PEABODY HONOR COUNCIL CONSTITUTION

For all professional students, including M.Ed., M.P.P., Ed.D., and special students

Vanderbilt University students pursue all academic endeavors with integrity. They conduct themselves honorably, professionally, and respectfully in all realms of their studies in order to promote and secure an atmosphere of dignity and trust. The keystone of our honor system is self-regulation, which requires cooperation and support from each member of the University community.

ARTICLE I

PURPOSE. The Honor Code of Vanderbilt University represents a compact of mutual trust between the student body and the members of the faculty. A student’s personal integrity is presumed to be sufficient assurance that in academic matters one does one’s own work without unauthorized help from any other source. The Honor Code at Vanderbilt prohibits actions deemed as breaches of the mutual trust for which the honor system stands. The Peabody Honor Council Constitution is designed to clarify this compact of academic integrity expected of all students in professional programs in Peabody College. In addition, the Constitution enumerates procedures to be followed in cases where academic integrity and honesty are in question. It is the duty of the students, faculty, and administrators of Peabody College to uphold the principles of this Constitution and it is the responsibility of the Honor Council to administer the principles.

ARTICLE II

JURISDICTION. The Peabody Honor Council will advise, review, and hear disagreements between students and faculty or other college personnel which arise within the context of the Honor Code. This Council’s decisions shall be binding on all parties involved, unless the parties choose to appeal to the Vanderbilt Appellate Review Board. The Honor Council Constitution shall have jurisdiction over all professional students who matriculate through Peabody College, including M.Ed., M.P.P., Ed.D., and special students.

ARTICLE III

MEMBERSHIP. The Peabody Honor Council shall consist of two student representatives from each department offering professional programs. Within the first two weeks of the spring semester for two-year programs and fall semester for one-year programs, the student representatives will be selected by the Director of Graduate Studies for each department and/or their designee to serve a term beginning their first year at Peabody and ending on the last day of spring classes in the year of their graduation. Members may be called for duty at any time during their term.

Student representatives should be selected, to the extent possible, so as to provide a mix of professional students, in regard to attributes such as gender, ethnicity, and degree status (part time vs. full time, M.Ed., M.P.P., vs. Ed.D.).
In addition, faculty will be represented by one faculty member from each department offering professional programs. These appointments shall be made by the Dean of Peabody College and will generally be for three years. After the initial appointments are made, replacement appointments shall be made on a staggered schedule in such a manner that at the end of the calendar year the term of the faculty member having the most seniority will terminate. At such times the Dean will appoint a new faculty member. The Dean may appoint replacement faculty members if a vacancy occurs at any time.

In the case of a student vacancy, the Honor Council will expeditiously call for the selection of a successor representative from the same department from which the vacancy occurred. The successor representative shall serve in that capacity for the remaining term of the prior representative.

**ARTICLE IV**

**Officers and Duties.** After the selection of Council members, the Council will meet and elect officers with the exception of the Chief Investigator who will be selected by the Council Chair on a case-by-case basis. While the position of Council Chair will be filled by a membership vote, the Associate Dean of Professional Studies can appoint someone to this position when needed.

The duties of the Chair shall include:

1. Initiating appointment of council members as needed;
2. Formulating and presiding over orientation procedures for professional students and faculty no later than two weeks after their appointment;
3. Calling and presiding at all meetings of the Council;
4. Appointing a Chief Investigator for each case as it occurs (the investigator shall not be from the department(s) under investigation);
5. Informing all parties of the investigation, their rights, and charges;
6. Arranging for all hearings;
7. Summoning involved parties to all hearings;
8. Notifying involved parties of Council’s decision;
9. Sending faculty-wide email reminding professors to add the most up-to-date Honor Code to their syllabi.

The duties of the Vice-Chair shall be to assist the Chair and serve as the Chair when he or she is unable to perform such duties.
The duties of the Clerk shall include:

1. Notifying all Council members of hearings and meetings;
2. Keeping full minutes and tape recordings when requested to tape record by members of the Council;
3. Delivering records required by Vanderbilt University and for Appellate Review Board hearings.

