THE HONOR AND SOCIAL CODES

What every Lyon student needs to know about
the Honor and Social Systems
2019-2020

Perseverantia Omnia Vincet Deo Volente
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Philosophy
The Lyon College Honor System

Honor is an ideal and obligation evident in the lives of admirable individuals and in the customs and practices of distinguished communities. It is also an indispensable part of an academic community such as Lyon College.

"An academic community is a community of scholars. The members in such a community range from the seasoned, highly reputed senior faculty members who hold membership in and the respect of the wider community of scholars in their disciplines; to the aspiring junior faculty who are just beginning to make their contributions to their larger disciplinary communities; to the upperclassmen who are distinguishing themselves among their undergraduate classmates and perhaps even among other neophyte scholars on other campuses; to underclassmen who are just learning the where-with-all of the academic enterprise. Every bit as much a part of this academic community as any of the above groups are the administration and staff who devote their time and energy to the maintenance of the kind of institution that can support and nourish a healthy, active academic community. All embrace a common set of values that govern scholarly pursuits.

"At the heart of all learning is research. Faculty does research, primary and secondary, both for work culminating in publication and for their classroom lectures; students do research, mainly secondary but sometimes primary, for their course papers and presentations and occasionally for publication. The centrality of research is inescapable: the academic enterprise builds on what has been thought or discovered. Thus there is an academic community larger than any single campus, one that transcends time and space and
encompasses all of the great minds of human history. The thoughts of some of these minds have been preserved posthumously by history; others, through generous sharing in lectures or publications by thinkers during their lifetimes.

"The very process of intellectual discourse depends upon the continued sharing of thoughts and discoveries. Law itself, whether copyright or patent law, is inevitably insufficient to protect ideas from theft. What is sufficient is the communal ethic that we all accept concomitantly with membership in an academic community. When we do research, we literally search again, even if we--faculty and freshmen alike--have not searched the particular topic before. We are searching among the thoughts and theories, ancient or new, that other members of the broader community have made available to us, thus putting ourselves at the end of a line of scholars who have searched before us. When we reach our conclusions--whether in a class report or paper, or a published essay--we add our names to the line of scholars who have made their best thought available to us. Just as we want the integrity of our work preserved and seek acknowledgment for our efforts, our communal ethic demands we grant the same to all who have preceded us. Statutory law cannot adequately police us, nor would we want it to. We govern our own actions by the very principles on which an academic community is founded. We cannot do otherwise, for the serious scholar knows that to disobey the unenforceable ethic is to weaken and ultimately destroy the community that nourishes and supports him. Without that community we could never arrive at the consensus necessary to determine the sanctioned theories, interpretations, and perhaps even truths of our disciplines.
“A specific academic community is best when its life is seamless. Members—faculty, students, and administration and staff alike—extend to one another in their communal life the same trust and respect they extend to the myriad of members of the larger academic community separated from them by time and space. By the same token, they demand of themselves adherence to the communal ethic that makes possible their common serious enterprise. Thus, individual responsibility to self and to the whole facilitates trust, and trust becomes the cornerstone of the community.”

(Faculty Statement on Academic Honesty)

Honor is a way of life at Lyon College and can be traced to the establishment of an Honor System nearly one hundred years ago. The Honor System consists of the Honor Code, the Pledge and resulting policies, practices and procedures.
Message from Dr. Patrick Mulick, Dean of Students and Advisor to the Honor Council

The Honor and Social systems are a vital part of being a member of the Lyon College community. The systems are not meant to be a list of rules and regulations, rather are intended to help create a framework for learning and living within a community. The systems work because administrators, students, staff, and faculty are all held to the same behavioral standards. No one is above the system and all members of the Lyon community are equally responsible for upholding the honor and social codes. The world we live in often promotes the ideals of “doing what you need to in order to get ahead”, “looking out for #1”, and “doing whatever it takes to succeed”. At Lyon, we try to create an environment where we each work to live in an honorable manner. We do not make these efforts because there are people in authority watching us or trying to catch us cheating or “messing up”. We attempt to live honorably because there is inherent value in trying to do the right thing and being considerate of other members of our community. During our time together at Lyon, we will all make mistakes. That is ok! The goal of the Honor and Social systems is not to create perfect people. The goal is to help develop people who are considerate of others and learn from their mistakes.

