HONOR CODE AND PROCEDURES

A) About the Honor Code

1) Purpose
   a) The purpose of the Honor Code at the University of Colorado Boulder is to secure an environment where academic integrity can flourish. The Honor Code recognizes the importance of honesty, trust, fairness, respect, and responsibility and aims to instill these principles as essential features of the University of Colorado Boulder campus. The Honor Code allows all students to have responsibility for, and the ability to attain, appropriate recognition for their academic and personal achievements.

2) Jurisdiction
   a) All students of the University of Colorado Boulder enrolled in credit or non-credit classes are subject to the Honor Code for academic matters. The jurisdiction of the Honor Code includes, but is not limited to, the University of Colorado Boulder Campus, Continuing Education and Study Abroad classes and programs.
      
(i) As part of its role to prepare students for a self-regulating profession, the University Of Colorado School Of Law will maintain, administer, and implement its long-standing Honor Code, and will submit all records pertaining to violations to The Office of Student Conduct & Conflict Resolution.

   b) The Office of Student Conduct & Conflict Resolution (OSCCR), will work closely with the individual schools and colleges to promote academic integrity on a campus-wide basis.

   c) An Honor Code proceeding does not necessarily preclude other campus disciplinary proceedings, if the accused student’s conduct potentially violates another campus policy or policies.

3) Violations of the Honor Code include any act of academic dishonesty as defined in Section A.4.a.

4) Definitions
   a) Academic Dishonesty: Any act in which a student gains, or attempts to gain, an unfair academic advantage over other students. These acts may include, but are not limited to:
      
(i) Plagiarism: Portrayal of another’s work or ideas as one’s own
(ii) Cheating: Using prohibited notes or study aids, allowing another party to do one's work/exam and turning in that work/exam as one's own, copying another student’s course work, and collaborating on course work when prohibited
(iii) Fabrication: Falsification or creation of data, research, or resources, altering a graded work without the prior consent of
the course instructor

(iv) **Lying**: Deliberate falsification with the intent to deceive in written or verbal form as applied to an academic submission

(v) **Bribery**: Providing, offering, or taking rewards in exchange for a grade, or, an assignment, or in the aid of Academic Dishonesty

(vi) **Threat**: An attempt to intimidate a student, staff, or faculty member for the purpose of receiving an unearned grade or in an effort to prevent the reporting of an Honor Code violation, or in connection with any other form of Academic Dishonesty

(vii) **Unauthorized Access**: Gaining unauthorized access to protected academic information including, but not limited to: CU-SIS; a faculty member’s computer, files, and/or office; or secure information on an online server

(viii) **Clicker Fraud**: Using, or having someone else use, clicker technology fraudulently in an effort to receive academic credit.

(ix) **Resubmission**: Submitting the same or similar work for credit more than once without permission from all course instructors involved

(x) **Aiding Academic Dishonesty**: Intentionally facilitating any act which may help a student to gain an unfair academic advantage including, but not limited to, any of the aforementioned acts.

b) **Faculty**: All references to faculty include, but are not limited to: Deans, Full Professors, Associate Professors, Assistant Professors, Research Professors, Teaching Professor, Senior Instructors, Instructors, Lecturers, Adjunct Faculty, Graduate Teaching Assistants, Graduate Part-time Instructors, and Undergraduate Teaching Assistants.

c) **Academic Sanctions**: Academic Sanctions are applied exclusively by faculty. The Office of Student Conduct & Conflict Resolution does not have jurisdiction over academic sanctions. Academic Sanctions may include, but are not limited to, assignment grades, assigning course grades, and/or requiring additional assignments.

(i) In the event of an academic sanctions appeals process, the reporting party or the accused student may request that the hearing officer explain the reasoning for the outcome of an Honor Code case.

d) **Non-Academic Sanctions**: Non-Academic Sanctions are issued by the assigned hearing officer, in consultation with the Advisory Board upon the finding of an Honor Code violation. Non-Academic Sanctions for violations of the Honor Code include, but are not limited to:

(i) **Recommendation for Expulsion** (with automatic transcript notation)
Recommendation for Suspension (with automatic transcript notation for the period of suspension)

Honor Code Probation

Academic Ethics Seminar

Writing Seminar

Educational/Skill Building Workshops

Community Service

Reflection paper

Letter of Warning

5) Roles

a) Hearing Officer

(i) The hearing officer will include any university staff member designated to investigate and/or make decisions about facts in honor code case. Hearing officers have the authority to determine sanctions including, but not limited to probation, formal disciplinary probation, suspension, expulsion, and educational sanctions.

b) Case Representative

(i) Case Representatives are student employee positions that ensure the involvement and expertise of students. Case Representatives meet with students alleged of violating the Honor Code to provide students with an overview of the process. Case Representatives provide the hearing officer with the student perspective. Case Representatives increase awareness of the Honor Code on campus by collaborating with students and faculty to facilitate presentations, distribute information, and communication about issues of academics misconduct.

c) Faculty

(i) Faculty are expected to support and promote academic integrity and honor within their classrooms. They are encouraged to refer to the Honor Code on all pertinent materials including syllabi, tests, and other assignments. Faculty are encouraged to discuss the Honor Code periodically in class as it applies to their courses.