The duties of the Chief Investigator shall include:

1. Presiding over the investigation of any suspected violation(s) of the Honor Constitution;
2. Selecting one faculty member from the Honor Council to serve as the assistant investigator of a specific charge (the faculty member shall not be from the department(s) under investigation);
3. Reporting in writing to the Council the facts of the investigation;
4. Not serving as a member of the hearing committee in a case which he or she has investigated.

The duties of the Council members shall include:

1. Attending all meetings;
2. Attending hearings as requested by the Chair but not serving as a member of the hearing committee in a case which he or she has investigated;
3. Serving as Chief Investigator upon request.

ARTICLE V

VIOLATIONS OF THE HONOR CODE. The following actions are considered violations of the Honor Code:

1. Aiding or receiving unauthorized assistance of any form, including the use of unauthorized aids, copying from another student’s work, soliciting and/or receiving unauthorized aid orally or in writing, giving unauthorized aid, or similar actions contrary to the principles of academic honesty;

2. Plagiarism on an assigned paper, theme report, or other material submitted to meet course requirements. In general, plagiarism is defined as incorporating into one’s own work the work of another without indicating the source. Plagiarism is copying or paraphrasing an author and claiming the work as one’s own by not properly crediting the source. Plagiarism is not the accidental deletion of a footnote when it should be obvious to the instructor that
the student has, in general, properly credited the author and thus preserved academic honesty;

3. Any action designed to deceive a member of the faculty or a fellow student regarding principles contained in the Honor Code, as for example, securing an answer to a problem for one course from a faculty member in another course, when such assistance has not been authorized;

4. Use of texts of papers prepared by commercial or non-commercial agents and submitted by a student as his or her own;

5. Submission of work prepared for another course without the specific prior authorization of the instructors involved;

6. Falsification of results of study or research;

7. Providing false information at an Honor Council hearing or to an Honor Council Investigator in either verbal or written form.

**ARTICLE VI**

**INITIAL REVIEW.** A charge of violating the Honor Code must be reported to the Chair of the Honor Council within ten (10) school days after the student or instructor making the charge becomes aware of the suspected violation. An initial review shall be conducted within one calendar month from the time the suspected violation is reported to the Honor Council. Promptly after the alleged violation has been reported to the Honor Council, the Chair will appoint a Chief Investigator and direct the Chief Investigator to conduct an investigation, collecting all evidence related to the suspected violation. The Chief Investigator shall appoint one faculty member from the Honor Council to serve as Assistant Investigator. As a part of the investigation, the Chair will notify immediately the accused of the charge, the impending investigation, and his or her rights. Should this occur during a time when the college is on break, the deadline for investigation may be extended at the discretion of the Chair and the Dean.

The Chair and two other members (including one faculty member) of the Honor Council shall act as the initial reviewing board of the charge. After the Chief Investigator has collected all available evidence, the Chair will call a meeting of the initial reviewing board to hear the Investigator’s report. Each member of the initial reviewing board must vote in each of the hearings (Investigators are not members of the reviewing board and therefore they do not vote). No person related to the accused by blood or marriage will be allowed to serve on the initial reviewing board. A member may also exclude himself/herself from serving on the initial reviewing board for conflict of interest.

No witnesses will be called at this initial review. At the end of this initial meeting, the initial reviewing board will determine, by majority vote of those Council members appointed to the initial review board and in attendance, whether or not there is sufficient evidence to warrant a full hearing of the charge. The purpose of this initial reviewing is not to determine the truth of the Investigator’s report or the guilt or innocence of the accused, but to decide if there is sufficient
evidence to warrant a full hearing of the charges. The accused will not be present during the initial review.

Both the initial and full hearings will be conducted in private and all members of the Honor Council will be required to preserve the confidentiality of proceedings in all cases.