Welcome to the Lyon Community!!! The best is yet to come!

Patrick Mulick, Ph.D.
Vice President for Student Life and Dean of Students
Message from Advisor to the Social Council

Welcome to the Lyon College community. We are glad you are here and are looking forward to getting to know you and watching you grow and develop over the next few years. One of the changes you will make will be adjusting to living in this college community. Adjusting to living in a new community can be difficult, so there are many people here to help with your adjustment; students, faculty and staff who want to help and see you succeed.

One of the governing bodies of this community is the Social Council. The Social Council is made up entirely of students who have been elected by their peers whose job it is to educate students about the Social Code, and investigate and adjudicate cases of social code policy violations. As a member of this community you can be a part of the Social Council. Even if you are not a part of the Social Council, you can be an active member of this community, and we are hoping that you will be.

Lai-Monte Hunter
Associate Dean of Students
Advisor to Social Council
The Honor System
I. The Honor Code
Honor is evident in the relations among individuals. At Lyon College, we understand honor to include, but not to be limited to a commitment to:
• telling the truth.
• respecting others' property.
• abstaining from all forms of cheating and plagiarism.
• holding the integrity and confidentiality of official College documents, including administrative computer records.
• reporting any cheating or plagiarism violations in order to uphold the integrity of the degrees granted by Lyon College.

II. The Pledge
Upon matriculation every student and anyone teaching graded classes commits to abide by the Honor System. Students and anyone teaching graded classes signify this commitment to uphold the Honor Code in all matters related to academic work by signing the Roll of Honor. Students sign each examination, quiz, paper, or other graded assignment with the written word “pledged” and their signature. The instructor in the course will provide instructions for pledging graded work which cannot be signed in this manner (such as a piece of art or an assignment submitted electronically):

I will abstain from all fraud in academic work. I will neither give nor receive aid on any form of test or assigned work where such aid is prohibited, nor tolerate this conduct in any member of the community. I will deal responsibly with such acts when I observe them. By my conduct and influence I will endeavor to build a high standard of honesty and truthfulness in all academic work. (Signature)
III. The Honor Council

The students maintain and administer the Honor System through the Honor Council with input from the Dean of Students who advises the Honor Council on procedural matters, provides administrative support, and maintains the Honor Council’s records. The Honor Council strives to foster a spirit of honor on campus and hears and acts upon all reported violations of the Honor Code.

The Honor Council consists of twenty-two students: seven seniors, seven juniors, five sophomores and three freshmen elected by the students in each respective class as specified by the Student Government Association’s bylaws. A student who is on academic, honor, or social probation may not serve on the Honor Council. In order to insure continuity and consistency within the Council, the individual receiving the largest number of votes in the election for the sophomore positions and the junior positions serve two-year terms. All other positions have one-year terms. All new members, except freshmen, are elected and installed in the spring, with the new Council assuming their positions on Reading Day of the Spring Semester. Freshmen are elected and installed within six weeks after the beginning of the fall term. The option either to campaign or not to campaign is decided by the candidates with a majority vote. If a tie results, the chair of the Student Government Elections Committee acts pursuant to procedures set forth in the Student Government Association’s bylaws. The Council elects its own President, Vice-President (to act in place of the president in his or her absence), and Recording Secretary from the junior and senior Council members. Honor Council members are expected to be available to lead investigations, hear cases, and serve as Student Defense Advisors. Upon recommendation of a majority of the Honor Council Officers, the Student Government Association may remove a member
of the Honor Council, for cause, by a two-thirds majority vote of members present.

If an Honor Council member withdraws from the College or vacates a position for any reason, including removal, the Student Government Elections Committee conducts an election for a replacement.

Every other spring the Honor Council solicits nominations for an advisor from the Faculty Assembly and selects an advisor from the tenured faculty of the College to serve in a non-voting, advisory role with the Council. The Faculty Advisor assists the Council with training and preparing for any new student orientation activities, handles issues when consulted, and communicates with the Faculty Assembly.

