

James Madison University

The Honor Code



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I. Introduction

- A. In a university community, there can be no doubt that honor and the pursuit of knowledge are inexorably intertwined. An honor system must be believed in, supported by, and administered by those who belong to it.
- B. Upon enrollment at James Madison University (JMU), each student is automatically subject to the provisions of the Honor System. Each student has a duty to become familiar with the Honor Code and the provisions of the Honor System. Ignorance of what constitutes an Honor Code violation cannot be used as a defense in an honor hearing.
- C. James Madison University does not discriminate on the basis of age, disability, race or color, national or ethnic origin, political affiliation or belief, religion, sex, sexual orientation, gender identity or expression, veteran status, parental status (including pregnancy), marital status, family medical or genetic information, in its employment, educational programs, activities, and admissions.
- D. Each examination, paper, oral presentation, and other written or electronically submitted document is submitted pursuant to the Honor Code, and it may contain the following pledge (or similar pledge approved by the instructor of record) of the student(s) submitting the work: "This work complies with the JMU Honor Code." The pledge shall be signed by the student(s) unless it is submitted electronically, in which case the instructor of record may require a different method of proof of a student's pledge.

II. The Honor Code

- A. Violations of the Honor Code include, but are not limited to, taking or attempting to take any of the following actions:
 - 1. Using unauthorized materials, *in whole or in part*, or receiving unauthorized assistance during an examination or in connection with any work done for academic credit. Unauthorized materials (*materials used without instructor permission*) may include, but are not limited to notes, textbooks, *electronic devices, and previous works. Previous works include, but are not limited to examinations, papers, exhibits, experiments, and other supplementary items submitted for academic credit and includes previous works submitted to any institution.*
 - 2. Giving false or misleading information regarding an academic matter.
 - 3. Copying information from another student during an examination.
 - 4. Rendering unauthorized assistance to another student by knowingly permitting them to see or copy all or a portion of an examination or any work to be submitted for academic credit.
 - 5. Obtaining prior knowledge of examination materials, including using copies of previously given examinations obtained from files maintained by individuals or various groups and organizations in an unauthorized manner.
 - 6. Selling or giving another student unauthorized copies of any portion of an examination.
 - 7. Using a commercially-prepared paper or research project or submitting for academic credit any work completed by someone else.
 - 8. Falsifying or attempting to falsify class attendance records for yourself or for someone else, or having another person falsify attendance records on your behalf.
 - 9. Falsifying material relating to course registration or grades, either for yourself or for someone else.
 - 10. Falsifying reasons why a student did not attend a required class or take a scheduled examination.
 - 11. Taking an examination in the place of another student.
 - 12. Making unauthorized changes in any reported grade or on an official academic report form.
 - 13. Falsifying scientific or other data submitted for academic credit.

14. Collaborating in an unauthorized manner with one or more students on an examination or any work submitted for academic credit.
 15. Committing the act of plagiarism: copying information, ideas, or phrasing of another person without proper acknowledgment of the true source; writing or presenting as if it is your own information, ideas, or phrasing without proper acknowledgment of the true source.
 16. Using computing facilities or library resources in an academically dishonest manner.
 17. Falsifying evidence or intimidating or influencing someone in connection with an Honor Code violation investigation, hearing, or appeal.
 18. Violating the terms of an Informal Resolution Agreement.
 19. Given the increase in administering exams/assessments online, please note that the use of any online outlets, such as Chegg, Course Hero, GroupMe, Zoom, etc., is considered a violation of the JMU Honor Code and will be handled as such. Related violations include - but are not limited to: seeking help on homework and exams; asking for clarity from classmates on exam questions via GroupMe; using websites (e.g., Chegg) to find answers to questions and then submit as your own work; scheduling Zoom meetings with classmates to collaborate on in-progress online exams; taking screenshots of online test questions to share with other students or upload to websites; uploading course content to websites without a professor's permission violates intellectual property integrity, is a copyright infringement, and is considered illegal; and the like. Please note that the JMU Honor Council can obtain students' identifying information associated with any online outlets (e.g., Chegg, GroupMe, etc.) that they may use to cheat, and such information is sufficient to bring forth an Honor Code violation on behalf of the professor of the course, as well as serve as evidence during an Honor Council hearing. The best approach is to ask for clarification or assistance directly from the professor of the course to avoid violating the Honor Code.
 20. Violating any part of the honor code while producing group work for academic credit. In instances where work submitted for academic credit is to be completed by a group within a class and not only by an individual, each group member is to be held accountable for their actions separately from one another. The evidence of an honor code violation within a group assignment or project submitted for academic credit cannot be used to penalize all members of a group as a singularly responsible unit. The level of responsibility and appropriate penalties for violations of the honor code in group work must be determined separately for each group member.
- B. All students are strongly advised to ask their instructor of record to clarify what types of conduct are authorized or unauthorized in each course.

