

## AR 5500.1 Honor Code/Honor Council (new AR#)

### ❖ From former AR 4412 Honor Code/Honor Council (old AR#)

Summary – Most Changes are non-substantive.

1. Mission Statement – Reworded.
2. Honor Code – Reworded
3. Student Honor Statement – added students will uphold the Honor Council in non-academic settings.
4. Wording changes in section A & B.
5. Honor Council Hearing Board
  - a. Sect 5A(1) – Reworded to clarify timing of the student’s appeal process.
  - b. Sect 5A(2) – Removed - This is no longer part of the process.
  - c. Sect 5A(3) – Reworded to clarify and connect it to Sect 5A(1)
  - d. Sect 5A(4) & (5) – Reworded
6. Appeal of Hearing Board Recommendation
  - a. Sect 6A – Added “or designee”
  - b. Sect 6B(1) – Added “or designee”
  - c. Sect 6B(2) - Added “or designee”

### 1. Mission Statement

Santa Monica College is committed to the academic, social, and ethical development of our students. We strive to create an equitable learning environment that is ~~challenging and~~ supportive of the community at large. We are committed to upholding fundamental values of honesty, trust, fairness, respect, responsibility, civility, and community. In recognition of this effort we hereby establish this Honor Code and Honor Council.

### 2. Honor Code (not actionable)

The Honor Code ~~consists is defined by~~ of the following principles:

- A. **Honesty:** ~~means~~ fairness and straightforwardness of conduct; ~~implies~~ a refusal to lie, steal, or deceive in any way.
- B. **Integrity:** ~~implies adherence to that one is true to a trust; one adheres to~~ a code of moral values.
- C. **Social Responsibility:** ~~is demonstrated by~~ adherence to policies of the institution, which includes , departments, labs, libraries, ~~and~~ individual classes and the larger campus community.
- D. **Respect and Civility:** ~~implies that one will conduct oneself in a~~ courteous and respectful ~~manner in our~~ communications and actions toward members of the campus community.

### 3. Student Honor Statement

~~As a testament to their commitment and readiness to join the Santa Monica College academic community~~ all students are expected to uphold the Honor Code in academic and non-academic settings.

At the time of enrollment students will certify the following statement:

*In the pursuit of the high ideals and rigorous standards of academic life, I commit myself to respect and uphold the Santa Monica College Honor Code, Code of Academic Conduct, and Student Conduct Code. I will conduct myself honorably as a responsible member of the SMC community in all endeavors I pursue.*

~~At the direction of a faculty member or testing officer,~~ Students may be requested to affirm or re-affirm their commitment to the Honor Code as they participate in any college activity (e.g., exams, assignments, paper submissions, applications, etc.) ~~given examination, paper submission, or any other academic exercise.~~

#### **4. Honor Council Responsibilities and Membership**

##### **A. Membership**

- (1) ~~The Honor Council membership is extended~~ may consist of ~~to~~ up to 17 members of the college community who are committed to upholding the Mission and Principles of the Honor Code. The Honor Council shall consist of the following:
  - a. A minimum of one (1) and up to five (5) students appointed by the Associated Students President.
  - b. A minimum of two (2) and up to five (5) faculty members appointed by the Academic Senate President.
  - c. A minimum of one (1) and up to five (5) classified employees appointed by the Honor Council Membership.
  - d. The College Conduct Administrator ~~Disciplinarian~~ and one (1) academic manager appointed by the Superintendent/President.
- (2) The Honor Council may remove any member on grounds of malfeasance, misfeasance or nonfeasance by two-thirds vote of the membership appointed.
- (3) The Honor Council Chair shall be appointed annually by the Academic Senate President. The Co-Chair shall be the College Conduct Administrator ~~Disciplinarian~~ or other academic

administrator appointed by the Superintendent/President. The Chair will work closely with the Office of Student Judicial Affairs.

## B. Responsibilities

The Honor Council shall be guided by the Honor Code and has the following responsibilities and authority:

- (1) To advise and confer with faculty members, administrators, staff, and students on matters pertaining to academic integrity;
- (2) To create and conduct educational presentations designed to promote academic integrity;
- (3) To establish operational procedures with the approval of the Joint Academic Senate Student Affairs Committee and the College ~~Conduct Administrator~~ Disciplinarian;
- (4) To collect and disseminate ~~statistics~~ data pertaining to Honor Code violations;
- (5) To issue ~~an annual~~ periodic report to the Joint Academic Senate Student Affairs Committee and campus community on academic integrity standards, policies, and procedures, including recommendations for appropriate changes;
- (6) Other responsibilities as agreed upon with the Joint Academic Senate Student Affairs Committee;
- (7) To provide students accused of violating the Honor Code due process protections via the implementation of an Honor Council Hearing Board;
- (8) To appoint from its members two faculty, two students, and two classified staff to an Honor Council Hearing Board (“Hearing Board”) to adjudicate cases of alleged violations of the Honor Code. The Hearing Board will be chaired by an academic administrator appointed by the Superintendent/President (or designee).

## 5. Honor Council Hearing Board (students that are appealing Academic Conduct sanctions are heard thru this Board to determine if sanctions with be upheld or overturned)

### A. Appeal Procedure

- (1) Given an alleged violation of the SMC Honor Code, a student has the right to appeal any charge or sanction posed by a faculty

member or the College Disciplinarian through the appeal procedures established by the College.