IV. Hearing Procedures

A. Initiation of Honor Council Proceedings

Honor Council proceedings are initiated when a member of the College community reports an incident in writing to the Dean of Students asking the Council for review. Any student, faculty member, or staff member with knowledge of a suspected violation by a student is honor bound to report it to the Dean of Students without undue delay. The accuser has the prerogative to speak to the accused offering the accused the opportunity to report the suspected violation to the Dean of Students. The accuser is responsible for verifying that the suspected violation is reported.

When students are subject to review by the Honor Council, the
President of the Honor Council and the Dean of Students inform them in writing either in person or via e-mail. Students under review by the Honor Council are responsible for checking their e-mail at least once each day. In cases where letters are delivered electronically, the Dean of Students provides hard copies upon the request of the students to whom the letters are addressed.

B. Sanction Hearing
An accused student who admits responsibility for the reported behavior may choose the option of a sanction hearing with the officers of the Honor Council (or their designees). The three-person panel will meet with the violator and the accuser, conduct whatever investigation they see fit, determine a sanction, or send the matter to a full hearing.

C. Determination of a Violation

Upon receipt of a report and following such investigation as he or she considers appropriate, the Honor Council President, in consultation with the Dean of Students, determines whether the report alleges a violation of the Honor Code. If it does, the Honor Council President refers the case to the Student Investigator, a member of the Council selected by a random, anonymous drawing (lot) to investigate the facts of each case and present those to the Council at the pre-hearing, and, if necessary, at a hearing.

The lot for Student Investigator excludes officers of the Council, material witnesses in the case, anyone with a demonstrable bias in the case, or anyone else removed at the discretion of the Honor Council President. The accused is informed in writing of the allegation. The time between the receipt of a report and the pre-hearing shall not exceed three class days unless extraordinary
circumstances necessitate a longer investigation period. The President of the Honor Council, on recommendation from the Student Investigator, may extend the investigation period.

When an honor investigation begins, student grade reports and transcripts are not issued for the accused until the matter is resolved. The Dean of Students asks the Registrar to place a confidential hold on the grade reports and transcripts and requests a release after the matter is resolved.

D. The Role of the Student Investigator

Upon receiving the case referral, the Student Investigator, in consultation with the Honor Council President, selects one Lyon senior or junior to serve as the Assistant Student Investigator to assist the Student Investigator in conducting an investigation. The Student Investigator does not vote in the resulting pre-hearing or hearing proceedings and is honor bound not to discuss the case with other Honor Council members or any other persons, except as provided for in other provisions. In conducting the investigation, the Student Investigator and the Assistant Student Investigator should be discrete so as to diminish the possibility of the name of the accused and the nature of the alleged violation being disclosed to the general student body.

However, to the extent necessary to conduct the investigation and to interview witnesses, the name of the accused and the factual statements contained in the report may be disclosed to witnesses as necessary to obtain their information. Upon completion of the investigation, the Student Investigator and
the Assistant Student Investigator present all of the information concerning the possible infraction, with names omitted, to a pre-hearing as provided for in Paragraph E of this Article.

E. The Pre-Hearing

A pre-hearing committee composed of the Honor Council President, the Recording Secretary, and two Honor Council representatives chosen by the President of the Honor Council by lot, familiarize themselves with the allegation, consider the facts of the case, and then decide by a majority vote, whether or not a hearing, further investigation, or both are warranted.

The Honor Council President notifies the Dean of Students of the outcome of the pre-hearing. If a majority of the committee fails to vote in favor of a hearing, the file is closed without any record, and all persons involved are charged to hold the matter in strict confidence. Should the pre-hearing committee decide that the evidence is sufficient to warrant a hearing, the President of the Honor Council sets the time and date of the hearing and notifies the accused, in writing, of the specifics of the charges at least 24 hours and no more than 72 hours before the hearing.

F. The Defense Advisor

The President of the Honor Council selects a member of the Council, by lot, to serve as the Defense Advisor. A Council member who is a material witness to the case, who sat on the pre-hearing, or who otherwise has a possible demonstrable bi-
as, is excluded from the lot. The Honor Council President gives the accused the appointed Defense Advisor’s name and relevant contact information in writing, and apprises the accused of his or her right to select a Defense Advisor from the Student body.

Any inappropriate delaying of the proceedings of the Council constitutes a violation of the Honor System.