III. Reporting of Possible Violations

- A. For the Honor System to be truly effective, all students and instructors of record are expected to cooperate in its implementation. If students accept dishonesty by their peers, or if instructors of record accept dishonesty by their students, the entire Honor System will be destroyed. True honor can be achieved only if all guard it zealously.
- B. Any member of the university community who has reason to believe that an Honor Code violation has taken place should immediately report the circumstances to the instructor of record of the course involved; however, if the potential violation does not relate primarily to a specific course, the matter should be immediately reported to the Honor Council coordinator for disposition under [Section V, Investigations and Charges by Honor Council](#).

IV. Potential Resolution by Faculty or Staff Member

- A. If an instructor of record has reason to believe that an Honor Code violation has occurred – due to either the instructor of record’s own observation or a report by a third party – the instructor of record may discuss the matter with the student and consider whether the behavior is a violation of the Honor Code. The instructor of record shall not communicate the identity of any third party reporter(s) to the student. The instructor of record has the following three options:
1. If the instructor of record determines that there has been no Honor Code violation, the matter is outside the scope of the Honor System.
 2. If the instructor of record is unsure as to whether an Honor Code violation has occurred, the instructor of record will take one of the following actions:
 1. Refer the matter to the Honor Council coordinator for disposition under [Section V, Investigations and Charges by Honor Council](#).
 2. Deal with the matter with the agreement of the student, without determining that a violation has occurred. If there is no agreement, either the instructor of record or the student may refer the matter to the Honor Council coordinator for disposition under [Section V](#).
 3. Refer the matter to another appropriate office, such as OSARP.
 3. If the instructor of record determines that an Honor Code violation has occurred, the instructor of record will take one of the following actions:
 1. Refer the matter to the Honor Council coordinator for disposition under [Section V](#).
 2. Determine the appropriate penalty from [Section VII, Penalties](#), either VII.A.1. (reduced or failing grade in applicable area) or VII.A.2. (reduced or failing grade in the course). If the student agrees a violation has occurred, the instructor of record reports the violation and penalty using the Informal Resolution Agreement form to the Honor Council coordinator, who will promptly complete the appropriate documentation. If the student disagrees with the violation determination and/or the penalty, the matter is referred by the instructor of record or the student to the Honor Council coordinator for disposition under [Section V](#). If the student disagrees only with the penalty, a hearing body will determine the penalty.
- B. At any time prior to reaching an agreement regarding responsibility and the penalty, either the instructor of record or the student may refer the matter to the Honor Council coordinator for disposition under [Section V](#); however, once a matter is so referred, there is no longer any possibility of informal resolution or resolution by agreement between the instructor of record without the permission of the Honor Council coordinator. If a matter is referred for disposition under [Section V](#), the hearing body will not be informed of the instructor of record’s opinion on the appropriate penalty.
- C. An instructor of record has the option of consulting with the Honor Council coordinator to obtain the assistance of the Honor Council investigators, to obtain advice about an appropriate penalty, or to obtain other advice or assistance with respect to the matter in question. Any such consultation will not constitute a referral of the matter to the Honor Council coordinator for disposition under [Section V](#). In cases involving a second or third violation, with the approval of the Honor Council coordinator, the student will have the option to waive the hearing and accept the minimum penalty as outlined in [Section VII](#).

