAGIARISM OF AN IDEA**Excerpt from The Prince*

Whenever those states which have been acquired as stated have been accustomed to live under their own laws and in freedom, there are three courses for those who wish to hold them: the first is to ruin them, the next is to reside there in person, the third is to permit them to live under their own laws, drawing a tribute, and establishing within it an oligarchy which will keep it friendly to you. Because such a government, being created by the prince, knows that it cannot stand without his friendship and interest, and does its utmost to support him; and therefore he who would keep a city accustomed to freedom will hold it more easily by the means of its own citizens than in any other way.

Excerpt from a student paper

When the British established their empire in Asia and Africa during the eighteenth and nineteenth centuries, they were faced with the problem of how to govern and control effectively these areas which had formerly lived under their own government. There were essentially three methods of achieving this end: destroying the country; establishing direct rule through governors appointed by the king; and maintaining indirect control through the already established governing structure. The British chose indirect rule. Through indirect rule, the former officials realized that their position was now dependent upon the British. Consequently, their allegiance was assured, and through them the British obtained substantial economic benefits. In addition, the people, seeing their leaders still in power, obediently supported the indirect rule of the British.

Comments

The student has used the ideas of Machiavelli in describing a historical event. Machiavelli lists three methods of governing and controlling a state that had formerly been independent, and then shows the relative advantage of pursuing the last method. The student does not acknowledge the use of the description of the three methods of control nor the advantages of the last method when applying Machiavelli's idea to a specific example.

CORRECT USE OF PARAPHRASING AND DIRECT QUOTATIONS*Excerpt from The Prince*

Whenever those states which have been acquired as stated have been accustomed to live under their own laws and in freedom, there are three courses for those who wish to hold them: the first is to ruin them, the next is to reside there in person, the third is to permit them to live under their own laws, drawing a tribute, and establishing within it an oligarchy which will keep it friendly to you. Because such a government, being created by the prince, knows that it cannot stand without his friendship and interest, and does its utmost to support him; and therefore he who would keep a city accustomed to freedom will hold it more easily by the means of its own citizens than in any other way.

Excerpt from a student paper

When the British established their empire in Asia and Africa during the eighteenth and nineteenth centuries, they were faced with the problem of how to govern these formerly independent areas effectively. According to Niccolo Machiavelli, in *The Prince*, a ruler had three options. He could destroy them, "reside there in person," or "permit them to live under their own laws, drawing a tribute and establishing within it an oligarchy which will keep it friendly to you."¹ Machiavelli felt that through this third method the conqueror gained the support of the former leaders and their subjects.²

The British seemed to apply this third method through their indirect rule concept. In other words, the British maintained control using the former leaders as figureheads. The former leaders realized that their position was now dependent upon the British. Consequently, their allegiance was assured and through them substantial economic benefits were obtained. In addition, the people, seeing their leaders still in power, obediently supported the indirect rule of the British.

¹ Niccolo Machiavelli, *The Prince*, trans. and intro. W. K. Marriott (New York; E.P. Dutton, 1908), p.37.

² Machiavelli, p.37.

Comments

In this instance, the student has correctly footnoted the ideas of Machiavelli, which he has paraphrased and quoted. The writer has then applied Machiavelli's ideas to a more recent historical event.

THE PROBLEM OF COMMON KNOWLEDGE

The concept of common knowledge is one of the more difficult points to explain in any consideration of plagiarism. How can a student, often a novice in the subject, determine whether an idea or fact included in a paper is so widely known that it is considered common knowledge and requires no documentation? A few general guidelines for solving this dilemma can be suggested, but none is inviolate. Given the seriousness of plagiarism, the prudent writer cites a reference whenever he or she is uncertain.

1. Concepts and facts widely known outside of the specific area of study are generally considered common knowledge. These include undisputed dates (e.g. the adoption of the Declaration of Independence on July 4, 1776), scientific principles (e.g. Newton's Laws of Motion), and commonly accepted ideas (e.g., Hamlet's role as a tragic hero). Such data require no specific reference. Students should be aware, however, that the addition of minor informational embellishments might require documentation (e.g., that the Declaration of Independence was unanimously adopted by the American colonies on July 4, 1776, despite the abstention of New York).
2. The fact that material appears in a dictionary, encyclopedia, handbook, or other reference work or textbook does not guarantee that it is common knowledge. Such books are written by experts, and most of the information they contain is not widely known.
3. There is no simple test to determine whether information is common knowledge. In case of doubt, the student should consult his or her instructor.