Accused persons may request that any member of the student body serve as the Defense Advisor instead of the appointed Defense Advisor. In such cases, it is advised that the student choose a junior or senior who has experience under the Honor System. Accused persons are responsible for familiarizing themselves with their rights as outlined in the Student Handbook sections devoted to the Honor System. The Defense Advisor, to the extent requested by the accused, advises and assists in the defense before the Honor Council. The Defense Advisor is responsible for knowing the Honor Council procedures and the rights of the accused and is honor bound not to discuss the case with any person except as outlined in these procedures.

G. Hearing

The procedures for an Honor Council hearing are as follows:

1. The President of the Honor Council presides with the Recording Secretary attending every hearing. The President selects six Council members by lot to hear each hearing and serve as the Hearing Panel. The Recording Secretary, Student Inves-
tigator, Defense Advisor, and any member excused at the discretion of the Honor Council President, as well as any member having a demonstrable bias in the case, are excluded from the lot.

2. The Recording Secretary is responsible for keeping minutes of the proceedings and recording the hearing.

3. All persons presenting testimony are examined individually, in the presence of the hearing panel, Student Investigator, Assistant Student Investigator, accused, and Defense Advisor.

4. If more than one student is involved in the same offense, separate hearings are held, with their order determined by lot.

5. All hearings are closed hearings unless the accused makes a written request to the Honor Council President for an open hearing at least 12 hours prior to the hearing.

Members of the College community and persons invited by the accused may attend an open hearing. Persons attending an open hearing are welcome as observers but may not actively participate in the proceedings. The Honor Council President may exclude from the hearing any participants whose conduct is such as to interfere with a fair hearing. The Council publicizes the open hearing by posting notices in classroom buildings and other locations it deems appropriate.

Witnesses, other than the accused, are excluded from the hearing except during their testimonies. The accused has the right to remain present throughout the entire hearing.
6. At the beginning of each hearing, the Student Investigator reads the statement of the charge. The President of the Honor Council asks the accused to plead “guilty” or “not guilty” to the charge:

a. If the accused admits to the substance of the charge, pleading guilty, he or she may then make a statement regarding imposition of a sanction. The hearing panel, Student Investigator, and the Assistant Student Investigator may then question the accused. The accused may then present a reasonable number of witnesses to support his or her statement. The Student Investigator, the Assistant Student Investigator, and hearing panel may question such witnesses, then may call a reasonable number of additional witnesses, with the accused having the right to question these witnesses. The Student Investigator may then make a statement with respect to the imposition of a sanction. The Student Investigator and the accused may then make closing statements. The hearing panel then goes into executive session to determine whether to accept the plea, and if necessary, to consider and determine imposition of a sanction.

b. If the accused pleads not guilty to the substance of the charge, the Council proceeds to hear evidence as to the matter in dispute, normally in the following order:
   1. evidence in support of the charge presented under the direction of the Student Investigator
   2. evidence in answer, under the direction of the accused;
3. rebuttal evidence, under the direction of the Student Investigator;
4. rebuttal evidence, under the direction of the accused;
5. closing statements by the Student Investigator, followed by closing arguments by the accused.
6. the hearing panel then goes into executive session to determine guilt or innocence, and if necessary to determine a sanction.

c. The Student Investigator and the accused may call witnesses who are sworn to give truthful testimony. After each witness testifies, the other party has the right to question the witness. The President of the Honor Council may also allow questions to be directed to witnesses by members of the Hearing Panel at appropriate times, if he or she believes this aids in the determination of the case.

d. Material evidence is allowed and the President of the Honor Council rules on questions of whether the evidence is pertinent and whether it is admissible. Basic elements of fairness govern the proceedings and not legal rules of evidence.

e. All persons involved are honor bound to hold in strict confidence all matters related to the hearing.

H. Decision by the Honor Council

The Honor Council is responsible to the accused, the community, and the Honor System. During an investigation and hear-
ing, the Council presumes the accused innocent even to the point of considering legitimate explanations for suspicious circumstances. The Honor Council owes the community a thorough, deliberate examination of any allegation.