V. Investigations and Charges by Honor Council

- A. The Honor Council shall not take action with respect to a violation if the report is submitted more than 90 days after the referenced alleged violation occurred.
- B. Upon receipt of a complaint of an alleged Honor Code violation, the coordinator or an investigator will notify the student at their official JMU email that they are the subject of an Honor Code investigation, and an investigator will be assigned to investigate the alleged violation.
- C. All official correspondence from the Honor Council will take place via the university e-mail system, and it will be addressed to the student’s current university electronic identification on record. It is the

- responsibility of the accused student, reporting instructor of record, and witnesses to read and promptly respond to all electronic communication from the Honor Council.
- D. It will be the responsibility of the assigned investigator to gather the information needed to permit a fair determination of whether there is reason to believe that an Honor Code violation has taken place. The Honor Council coordinator, president, vice-president, and investigators should complete the initial investigation of the alleged violation and decide whether to charge the student with a violation of the Honor Code or to terminate the matter within a reasonable amount of time from the date of the notification letter. The student will be promptly notified of that decision.
 - E. A student accused of an Honor Code violation will be notified of the alleged violation and instructed to make an appointment with the investigator. At this meeting, the investigator will explain the basis for the violation and investigation, inform the student of their rights, and describe the Honor System procedures. Neither the student's failure to contact the investigator, the student's withdrawal from the course, nor the student's withdrawal from the university while an honor investigation or charge is pending will halt the investigation or any subsequent honor proceeding (including the hearing and, if applicable, the appeal) affecting the student. A student's withdrawal from a course during the formal process will result in the minimum penalty of an "F" in the course. Exceptions are possible in appropriate circumstances, but are only available in cases of separation from the university during the term in which the investigation or formal hearing takes place. A student withdrawing from the university in these circumstances must apply to be readmitted to the university and will still face Honor Code charges if and when they are allowed to return to the university.
 - F. A student charged with an Honor Code violation under Section V may request the assistance of an investigator in gathering relevant evidence. Although the accused is responsible for preparing and presenting their own defense, the accused may submit to the investigator a list of questions the accused would like asked of witnesses during the investigation and at the hearing. This procedure will not affect the right of the accused to question any witness at the hearing.
 - G. Formal reports received by the Honor Council during the last three weeks of spring semester and during all summer sessions will likely receive no action until the following fall semester. Available council members will make attempts to begin the investigation process, but it is expected that the council will not conduct hearings and resolve cases during the late spring, and summer or winter sessions.
 - H. It should be remembered that Honor Council investigators are students. They are assigned to gather evidence in an impartial manner and to help those involved in Honor Council proceedings understand the operation of the Honor System.

VI. Rights of Accused Students

- A. Each student charged with an Honor Code violation shall have the following:
 1. A fair and impartial hearing before the appropriate hearing body within a reasonable period of time after being charged with an Honor Code violation.
 2. The benefit of a presumption of innocence until proven responsible.
 3. The right to view copies all admissible evidence of the hearing, modified to protect the identities of the reporter(s) and witness(es), within 48 hours before the hearing date. The student will be able to view these copies before submitting their statement regarding the incident.
 4. Notification of the nature of the charges as soon as the Honor Council executive board votes on whether to charge and move to a hearing depending on sufficient evidence.
 5. Notification of the specific charges against the student and a summary of the relevant evidence as well as the time and place of the hearing at least five class days prior to the hearing.
 6. The right to have a lawyer or one willing student member of the university community, but not both, attend the hearing. If a student elects to have a lawyer or student member attend the hearing,

the student must notify the Honor Council Investigator assigned to the case **no later than 48 hours** prior to the hearing.