Can we add the same criteria here as appealed to superintendent/president (per Lina)?

Upon formal notification of imposed consequences for an alleged academic dishonesty violation, the accused student has two (2) school days to ~~appeal such decision to the Honor Council.~~ notify the Office of Student Judicial Affairs in writing that they are initiating an appeal. The term “school day” is used in this Administrative Regulation for the purpose of calculating deadlines and shall mean any day that classes are in session except Saturdays and Sundays. Is the two days in accordance with AR 4410/4411 and what if doesn't notify in 2 days?

(2) ~~Once the student initiates the appeal process, he or she will be provided the opportunity for a conference with the campus Ombudsperson or designee in an effort to resolve the accusation informally.~~ Reason for strike through: There is no way to informally resolve once it has gone through adjudication with SJA (per Lina).

(3) ~~If no resolution is reached after an informal conference, the student must provide may proceed with a formal appeal to the Honor Council. An appeal petition, along with any supporting documentation, must be filed with to the Office of Student Judicial Affairs within ten (10) school days. of the informal conference or refusal to participate in such conference.~~

(is this process/appeal form the same as that which is initiated in #1? Same form or two different appeal forms? (per Lina this is discussed in #1)

(4) In all cases where the alleged violations are subject to sanctions less than immediate suspension, alleged violations of the SMC Honor Code are subject to review by the SMC Honor Council as stipulated in this regulation AR 4412. In cases where a violation is subject to interim/immediate suspension, appeal shall be governed by the appeal rights afforded in cases of interim/immediate suspension as described in AR ~~4410~~/5500 Standards of Student Conduct.

(5) Final grade disputes for alleged instructor mistake, bad faith, fraud, or incompetence are subject to AR ~~4313~~ 4321 Grade Changes (Grade Appeals Committee). The Grade Appeals Committee will not adjudicate issues pertaining to academic dishonesty.

## B. Hearing Boards

- (1) A quorum for a Hearing Board will be established by a minimum of three hearing board members which must include at least two (2) faculty and one (1) student. The Chair may vote in the case of a tie. Members appointed to a hearing panel must notify the Honor Council Chair of potential conflicts of interest and are strongly encouraged to recuse themselves from any such proceedings and deliberations.
- (2) Hearing Board hearings are closed to the public. The student may bring legal counsel or other representatives, ~~How~~ however, these individuals may not participate in the proceedings. Counsel participation will terminate the hearing. Students are required to notify the College of counsel/guest(s) presence to these proceedings within 48 hours of the scheduled hearing. Each party will have the right to present written statements, witnesses, if appropriate, and any other forms of evidence. Each party will have the right to question evidence and supportive documents. **Why can attorneys not participate here, but can in suspension appeals? Per Lina**
- (3) Standard of Proof  
The District will instruct the Hearing Board that the District bears the burden of proof by a preponderance of the evidence and that preponderance of the evidence means “more likely to be true than not true.”
- (4) ~~Any materials related to the hearing, including electronic recordings of the proceedings, may not be released to the student requesting the appeal or to any other individual or group.~~ In accordance with the Family Education Rights and Privacy Act (FERPA) the student may submit a written request to the College ~~Conduct Administrator~~ **Disciplinarian** or designee to inspect and review these materials. The request must be made no less than one week in advance. **according to AR 4135.**
- (5) The Hearing Board is empowered with the authority to:
  - a. Affirm or deny the alleged violation.
  - b. Where appropriate, educate the student and/or faculty on issues related to academic integrity.
  - c. Recommend sanctions commensurate with the violations, including, but not limited to:— failure in assignment, test, ~~course,~~ reprimand, suspension, or expulsion. **If the committee recommendation is for disciplinary action as defined in AR 5500 the student**

shall be given the appropriate notice in accordance with AR 5500.

- d. Reverse instructor-imposed sanctions in the absence of substantive evidence of alleged academic violation. Substantive evidence may include or consist of instructor's account of academic violation.

## **6. Appeal of Hearing Board Recommendation**

- A. Within five (5) school days after receiving the written decision of the Hearing Board, the student or faculty member may request a review of the decision to the Superintendent/President or designee. A copy of said request shall be sent to the Honor Council Chair and the College ~~Conduct Administrator~~ Disciplinarian. The request will state in writing the grounds for review and will be based upon one or more of the following provisions:

- (1) The required procedures were not followed;
- (2) There is insufficient evidence to support the Hearing Board's decision;
- (3) The penalty imposed is inappropriate.

- B. Superintendent/President Review

- (1) Within ~~thirty (30)~~ school days of receipt of the request for review, the Superintendent/President or designee will review the decision of the Hearing Board and the basis upon which it was made. The Superintendent/President or designee has the sole authority to:
  - a. Adopt the decision of the Hearing Board;
  - b. Modify the decision of the Hearing Board; or
  - c. Reverse the decision of the Hearing Board.
- (2) The decision of the Superintendent/President or designee will be communicated to the student in writing, and a copy sent to the Honor Council Chair and College Disciplinarian. In all cases the decision of the Superintendent/President or designee is final.

*Approved/Revised: 10/17/06, 9/26/2011*

Revised by Greg 3/21/2019  
Reviewed by Alina 3/10/022

| Is the procedure the same as what is posted for AR 5500 & 5500.1 (include all in one AR 5520 St Discipline Procedures)