The Honor Council considers only information and evidence presented in the Honor Council proceedings in determining guilt or innocence and in determining a sanction. The Student Investigator’s report, the testimony of witnesses, testimony regarding past violations, and any other information or evidence used in determining guilt or innocence or in determining a sanction must be presented in the presence of the accused, the Defense Advisor, the Student Investigator, Assistant Student Investigator, and the hearing panel. If, after due process of investigation, a motion to vote on guilt or innocence is made and seconded, and a two-thirds majority of the hearing panel votes for conviction, the accused is judged guilty. Otherwise, the accused is found innocent, and the case is dismissed.

A quorum for an Honor Council hearing shall be seven voting Honor Council members consisting of the Recording Secretary and the six members of the Honor Council chosen by lot as the hearing panel, by the President of the Honor Council. The President of the Honor Council sits on the hearing and the deliberation, but does not vote.

V. Penalties

The Honor Council also has a responsibility to the community, to the offender, and to the Honor System during the penalty phase of the deliberation. The Council must determine a sanc-
tion which encourages the offender to value truth and honor more highly and to endeavor to live honorably within the community in the future, if possible. Further, the Council owes it to the Honor System to value honor in all its proceedings.

Any violation of the Honor Code is a reason for expulsion; however the Council may impose a less severe penalty in instances in which

1. the violation is self-reported,

2. the accused’s response to the charges has been truthful, and/or

3. when the Council is convinced that the accused is able to live under the Honor System in the future.

The Council is responsible for considering evidence of the offender’s truthfulness with the Council and of his or her ability to live under the Honor System in the future. However, the Council follows a procedure under which expulsion is considered first for any violation for which a guilty verdict is determined. In those cases when expulsion is not warranted, lesser penalties are considered in descending order of severity. The Honor Council may impose the following sanctions for those students found guilty of violations of the Honor System:

Expulsion: Dismissal from the College with no option to re-enroll. An expelled student may not attend classes, visit the campus, or participate in College activities without the written permission of the Dean of Students.
Suspension: Dismissal from the College for a specific period of time with the expectation that a suspended student will return and complete his or her education at Lyon. A suspended student may not attend classes, live on or visit the campus, or participate in College activities without the written permission of the Dean of Students until the suspension period is successfully completed. A period of suspension permits the student to assess his or her values, removes the contrary influence from the community for a specific period of time, and clearly states that honor matters.

In all cases of expulsion or suspension, the offender receives a "W" grade for all courses taken during the semester in which the violation occurs. However, the Honor Council has the option of assigning a failing grade in the course in which the violation occurred. Cases resulting in suspension may, at the option of the Honor Council, include an educational assignment to be completed prior to consideration of a re-application. After the suspension period is successfully completed and so acknowledged by the Dean of Students, the student is readmitted upon application to, and approval of, the Admissions and Financial Aid Committee. If the student re-enrolls and commits a subsequent violation of the Honor Code, he or she is immediately expelled with no provision for readmission.

Probation: A status on which an offender may be placed for a specific period of time. This sanction may include a failing grade on the assignment or the course in which the violation occurred. This sanction may also include an educational assignment in which the student works with a member of the fac-
ulty or staff on a project designed to help the student achieve a better understanding and appreciation of the Honor System. Failure to fulfill the educational assignment in the specified time, without prior approval by the President of the Honor Council, is considered a violation of the Honor Code. A subsequent violation of the Honor Code while on probation may result in a more severe penalty.

The presiding council member will attempt to communicate the outcome of the hearing to the accused following deliberations which result in a verdict. A written statement of the outcome will be sent to the accused within five working days following the hearing. The presiding council member will also communicate the outcome to the faculty member (if the violation occurs in a course) if that person has made the accusation or is a material witness during the hearing or if the student’s grade in the course is affected.

VI. Appeals

After the Council renders a guilty decision, the offender has 48 hours, excluding weekends and holidays, from receipt of the written decision to file a written appeal (stating the reason for the appeal and the name of the Defense Advisor), to the President of the College or his or her designee. If the President of the College initiated the Honor Council proceeding in question, he or she designates the Dean of the Faculty or another officer of the College to hear any appeal for that particular case. The President of the College or his or her designee may affirm, reverse, or remand the decision or the sanction of the Honor Council.
In the event of a remanded hearing, six members of the Honor Council who did not hear the first hearing hear the hearing after remand, along with the Honor Council President and Recording Secretary. If necessary, the President of the Honor Council, with the permission of the President of the College, may allow (a) member(s) who heard the first hearing to hear the hearing after remand in order to reach quorum. During the decision phase of a hearing after remand, only evidence and information presented during the hearing after remand may be used by the hearing panel to determine guilt or innocence or to determine a sanction.