- a. A lawyer or student member attending a hearing may not actively represent the accused student but may give advice to the student regarding how to present their defense.
 - b. The Honor Council president may direct a lawyer or student member to cease all assistance if the president determines that the person is unduly disrupting the hearing.
7. The right to select up to three non-witnesses to attend a closed hearing by providing the investigator with their names **at least 48 hours** prior to the hearing. These non-witnesses may not participate in the hearing and may not have access to a hearing binder or any evidence.
 8. The right to question all witnesses who testify at the hearing.
 9. The right to present student witnesses to testify for the accused student.
 10. The right to be present during the entire hearing (except closed deliberations) and know all evidence that will be used in the proceeding **at least 48 hours** before the hearing occurs. The accused student may elect not to appear at the hearing; failure to appear will not be construed as an admission of responsibility.
 11. The right to remain silent during the hearing. Such silence will not be construed as an admission of responsibility.
 12. The right to be notified via their official JMU email of the decision of the hearing body **within 10 days** of the date of the hearing.
 13. The right to submit an appeal based on new evidence, the violation of due process rights of the accused student, or the unreasonableness of the decision reached by the deliberative body.
 14. The right to have access to the official record of the hearing for the purpose of preparing an appeal. This record will consist of a copy of a visual recording made at the hearing, at the discretion of the coordinator.

VII. Penalties

- A. One of the following penalties will be assessed for a student's first Honor Code violation.
 1. **Reduced or failing grade on the most applicable area** of student evaluation in the course (e.g., an assignment, an examination, class participation, etc.).
 2. **Reduced or failing grade in the course**; for a first violation, the hearing panel has the option to assign either a reduced grade (lowering the grade) or failing grade (an "F" in the course).
 3. **Failing grade in the course and suspension** for the fall or spring semester, including the preceding or following summer term upon conclusion of the final disposition of the matter. A hearing body may impose suspension for a student's first violation if it finds that the student intentionally tried to obtain an academic advantage for themselves or another student.
 4. **Failing grade and expulsion** from the university. A hearing body may impose expulsion for a student's first or second violation if it finds (i) the student intentionally tried to obtain an academic advantage for themselves or another student and (ii) the violation involved aggravated circumstances (e.g., violation of another university policy in conjunction with the Honor Code violation).
 1. The maximum penalty that may be assessed under [Section IV](#) (i.e., the penalty designated by the instructor of record is agreed to by the student) is an "F" in the course.
 2. If an "F" in the course is assessed for an Honor Code violation, the student will not be permitted to retake that course on a "repeat/forgiveness" basis.
 5. **Values in Action Workshop**: The option to require the student to attend the Values in Action Workshop facilitated in conjunction with the [Office of Student Accountability and Restorative](#)

Practices (OSARP) is available for both formal and informal resolutions. This penalty should only be assigned in addition to another appropriate penalty, unless the violation occurred outside of an enrolled class or an appropriate penalty is unavailable. This penalty is assigned based on the judgment of the professor if it is an informal violation, or the judgment of the hearing board if it is a formal violation, that the student will benefit from the class. If the Values in Action Workshop does not seem appropriate for the student, then it should not be assigned. This penalty can only be imposed once per student.

1. Each student assigned the Values in Action Workshop must contact the Office of Student Accountability and Restorative Practices within three class days of the final disposition of the matter. Failure to contact OSARP will be treated as a judicial violation and will be handled as such. The Values in Action Workshop may not be assigned to seniors in their final semester or in conjunction with the transcript notation sanction.
2. Students must be enrolled at JMU to be eligible to participate in the Values in Action Workshop. Removal of the transcript notation (if applicable) will occur following the completion of the workshop and notification of the Honor Council Coordinator by OSARP.
3. If the penalty is assigned to a student who has also been assigned the penalty of suspension, they will be required to contact the Office of Student Accountability and Restorative Practices upon re-enrollment during the first week of the semester back at JMU. Failure to contact OSARP will be treated as a judicial violation and will be handled as such. Any cost associated with the Values in Action Workshop shall be the responsibility of the student.
6. If a student has committed a **previous Honor Code violation**, the informal resolution process is not an option. The following minimum penalties will apply:
 1. The minimum penalty for a second violation will be "F" in the course and suspension for a semester.
 2. The minimum penalty for a third violation will be "F" in the course and expulsion.
7. **Violations not related to a specific course:** The penalties 2-4 above will apply, excluding the *Reduced or failing grade in the course* option.
8. **Violations relating to The Graduate School:** The penalties above may apply to a graduate student; however, final decisions will be made only after consultation with the graduate school instructor of record representative on the Honor Council Advisory Board who will have final say in hearings with a student of the graduate school

