

Resolution 2005-4. Endorsing Proposed Amendment to Appendix C of the Instrument of Student Judicial Governance to Clarify Treatment of Cases Pending at Graduation or in the Summer, and to Provide for an Alternative Process for Addressing Large-Scale Cases

WHEREAS, the Instrument of Student Judicial Governance incorporates Appendix C in order to address detailed procedures for operation of the Student Honor System, and authorizes the Committee on Student Conduct to recommend changes in procedures to the Chancellor while also affording the Faculty Council an opportunity for review and comment; and

WHEREAS the Committee on Student Conduct in the exercise of its responsibilities has determined that certain amendments are needed to Appendix C relating to cases pending at the time of graduation, cases pending at the start of summer in graduate and professional school courts, and large-scale cases as provided in the text accompanying this resolution; and

WHEREAS the Committee on Student Conduct has submitted proposed amendments to Appendix C of the Instrument of Student Judicial Governance to the Chancellor for consideration; and

WHEREAS the Faculty Council has taken note of these recommendations;

Now, therefore, the Faculty Council resolves:

Section 1. The revisions of Appendix C of the Instrument of Student Judicial Governance recommended by the Committee on Student Conduct and transmitted to the Faculty Council for review at its January 14, 2005 meeting are endorsed as submitted [see below], and the Secretary of the Faculty is requested to advise the Chancellor to that effect.

Recommended Revisions to Appendix C of the Instrument of Student Judicial Governance:

Add

Section B.5: Academic Progression while Honor Court case is pending. A student may not graduate while the subject of an Honor System case.

Delete

~~Section C.5.e. Cases pending before any student court other than the Undergraduate Court at the end of the spring semester and all violations of the Honor Code during Summer School within the authority of courts other than the Summer School Court.~~

Add:

Section G. Large Scale Cases

1. Upon receipt of a report of a suspected offense involving five or more students, the applicable student attorney general shall have the option of employing the following plan for disposition of the cases:

a. If the Student Attorney General finds that sufficient evidence exists to charge each student with a violation, the Student Attorney General may seek permission to pursue resolution of the cases via a proposed agreement.

i. The Student Attorney General shall present the proposed agreement and sanctions to an Expedited Hearing Panel composed of three members of the applicable honor court, as outlined in Section F of Appendix C.

ii. If the Expedited Hearing Panel concludes that the proposed agreement is acceptable, the Student Attorney General shall have appropriate authorization to offer each charged student the proposed agreement.

iii. For each individual student accepting the proposed agreement and sanction, the case will be resolved without a formal hearing. By accepting the agreement, the student both agrees to accept responsibility for committing the offense and accept the proposed sanction. For students accepting the agreement, the sanction will go into effect immediately upon acceptance.

iv. If the student rejects the proposed agreement, the case will be referred for a hearing in accordance with the hearing procedures outlined in Appendix C.