Should the decision be made not to hold a full hearing, the Chief Investigator shall verbally notify all witnesses of this outcome. The Honor Council Chair shall request in writing to the Dean of Peabody College that all references to the accusation be purged from all of the student’s records, including placement, academic, and departmental files.

**ARTICLE VII**

**CHARGING THE ACCUSED.** Should the decision be made to hold a full hearing, the Chair will contact the Chief Investigator and request that a formal charge against the accused be drafted. The Chief Investigator will then prepare and sign the formal charge and deliver it to the accused.

When the formal charge is served upon the accused, the Chief Investigator will also provide the accused with the following:

1. A copy of the Constitution of the Honor Council;

2. A copy of the accused’s rights, which are as follows:
   a. The right to remain silent at the time of charging;
   b. The right to have an adviser during the formal hearing (since this is not a legal proceeding, this adviser may not be a lawyer, a law faculty member, a law student, or any individual with formal legal training);
   c. The right to have one character witness and as many material witnesses as desired to testify;
   d. The right to make the final statement at the end of the hearing;
   e. The right to appeal the Hearing Committee’s decision to the Appellate Review Board.

3. Two copies (one to be returned) of a statement to be signed by the accused and returned to the Chief Investigator within two school days acknowledging that he or she has received a copy of the charge, his or her rights, and the Constitution. The signing of this statement does not constitute an admission of guilt.

A failure to return the signed statement within two school days will lead to an immediate suspension of the accused from attending further classes and continued suspension from classes until the statement is signed.
After receiving the signed statement, the Chief Investigator will report to the Chair that the formal charging procedure has been completed. The Chair will then set a date convenient to all parties for the formal hearing and inform the Council members, the witnesses, and the accused. This date will be no earlier than 24 hours and no later than ten (10) school days from the signing of the statement by the accused, unless otherwise mutually agreed upon by the Chair of the Honor Council and the accused.

**ARTICLE VIII**

**HEARING.** The Chair and members of the Honor Council, with the exception of the Chief Investigator and Assistant Investigator, shall act as the Hearing Committee for the formal hearing. Each member of the Hearing Committee must vote in each hearing. No person related to the accused by blood or marriage will be allowed to serve on the Hearing Committee. A member may exclude himself/herself from serving on the Hearing Committee for conflict of interest.

The Chair and a minimum of four other members (including one faculty member) shall act as the Hearing Committee. The accused and accuser shall be present at the time of the hearing. Any person refusing to appear before the Peabody Honor Council will be tried in absentia. If the accuser refuses to appear at the hearing, then the charges against the student will be dropped.

The Chair will open the formal hearing by reading the charge to the accused. Following the reading of the charge, the accused will be required to plead guilty or not guilty. If the plea is not guilty, the Chair will ask the Chief Investigator to present the results of the investigation and to call witnesses with knowledge of the suspected violation. Only one witness will be allowed in the hearing room at a time to testify and all witnesses will be subject to questioning by the accused and the Hearing Committee.

The accused may present his or her defense and call witnesses, including as many material witnesses as he or she wishes and one character witness. At the end of each witness's presentation, the members of the Hearing Committee may seek clarification of testimony. During the hearing, the adviser may consult with the accused, but only the accused may address the Hearing Committee and question witnesses.

If, in the course of the formal hearing, evidence is sought by the accused that requires additional time for the preparation of his/her defense, the accused will be entitled to have the hearing delayed up to three (3) regular school days. Additional requests for delays by the accused may be granted by a majority vote of the Hearing Committee.