VIII. Hearing, Appeal, and Review Procedures

A. Hearing

1. Hearings will take place only while classes are in session during the traditional fall and spring semesters. No hearings will be conducted during summer, spring break, winter break, or during final exams.
2. All hearings will be closed unless the accused student requests an open hearing **at least 48 hours** prior to the time of the hearing. If the number of spectators or disorderly behavior disrupts the hearing in any manner, the Honor Council president may order any or all spectators to leave the hearing room. The president may prohibit the use of cameras or unauthorized audio or video recording equipment.
3. The members of the hearing board will be selected by the Honor Council vice president. The hearing board will consist of seven members: three student representatives, three instructor of record representatives, and the Honor Council vice president.

- a. For hearings regarding graduate students, the hearing board must include at least one graduate student and one graduate instructor of record as one of the three instructor of record representatives on the hearing board.
4. At least **three class days** prior to the hearing, the accused student must inform the Honor Council office of the names of all witnesses to be called at the hearing by the accused student and must provide a summary of the points to which each is expected to testify.
5. The accused student will be entitled to all rights guaranteed in [Section VI, Rights of Accused Students](#).
6. The Honor Council president will preside at the hearing. The president will rule on the admissibility of all evidence introduced during the hearing and on all other matters raised at the hearing. Formal rules of evidence will not apply.
7. A hearing will generally be held in the following order:
 - a. The president will introduce those present.
 - b. The president will make a statement emphasizing the confidentiality of the proceedings.
 - c. The president will answer any questions concerning hearing procedures.
 - d. The president will read the charges against the accused student.
 - e. The accused student will enter a plea of "not responsible" or "responsible."
 - f. The president will direct the investigators to provide all evidence gathered regarding the alleged violation. This may include the impartial questioning of witnesses, including the accused student unless the accused student elects not to testify, for clarification and the presentation of evidence requested by the accused student. The investigators, the members of the hearing board, the accused student, and their designated representative will have the opportunity to question each witness.
 - g. The accused student may present concluding remarks.
 - h. All persons will leave the hearing room except the hearing board members and the Honor Council vice president, who will commence their deliberations.
 - i. If the accused student pleads not responsible, the hearing board will first consider whether the accused student is responsible or not responsible. The hearing board may recall any witness who testified during the hearing. The accused student has the right to be present during any additional testimony and, with the permission of the president, may question these witnesses.
 - j. The hearing board will reach one of the following decisions as to whether the accused student is responsible:
 - a. If at least five of the seven hearing board members determine that it has been established by "clear and convincing evidence" that the accused student committed an alleged Honor Code violation, the student shall be found "responsible" on that charge.
 - b. If no more than four of the seven hearing board members make that determination, the student shall be found "not responsible."
 - c. If, after a reasonable period of deliberation as determined by the president of the Honor Council, a finding of responsibility has not been reached, the hearing board shall be deemed to have found the student "not responsible."
 - k. If the hearing board finds the accused student responsible, or if the accused student has pled responsible, the hearing board should then reach a determination to assess any of the penalties enumerated in [Section VII, Penalties](#) by a vote of four of the seven hearing board members. Notwithstanding the foregoing, if the accused student has previously committed an Honor Code violation, the minimum penalties set forth in Section VII.A.5.c. will apply.
 - l. The decision will be announced in the presence of the accused if they are present.