Sanctions imposed by the Honor Council remain in force during the appeal process unless the President of the College, or his or her designee chooses to lift some or all of the restrictions. In all matters of appeal, the decision of the President is final.

VII. Maintenance of Records and Reports to the College Community

The Dean of Students is responsible for maintaining the records of the Honor System and for providing the council with all past case reports, as outlined below.

The Dean of Students is responsible for retaining appropriate documents for permanent record and disposing of other documents. Following each hearing, the President of the Honor Council promptly delivers to the Dean of Students records of proceedings in which guilt is rendered. The Dean of Students informs the Registrar of cases of a course grade change, sus-
pension, or expulsion following the proceedings and opportunities for appeal and notifies professors of sanctions when there is a change on an assignment or test grade.

A student who is found innocent may request that the file concerning his or her case be maintained. The student is informed of this during notification of the case outcome. Standard file maintenance and access rules apply. If said student does not choose this option, the Dean of Students destroys all records of allegations which are revoked or dismissed, and of those proceedings in which the accused is found innocent.

General access to records is restricted to accused students, the President of the Honor Council, the Dean of Students, the Dean of the Faculty, the President of the College, and the College’s Legal Counsel.

The Dean of Students may reveal that portion of the record which is requested by someone other than those named above only with the student’s written permission or upon the College’s receipt of legal process requiring production of the record or portion thereof.

The President of the Honor Council is responsible for making all reports to the College Community. Reports of the number and variety of cases heard will be made to the Faculty, Staff, and Student Assemblies once each year, and to the Board of Trustees at its fall meeting. A summary of complete results, exempting names, is reported at the beginning of each school year covering matters which occurred the previous year.
VIII. Amendments to the Honor System

Members of the College community may make recommendations for amendments to the Honor System. Such recommendations are to be presented in writing to the Student Government Association for consideration. Prior to voting, the SGA discusses the proposed amendment with the Honor Council. Adoption of amendments requires a two-thirds majority of SGA members present.

Amendments adopted by the SGA are subject to review by the Faculty Assembly and the Staff Assembly. A two-thirds majority of each of these assemblies is required to veto an amendment adopted by the SGA. Amendments adopted by the SGA and the Faculty and Staff Assemblies are considered by normal reporting and approval mechanisms for policy changes and become effective only after approval by the Cabinet, President of the College, and the Trustees.

IX. Plagiarism Statement

Writers can fall into plagiarism more easily than most realize. They recognize that claiming credit for another’s writing is plagiarism; indeed, such dishonesty is the blatant form of plagiarism. But writers have a harder time recognizing the more subtle forms of plagiarism—failure to document the use of words or of data developed by others and failure to acknowledge the ideas, opinions, and conclusions of others even when paraphrased rather than quoted. Researchers expect to use the work
of others in their own writing, but they hold themselves to strict professional standards in the use of quotation marks, parenthetical citations and footnotes, and other established means of identifying the sources of the ideas they are blending with their own.

X. Summer Proceedings

Matters presented to the Honor Council for review following members’ departure at the end of the spring semester are adjudicated upon their return the week prior to the beginning of the fall semester. If the accused requests an earlier review with a reduced number of council members, the President of the Honor Council, upon notification by the Dean of Students, attempts to initiate a review during the summer.

In such a case, it is unnecessary that the procedures be followed as outlined in 4.G.1. The President of the Honor Council appoints a Student Investigator and Defense Advisor.

XI. Self-scheduled Final Examinations

Instructors may use their discretion to give exams at other times that do not conflict with the final exam schedule. Instructors may allow individual students to take exams at any time mutually agreeable to the student and instructor. Individual instructors are responsible to set the terms of the discretionary exam. These exams may be up to three hours in length. No exam may exceed three hours, nor be taken by a student outside of the period covered by the final exam schedule without the permission of the Dean of Faculty.
2019-2020 Members of the Honor Council

President: John Pruden
Vice President: 
Secretary: 

Members:
The Social System
Lyon College Social Code

I. Student Responsibilities
Lyon College students are young adults ready to assume the personal and professional responsibilities they will carry for the rest of their lives. While here, students assume the responsibilities arising from their membership in our educational community.