Following the conclusion of the defense, the accused, his or her adviser, the accuser, the Chief Investigator, the Assistant Investigator, and any witness will be excused from the hearing room and the Hearing Committee will decide on the guilt or innocence of the accused. The Chief Investigator and/or any witnesses may be called back to the hearing if additional information is needed. A guilty verdict requires a vote of three-fourths of the Hearing Committee members (if, for any reason, a Hearing Committee member is forced to withdraw from the hearing while it is in session and is unable to complete the hearing process, the accused shall be entitled to a full
rehearing under the same procedures outlined herein. The Committee rehearing the case may consist of members of the original committee). The accused will be called back into the room and the verdict will be read by the Chair. If the accused is found guilty, he or she will be allowed to make a final statement concerning any mitigating circumstances in the case. The accused will again be excused from the room and the Hearing Committee will decide on the penalty as provided in Article IX, below. After the penalty is determined, the accused will be recalled and the penalty will be announced by the Chair.

ARTICLE IX

Penalties. If the accused is found guilty, a penalty will be determined by the Hearing Committee consistent with the following: the flagrancy of the violation, the degree of premeditation, and any mitigating circumstances that may enter the case.

The specific penalty chosen is limited to one of the following alternatives:

1. A written reprimand to be placed in the student’s permanent record. A minimum vote of three-fourths of the members of the Hearing Committee will be required to administer this penalty.

2. Failure of work in which the violation occurred. A minimum vote of three-fourths of the members of the Hearing Committee will be required to administer this penalty. In cases where mitigating circumstances render it appropriate and with the consent of the instructor, the sentence of “F” on the work in which the violation occurred may be suspended provided the student does the assignment over. A unanimous vote from the Hearing Committee will be required in this situation.

3. Failure in the course involved. The course may be retaken; however, the grade of “F” imposed by the Honor Council will remain as a permanent part of the student’s records. A minimum vote of three-fourths of the members of the Hearing Committee will be required to administer this penalty.

4. Suspension from the University for a stated period not to exceed two semesters from the end of the semester in which the student was convicted of the violation. For example, a student convicted of a violation in the spring of his or her first year in residence and suspended one semester could return in the spring of the next year. The Hearing Committee may use its own discretion in setting the dates of the suspension. A grade of F for the course in question will be administered automatically to the student’s record in the manner described in Section 3 of this article. The penalty of suspension requires a unanimous vote of the members of the Hearing Committee.

5. In the case of a student convicted of providing “false information at an Honor Council hearing or to an Honor Council Investigator in either verbal or written form” (Article V, Section 7), the student may be suspended for up to three semesters from the end of the
semester in which he was convicted. A unanimous vote of the members of the Hearing Committee is required to impose this penalty.

6. Permanent Expulsion: A unanimous vote of the members of the Hearing Committee is required for this penalty to be administered.

ARTICLE X

ABSENCE OF THE ACCUSED. In the case where an accused student withdraws from the University before a hearing has been conducted, the fact shall be recorded by the Honor Council. A letter shall be sent to the accused stating that he or she is suspected of an Honor Code violation, that an investigation has been or will be conducted, that a hearing will be held so that the matter may be resolved, and that a copy of this letter will be placed in his/her permanent file. The accused may respond in one of three ways:

1. The accused may return to the campus for a hearing.
2. The accused may waive the right to give testimony personally and the hearing may be conducted in his or her absence.
3. The accused may waive the right to appear and send a written, signed statement to be presented in his or her behalf at the hearing.

The accused will not be allowed to register or return to the University until a formal hearing is conducted.

ARTICLE XI

FINDINGS OF NOT GUILTY. In the case that the accused is found not guilty, the Honor Council Chair shall request in writing to the Dean of Peabody College that all references to the accusation be purged from all of the student’s records, including placement, academic, and departmental files.

ARTICLE XII

APPEALS. Appeals of decisions of the Peabody Honor Council shall be directed to the Appellate Review Board. Appeals shall be presented in writing, explaining the basis for the appeal, to the Chair of the Appellate Review Board, within seven (7) school days of the time the decision is handed down by the Peabody Honor Council.

ARTICLE XIII

AMENDMENTS. Amendments to the Peabody Honor Council Constitution must be approved by a minimum of two-thirds of the members of the Honor Council and ratified by a simple majority of currently enrolled Peabody professional students voting in a general election.