- m. The Honor Council president and Honor Council coordinator will inform the convicted student of the appeal procedure and will answer any questions. The Honor Council coordinator will also send electronic notification of the outcome of the hearing and next steps for the student **within 10 class days** of the hearing.
- n. If an accused student refuses to appear or fails to appear at a hearing after being properly notified, the hearing will proceed without them.
- o. The accused student may request one postponement of the hearing by contacting the Honor Council president **at least 48 hours** prior to the scheduled hearing. Adequate cause for postponement must be demonstrated.
- p. If the accused student chooses to have their case heard when witnesses are not available, the right to question witnesses may be waived in writing and the written statements of all witnesses will then be accepted as evidence and testimony by the hearing board. The accused student may, however, challenge the testimony given in these statements by presenting witnesses (including themselves) who will testify on behalf of the accused student.

B. Appeals

1. Any student found responsible by a hearing board will have the right to appeal **within five class days** of receiving written notice of the decision by providing a written statement to the Honor Council coordinator describing the basis of the appeal. An appeal may be based upon the availability of new evidence, the violation of due process rights of the convicted student, or the unreasonableness of the hearing body's decision.
2. If a student does not appeal the decision **within five class days** of receiving written notice of the decision, the decision will be deemed to be final unless the penalty includes suspension or expulsion, in which cases final review occurs under Section VIII.
3. The Provost's Office will approve an academic dean, associate dean, or assistant dean to chair the appeals committee, which will be the appeal body except in the circumstances described below. The committee will consist of three members: the committee chair, a student and an instructor of record, both appointed by the Honor Council vice president or the coordinator.
 - a. For cases regarding graduate students, the Associate or Assistant Dean for The Graduate School, at least one graduate student, and at least one graduate instructor of record will be in attendance in place of the appeals committee described in section 3.
4. Appeals presented during the last two weeks of spring semester classes or during the period between the end of spring semester classes and the first day of classes of the next fall semester will be heard by a person designated by the Provost and Senior Vice President for Academic Affairs, who in those circumstances will be the appeal body in lieu of the appeals committee.
5. The appeal body or the Honor Council coordinator will notify the student of the date, time, and place of the appeal hearing.
6. At the appeal hearing, the appeal body will review the record of the original hearing. The appeal body may recall witnesses, which may include the accused student, for clarification purposes or receive additional evidence or testimony in order to determine whether the decision of the hearing body should be changed. The appeal body makes the final decision on who will be present at the proceedings.
7. The appeal body will then take one of the following actions:
 - a. Affirm the "responsible" finding and penalty imposed by the hearing body.
 - b. Affirm the "responsible" finding but reduce the penalty; the penalty may not be reduced below the applicable minimum penalty.
 - c. Find the student "not responsible" and dismiss the charges.

- d. Order a new hearing. The new hearing panel has all penalty options available, including potentially increasing the penalty imposed.)
8. If the appeal body is the appeals committee, two votes will be necessary to take any action other than to affirm the responsible finding and penalty imposed by the hearing body. A student may not be given a more severe penalty as the result of an appeal.
9. The appeal body will notify the Honor Council coordinator of its decision, and the coordinator will promptly notify the student of the decision. If the decision of the appeal body does not include a penalty of suspension or expulsion, there shall be no further appeal or review.

C. Final Review

1. In all cases in which the penalty includes suspension or expulsion, there shall be a final review by the Vice Provost for Student Academic Success (if the penalty is suspension or by the Provost in consultation with the Vice Provost if the penalty is expulsion. The Honor Council coordinator shall provide the reviewer with the relevant documentation and information. The reviewer need not review the entire record of the hearing or the deliberations of the appeal body before making a decision.
2. The reviewer will take one of the following actions:
 - a. Affirm the "responsible" finding and penalty.
 - b. Affirm the "responsible" finding and reduce the penalty (but not below the applicable minimum penalty).
 - c. Find the student "not responsible" and dismiss the charges.
 - d. Order a new hearing. The new hearing panel has all penalty options available, including potentially increasing the penalty imposed.
3. The reviewer will notify the coordinator of the final decision, and the coordinator will promptly notify the student via their official JMU email **within five class days**.
4. If the final decision includes suspension or expulsion the Provost will notify the Honor Council coordinator, the Vice President for Student Affairs, the Assistant Vice President for Finance, the Director of Residence Life, the University Registrar and the Honor Council president. This notification will include only the final decision and will not be a report of the proceeding itself.