Lyon expects students to be responsible for establishing and living by community standards and for enforcing these social standards through the Social Council. In this way, the College community recognizes its students’ capability of assuming these adult responsibilities.

II. Standards of Student Behavior
Lyon students have established the following expectations for the general welfare of the community. These expectations grow out of students’ desire to live in a productive and harmonious community. They apply both to individuals and to recognized College organizations (referred to as “organization(s)”).

Lyon students have also determined that failing to live up to these expectations should result in action aimed at preserving the well-being of their community and at bringing individuals back into that community. Accordingly, they have established the Social Council to take such action when necessary and to interpret these community standards in a way that best maintains a high quality of campus life.

Community standards of Lyon College include:
A. Concern for the safety of oneself and others: avoiding any conduct that endangers health, safety, or personal well-being, including physical or mental abuse or threats of abuse.

B. Civility and due regard for others’ rights: avoiding behavior which is abusive, obscene, lewd, violent, intrusively noisy, disorderly, or which interferes with normal student life and College activities.

Regarding the actions of the Social Council and others’ rights, avoiding harassment or intimidation of witnesses.
C. Honesty in regard to official College business: nonacademic College documents and files, and student identification cards. (Honesty in academic matters, which is also expected is handled by the Honor System.)

D. Respect for property: refraining from misappropriation, theft, or misuse of the property of others or the College; vandalism; and tampering with safety equipment.

E. Respect for others rights of access: avoiding intentional interference with or obstruction of College activities or facilities, including unauthorized parking, unauthorized occupancy or blockage, obstruction or delay of emergency officers, or failure to comply with the proper requests of College officials performing their duties.

F. Compliance with state gambling laws and regulations.

G. Compliance with state drug and alcohol regulations: abiding by the College’s alcohol policy and refraining from all possession, use, or sale of controlled substances.

H. Compliance with College policies and procedures governing campus residences and other non-academic areas.

III. The Social Council

A. Role and Jurisdiction

The members of the Social Council are students strongly committed to upholding the Lyon College Social System, as well as upholding the rights of each student while investigating and considering complaints. The Council is responsible for interpreting the Standards of Student Behavior and other social policies found in the Student Handbook, and is responsible for taking action when it finds that standards and policies have been violated.
Regarding off campus activities, the Council acts only on incidents that occur during official College sponsored events. These activities include anything related to academic course work, varsity and club athletic events, student organizations, and College-sponsored student travel. Cases arising after classes end shall be handled administratively rather than by the Social Council, unless the accused requests normal proceedings.

B. Membership

The Council consists of nineteen (19) students: five (5) seniors, five (5) juniors, five (5) sophomores and four (4) freshmen.

Each candidate must be a student in good standing (not on social or academic probation or suspension) with the College and have at least a 2.5 cumulative GPA, and maintain it through his/her term.

The Student Government Association (SGA) Secretary solicits nominations for qualified candidates from faculty and staff. Candidates may also nominate themselves. All nominees wishing to run for a Council position complete a Statement of Intent form provided by the SGA Secretary. Candidates have a brief, informal interview with at least three (3) members from SGA’s Executive Officers and/or Social Council’s Executive Officers before elections are held. The Interview Committee scores each candidate. After all interviews are conducted, the full-time student body will vote in an election.

The Interview Committee’s score is weighted 30% in calculating the candidate’s overall vote total. The number of votes the candidate receives in the popular election is weighted 70% in calculating the candidate’s overall total (see further description in the SGA bylaws).

To provide continuity and consistency within the Council, the individual receiving the largest number of votes in the election for the sophomore positions and the junior positions shall serve two-year (2) terms. All other positions shall have one-year (1) terms. All new members except the freshmen shall be elected in mid-March and installed at the end of the spring semester. The freshmen shall be elected and installed within four (4) weeks after the beginning of the fall semester.
The Council meets and hears cases as necessary prior to the election of the freshmen representatives. The Council elects its own President and Vice-President from the junior and senior members, and a Recording Secretary from the sophomore, junior, and senior Council members. Each year the Council selects an advisor from the faculty or staff to serve in a non-voting advisory role with the Council. The Council should seek the assistance of the Dean of Students or Dean of Faculty if it is unable to find an advisor. The Director of Campus Life serves as the administrative liaison for the Council.