(ii) Reporting faculty are responsible for providing any documentation of alleged honor code violations a student may have committed. Hearing officer investigating may reach out to reporting faculty for more information if deemed necessary.

d) Advisory Board

(i) The Advisory Board is comprised of three faculty members and three students. If the Advisory Board reviews a graduate student case, at least one of the students on the Board will be a graduate student. The Faculty on the Advisory Board are
selected by Boulder Faculty Assembly Chair. The students on the Advisory Board are selected by the Director of OSCCR. The Advisory Board discusses findings of responsibility on cases of alleged academic misconduct, provides technical expertise on complex cases, discusses with and advises the hearing officer on Non-Academic Sanctions for Honor Code violations. The Advisory Board discusses trends and observation of issues of academic misconduct, recruits faculty to administer educational sanctions, and educates other faculty on the Honor Code and Procedures. If the Advisory Board determines that the hearing officer has failed to give the consensus expertise of the Advisory Board proper consideration, the Advisory Board may submit a written complaint to the attention of the Boulder Faculty Assembly Chair, Dean of Students, and CUSG. If necessary, the Advisory Board reserves the right to work directly with the Director of Student Conduct to review cases, and/or to submit a report with concerns related to case determinations and improper consideration.

B) Procedures for Case Resolution

1) Time Period for Referral of Suspected Violation
   a) The OSCCR shall only accept reports of suspected Honor Code violations made within 40 calendar days from the date of discovery of the suspected violation. The OSCCR may consider allegations that were suspected more than 40 days before referral, where those allegations relate to more recent conduct which occurred within the 40-day time period.

2) Honor Code Report Forms
   a) Submission of Forms: All referral forms may be obtained in the OSCCR or a web form may be found on the OSCCR website. Forms may be turned in to the OSCCR via hand-delivery, electronically, or campus mail.
   b) Faculty and Student Referral Forms: Faculty Referral Forms are to be completed when a student is either suspected of a violation of the Honor Code or has admitted to violating it. This form should include all allegations and information pertinent to the alleged violation.

3) Reporting of Referrals
   a) Student Procedures
      (i) Students are expected to submit a Student Referral Form to both the OSCCR and the course instructor when they have direct knowledge of an Honor Code violation.
   b) Faculty Procedures
      (i) Faculty members are expected to notify students regarding suspected Honor Code violations.
      (ii) Faculty members are expected to submit a Faculty Referral Form to the OSCCR.

4) Initial Contact
a) Upon receipt of a Faculty or Student Referral Form, case representatives will review and work with the OSCCR to determine if the allegation(s) fall within jurisdiction. If the referral is within the jurisdiction, the OSCCR will determine which alleged violations of academic misconduct are implicated. The OSCCR reserves the right to allege and investigate more than one violation per referral form. The OSCCR will notify the accused student of all allegations against the student.

(i) The accused student or the reporting faculty member may, at any time, review the contents of the student’s file.

b) The accused student can request a Case Representative. The assigned Case Representative is responsible for acting as the accused student’s procedural advisor and shall provide information regarding procedures.

5) Resolution Process

a) This process generally includes written notice of the factual allegations and alleged violations of the Honor Code, the opportunity to meet with the hearing officer to address the allegations and provide information to the hearing officer, the hearing officer reviewing the allegations and making factual and violation determinations based on preponderance of the evidence, and written notice to the student of the hearing officer’s determinations. The hearing officer will consider the following in making this determination:

(i) the allegations in the Student academic misconduct notice and the responding student’s response to those allegations;

(ii) any relevant documents that are contained in the file or presented by the student, or any other interested party; and

(iii) the oral or written statements of any witnesses with relevant information, as supplied by the parties to the case or as requested by the hearing officer.

b) Notice of Alleged Violation and Opportunity to be Heard

(i) The accused student will be notified of the alleged Honor Code violation(s) and asked to schedule a meeting with the hearing officer.

(ii) The notice will be sent to the accused student via email. As noted in the Student Email Policy (http://www.colorado.edu/policies/student-e-mailpolicy), email is an official means of communication within the University of Colorado Boulder. Therefore, the university has the right to send communications to students via email and the right to expect that those communications will be received and read in a timely fashion.

(iii) The Notice shall include:

(a) a summary of the known factual information supporting the alleged prohibited hearing;

(b) the Honor code provisions that are alleged to have been
violated; and

(c) The requirement that the student schedule a meeting with the hearing officer within the time frame designated in the letter.

c) Advisors

(i) The accused student may bring an advisor of their choice, including but not limited to advocates and attorneys, to any Honor Code meeting or hearing. However, advisors are not permitted to speak for or on behalf of the student during any phase of the process, including the hearing. If a student chooses to bring an advisor to the hearing, it is the student’s obligation to select an advisor whose schedule allows attendance at the scheduled hearing time. The OSCCR is not obligated to reschedule the hearing to accommodate an advisor’s schedule.

d) The responding student may identify witnesses believed to have relevant information to impart to the hearing officer. If the hearing officer determines that the witness may have relevant information, a good faith effort to contact such witnesses will be made to obtain a statement from them.