IX. Miscellaneous Provisions

A substitute for the excused member will be appointed by an Honor Council officer or the coordinator.

X. Honor System Organization

A. Academic Affairs Division

1. The JMU Honor System and its component bodies are organizationally under the Academic Affairs Division.

B. Honor Council Coordinator

1. The Provost's office will recommend and the Honor Council Advisory Board will approve the selection of the Honor Council coordinator, who will report to the Provost or the designated associate vice provost. The coordinator will have the following duties:
 - a. To handle all major correspondence and administrative matters related to the Honor System except matters assigned to the Honor Council officers and investigators.
 - b. To coordinate and supervise the selection and training of all Honor Council members including, but not limited to, the executive board and investigators.

- c. To provide assistance to, and supervision of, investigators in the gathering and presenting of evidence related to an alleged Honor Code violation in a professional and impartial manner.
- d. To approve the appointment of additional volunteer investigators to assist in the gathering and presenting of evidence related to an alleged Honor Code violation.
- e. Along with the investigators, to decide whether there is sufficient evidence to charge a student with an Honor Code violation.
- f. To serve in the role and capacity of adviser to the Honor Council.
- g. To maintain the Honor System records and prepare reports for the JMU community.
- h. To determine the proper application of provisions of the Honor System in a manner that upholds the spirit and intent of the Honor System.
- i. To take such other actions as may be authorized from time to time by the Honor Advisory Board or the Provost in order to fulfill the spirit and intent of the Honor System.
- j. The Provost may appoint an acting Honor Council coordinator when the Honor Council coordinator is temporarily absent from the university.

2. **Honor Council**

- A. The Honor Council will have a minimum number of 25 members as follows:
 1. The president and vice president, who will be hired by the Honor Council coordinator and approved by the Honor Advisory Board. Eligibility for both positions includes being a currently enrolled student in good standing.
 2. Approximately four student investigators to be hired by the Honor Council coordinator and approved by the Honor Council Advisory Board.
 3. Approximately 50 instructor of record to be nominated from each academic unit and approved by the Honor Advisory Board, none of whom will hold an administrative position higher than academic unit head.
 4. The honor council Vice President will designate a reasonable number of undergraduate student representatives to be selected by the Honor Council officers from applications submitted to the Honor Council.
 5. Approximately five graduate student representatives will be selected by the Honor Council officers from applications submitted to the Honor Council, to be called upon to serve as needed for hearings or or appeals involving graduate students.
- B. The terms of the members of the Honor Council will be as follows:
 1. The president, the vice president and the investigators will take office on the date of the May graduation following their election and will serve until the next May graduation date.
 2. The instructor of record representatives and student representatives will serve for the full academic year following their election, beginning with the start of the fall semester.
- C. The duties of the Honor Council members will be as follows:

C.

- a. **President** – The president will serve as the chief executive officer for the James Madison University Honor System and will have the following specific duties:
 0. The president will coordinate and chair a weekly Honor Council executive board meeting (consisting of the president, vice president, investigators, and coordinator).