DOCUMENTATION

To avoid plagiarism in writing, the student must be familiar with the concept of documentation. Terminology and methodology concerning proper ways to acknowledge sources are probably more confusing to students than any other aspect of research reporting. The purpose of documenting a source is first to give proper credit to others for their original words, thoughts, and ideas, and second to enable the interested reader to locate the original source in order to read or study further. Keeping this latter purpose in mind, one finds that the rules regarding documentation make more sense. Therefore, students should familiarize themselves with

the proper methods of providing citations and bibliographies both to document their sources and to provide the reader with the necessary data to locate further information on the subject.

INDICATING QUOTATIONS

Whenever the exact wording of a source appears in a student paper, that fact must be made apparent to the reader. This goal can be accomplished in two ways. Brief quotations should be enclosed in quotation marks, whether complete sentences, phrases, or single significant words which have been incorporated into the student's own sentence or into a paraphrase or a longer excerpt of the source. The student should be careful to denote precisely where the source's exact wording begins and ends by the appropriate placing of opening and closing quotation marks.

Longer quotations (of more than three lines) should be indented ten spaces from the left-hand margin. Again, the beginning and ending of quoted material should be clearly indicated.

All direct quotations must be signified in one of these ways.

CITATIONS

Immediately following every piece of quoted or paraphrased material, some type of reference is required. The method used varies according to the field of study for which the paper is written; thus, students should ask instructors which style manual to use in preparing papers for their courses. Examples of two commonly used methods follow.

1. Footnotes or Endnotes: A small numeral in the text refers to a complete reference, similarly numbered, at the foot of the page or at the end of the paper. Notes should be numbered sequentially, beginning with "1."

Example:

"Congruence...between the self concept and the ideal self is one of the most fundamental conditions for both general happiness and for satisfaction in specific life areas."¹

¹Alfred L. Brophy, "Self, Role, and Satisfaction," *Genetic Psychology Monographs*, 59 (May 1959), 300.

2. Author-Date Citation: Following a quotation or paraphrase, the author's name and the publication date of the work appear in parentheses and refer the reader to the bibliography at the end of the paper.

Example:

For a person to be truly happy, his or her self concept must more or less coincide with the ideal self he or she envisions (Brophy, 1959).

BIBLIOGRAPHY OR LIST OF CITED REFERENCES

A list of all sources used, arranged alphabetically by the authors' last names, should appear at the end of every paper. Each entry should contain all information necessary for a reader to retrieve the work. Book entries usually include author's name, book title, and publication data (city, publisher, and date). Entries for periodical articles generally include author's name, article title, periodical title, volume number, date of issue, and pages on which the article appears. Students should make whatever adjustments that are necessary to these general rules so that entries coincide with the format prescribed by an instructor or by a specific manual. (An example of one type of bibliography format can be found in the list of style manuals which follows.)

This appendix is not intended to suggest or endorse any specific method of documentation. Rather, its purpose is to remind the student that acknowledgment of sources is necessary. The examples given above are provided as illustrations of some of many possibilities. The final authority regarding methods of documentation is the course instructor; students should choose a system of documentation and use it consistently throughout a paper. The following style manuals are commonly used.

American Psychological Association, *Publication Manual of the American Psychological Association*, 6th ed. Washington: APA, 2009.

Campbell, W.G., Ballou, S.V. and Slade, C. *Form and Style: Theses, Reports, Term Papers*. Boston: Houghton Mifflin Harcourt, 2007.

Huth, E.J. *Scientific Style and Format: The CBE Manual for Authors, Editors, and Publishers*. 6th ed. Council of Biology Editors, 1994.

Winkler, A.C. & McCuen-Metherell, J.R. *Writing the Research Paper: A Handbook, 2009 MLA Update Edition*. Wadsworth Publishing, 7th ed., 2009.

Modern Language Association. *MLA Handbook for Writers of Research Papers, Theses, and Dissertations*. New York: MLA. 7th ed., 2009.

Turabian, Kate L. *A Manual for Writers of Term Papers, Theses, and Dissertations*. 7th ed. Chicago: University of Chicago Press, 2007.