(i) The OSCCR cannot guarantee the participation of an identified witness.

(ii) The hearing officer may decline to contact any witnesses if the hearing officer believes that the witness does not have information relevant to the facts in dispute.

(iii) The responding student may submit questions to the hearing officer for the hearing officer to consider asking of the witnesses, but is not entitled to be present during the hearing officer’s interview of witnesses.

(iv) It is within the discretion of the hearing officer to decide whether to ask the witnesses any question(s) submitted by the responding student.

(v) The hearing officer may choose to meet again with the responding student or any other witnesses, including any reporting party, in order to obtain responses to additional information gathered during the formal resolution process.

e) Technical rules of evidence and procedures applicable to civil and criminal court cases do not apply to the student hearing process. The hearing officer is authorized to consider any information relevant to the allegation of prohibited conduct.

f) The hearing officer may exclude any person, including the responding student and the student’s advisor, who disrupts a meeting.

g) The hearing officer will make determinations about the facts and the credibility and reliability of the information provided and determine whether the student has violated the Honor Code.

h) The hearing officer will consult with the Advisory Board, who will
serve as experts to issues related to academic misconduct.

i) If the student is found responsible for violating the Honor Code, the hearing officer, in consultation with the Advisory Board will determine any aggravating or mitigating circumstances and assign sanctions. The hearing officer will notify the responding student and appropriate university officials of the decision in writing.

j) If the student does not schedule or attend a scheduled meeting with the hearing officer or attends a meeting but does not participate by the date specified in the notice, the hearing officer may decide the outcome of the case, in consultation with the Advisory Board, in the student’s absence or without the student’s participation based on the information available to the hearing officer.

6) Information Standard in Resolution Process
   a) In order to find that a student has engaged in a violation of the Honor Code, the standard of proof required is a preponderance of the information contained in the record. The information must demonstrate that it is more likely than not that the student violated the Honor Code.

7) Sanctioning
   a) Faculty retain the sole authority to determine appropriate Academic Sanctions (i.e. grades).
   b) The assigned hearing officer, in consultation with the Advisory Board, shall assign appropriate Non-Academic Sanctions if the accused student was found responsible for having committed a violation of the Honor Code.
   c) Students found responsible for violating the Honor Code will be assessed an adjudication fee of $50.00 per case.

8) Notification of Decision
   a) Upon the conclusion of Honor Code case resolution process, the assigned hearing officer shall send written notice of the decision to the accused student that shall detail the findings and any Non-Academic Sanctions assigned.
   b) Notice of the decision, and of any Non-Academic Sanctions assigned, shall be distributed by the hearing officer to parties with a legitimate educational interest including, but not limited to the faculty member(s) for any course implicated in the case.

9) Appeals
   a) The accused student may appeal the hearing officer’s decision regarding responsibility. Appeals must be submitted to the hearing officer in writing within 10 business days of the date of the decision letter.
   b) An appeal must be based on:
      (i) procedural deficiencies in the established hearing process; and/or
      (ii) the emergence of substantive new information which was not available at the time of the hearing.
   c) Appeal forms may be obtained from the OSCCR
d) If a student or reporting party submits an appeal form in accordance with time limits herein, the Dean of Students, or their designee, in consultation with the Advisory Board, shall determine whether one or both of the grounds for an appeal. If either ground applies, the Appeal Board will review the case. The Appeal Board shall not hear testimony from the accused student, the reporting party, or any witnesses. Review of the case shall be on the record of the case alone unless the basis of the appeal is new information not available at the time of the hearing. All new information to be considered within the case record must be submitted with the appeal form.

e) Actions Available to the Appeal Board:
   (i) Affirm the initial decision.
   (ii) Find that improper procedures were used. In this case, the Appeal Board can refer the case back to the conduct officer with a recommendation on how to correct the procedures.
   (iii) Find that (a) the student has presented information that would have been material to the outcome of the case had the information been presented at the conduct meeting, and (b) the information was not known to the person appealing at the time of the original student conduct meeting. In this event the Appeal Board will refer the case back to the hearing officer for reconsideration in light of the new information.

10) Dismissal or Withdrawal of Honor Code Cases.
   a) A pending Honor Code case may be dismissed if the Office of Institutional Equity and Compliance (OIEC) finds discrimination or harassment was a motivating factor for the accusing party to refer the alleged violation to the OSCCR. The OSCCR and the Advisory Board will rely on the outcome of the OIEC’s investigation to determine whether the case should be dismissed.
   b) A pending Honor Code case may be withdrawn at the request of the accusing party or the hearing officer determines that the accusation was unfounded.
   c) The hearing officer may defer consideration of a pending Honor Code case if the hearing officer determines that another campus disciplinary or investigative process is more appropriately suited to the charges. If the hearing officer defers consideration of a case while another campus disciplinary or investigative process proceeds, then at the conclusion of such other process, the hearing officer shall determine whether to re-open its investigation or close the case based on the outcome of such other process. These decisions will be made in consultation with the Advisory Board.