1. The president will chair all hearing board hearings with no vote. They will control the general order of the hearing; ensure that information on both sides is adequately presented; and rule on any questions of evidence, procedure or due process. The president may consult with the Honor Council coordinator before making rulings.
 2. The president will not participate in closed deliberations of the hearing board.
 3. The president will be responsible for maintaining adequate communication on Honor System matters with the Provost and Senior Vice President for Academic Affairs, college deans, and departmental liaisons.
- b. **Vice President** – The vice president (or, if the vice president is unable to perform the applicable duty, another student to be designated by the Honor Council coordinator) will assume all presidential duties in the absence of the president and will have the following additional duties:
0. The vice president will serve as a regular voting member of hearing boards.
 1. The vice president will be responsible for organizing all hearing board hearings (including the recordings of all hearings and the securing of all recordings).
 2. The vice president will recruit, train, and manage student representatives.
- c. **Investigators** – The investigators are assisted and supervised by the Honor Council coordinator. They are neither prosecutors nor representatives of accused students. They are to act impartially, in a manner that upholds the spirit and intent of the Honor System. Investigators will have the following duties:
0. The investigators will investigate and gather evidence related to alleged Honor Code violations.
 1. The investigators will decide with the Honor Council coordinator whether there is sufficient evidence to charge a student with an Honor Code violation.
 2. The investigators will provide all relevant evidence at hearings.
 3. The investigators will assume such other duties as may be assigned by the Honor Council president or the coordinator.
- d. **Representatives** – Student representatives will have those duties assigned from time to time by the officers, including the following:
0. Representatives will serve on hearing boards and committees when selected to do so and will be responsible for attending all hearings and meetings to which they are assigned.
 1. Representatives will be responsible for actively participating in the development and implementation of special projects, communication methods, and student and instructor of record orientation to increase both awareness of and support for the Honor System.

D. **Training and Orientation**

0. The Honor Council president, vice president, and coordinator will be responsible for the preparation of Honor Council members to fulfill their duties and responsibilities, through one or more training and orientation meetings or other methods.

E. **Removal from the Honor Council**

0. Honor Council officers and investigators may be removed from membership on the Honor Council for violations of the Honor Code, major violations under the University Judicial System, violation of the Honor System confidentiality requirement, academic suspension, or failure to fulfill any of their assigned duties related to the Honor System. A written statement fully describing the reasons for removal and the procedures to be followed must be given to the person being considered for removal at least one week prior to the final vote of the Honor Council Advisory Board.

1. An officer or investigator may be removed by the Honor Council Advisory Board. The person being considered for removal may not vote or be present at the deliberations of the board (which will be closed) but will have the opportunity to address the board before deliberations begin.
2. Representatives may be removed by the Honor Council officers and coordinator for any of the causes for removal of an officer or investigator, or for failure to fulfill the duties of a representative.
3. If the president resigns or is removed from office, the vice president will become the new president. A new vice president will then be elected by the Honor Council from the current members of the council, and a new representative will be appointed by the Honor Council Advisory Board. This procedure will also be followed if the vice president resigns or is removed from office.
4. If an investigator resigns or is removed from office, the Honor Council Advisory Board will select a person to complete their term.

F. Honor Advisory Board

0. There will be an Honor Council Advisory Board that will be comprised of the following members: the Honor Council coordinator, president, vice president and investigators; the Provost (or their designee); and one instructor of record from each college appointed by the dean of each college. An additional instructor of record appointed by the Vice President for Academic Affairs will act as the nonvoting chair of the board. A representative from the Division of Student Affairs, appointed by the Vice President for Student Affairs, will serve as nonvoting secretary. The duties of the Honor Council Advisory Board will be as follows:
 - . To approve nominations for membership on the Honor Council.
 - a. To appoint replacements to the Honor Council in case of vacancies.
 - b. To approve the Honor Council investigators.
 - c. To remove Honor Council officers and investigators from the Honor Council.
 - d. To act individually and collectively in an advisory capacity to the Honor Council.
 - e. To make changes in the procedures, definitions, and powers relating to the James Madison University Honor System. Any changes will not reduce the rights of an accused student to receive a fair hearing with full protection of due process.
1. A quorum at a meeting of the Honor Council Advisory Board will consist of a majority of its voting members. The board may take action either (i) at a meeting at which a quorum is present upon the vote of a majority of its voting members who are present at the meeting, or (ii) without a meeting by the written or electronic consent of a majority of its voting members.