Should a Council member withdraw from the College or vacate a position for any reason, the SGA Elections Committee shall conduct an election for a replacement. Upon recommendation of a majority of the Social Council Executive Officers, the SGA may remove a member of the Council, for cause, by a 2/3 majority vote of members present. In either case, SGA may appoint an interim Council member until the next election.

C. The Investigator(s)

The role of the investigator is to be a neutral fact-finder seeking the truth regarding a complaint. Investigator(s) shall not vote in the resulting preliminary hearing or full hearing. Investigator(s) are responsible for contacting all witnesses requested by both the complaining party and the accused.

When the Council receives a complaint that warrants full investigation, the Council President selects one or two non-executive members of the Council on a rotating basis to investigate the facts and present them to the Preliminary Hearing Committee, and if necessary, at a full hearing in front of the Hearing Panel. The member(s) so selected will be the Investigator(s) for that case. The number of investigators assigned to the case depends on the complexity of the case. Investigator(s) choose one non-Council student to be the assistant for each case.

In conducting the investigation, Investigator(s) and their assistant [referred to as "Investigator(s)"] shall be careful not to:

- disclose the name of the accused and the nature of the
complaint to anyone other than those involved with the complaint.

- disclose the name of the accuser at any point in the investigation.

Upon completion of the investigation, the Investigator(s) present all the information concerning the complaint, with names omitted, to a Preliminary Hearing Committee as provided for in E. 3.

D. The Student Advisor

The accused may ask a full-time student to serve as the Student Advisor or may ask the Council President to select one at least twenty-four (24) hours before the hearing. The Student Advisor may assist the accused in understanding the process and the rights provided for in the Social Code, and may advise and assist in responding to the complaint, using general guidelines provided by the Council. The Student Advisor's role is to help the accused prepare a response to a complaint rather than to serve as a defense counsel.

E. Procedure for Conduct of Hearings

1. Initiation of Social Council Proceedings
   Council proceedings begin when the Director of Campus Life receives a written complaint related to a violation of the Standards of Student Behavior or other Student Handbook social policies.

2. Sanction Hearing
   An accused student who admits responsibility for the reported behavior may choose the option of a sanction hearing with the officers of the Social Council (or their designees). The three person panel will meet with the violator and the accuser, conduct whatever investigation they see fit, determine a sanction, or send the matter to a full hearing.

3. Determination of a Violation
   Upon receipt of any written complaint, the Director of Campus Life informs the Council President of the complaint. The Social Council Executive Officers along with either their faculty or administrative adviser meet within one (1) week to determine if the complaint warrants full investigation. A quorum of four (4) is
necessary for this meeting. They may dismiss complaints that do not seem to involve a violation of the Social Standards, in very minor violations they may issue warnings if acceptable to the accused and victim (in cases involving a victim), or they may refer the complaint for full investigation and action by the Council.

When a full investigation is warranted, the Council Presidents refers the case to an Investigator(s) and ensures written notice (hand-delivered, if possible) of the complaint to the accused. Letters to a Student who is subject to Social Council review will be delivered in person or via e-mail.

In cases where a letter is delivered electronically, a hard copy will be provided upon request of the student to whom the letter is addressed. It is the responsibility of students under review by the Social Council to check their e-mail at least once each day.

The investigation concludes with a preliminary hearing, as described in Section 3, not more than ten (10) days following the receipt of the report by the Investigator(s). The presiding Council President, on recommendation from the Investigator(s), may extend the investigation period.

3. The Preliminary Hearing

Upon completion of a full investigation, the Council Vice President, three (3) Council members chosen on a rotating basis by the Council President, and a Recording Secretary shall compose the Preliminary Hearing Committee. After considering the evidence, the Committee Decides, by a majority vote, whether a full hearing and/or further Investigation is necessary.

If it decides not to send the case to a full hearing, then the Committee may decide, by a majority vote, to issue a warning. The record of the warning shall be maintained for one (1) calendar year and be admissible in further hearings. The Council Vice President shall have knowledge of the accused’s prior convictions if any exist. If a Warning is not acceptable to the accused or victim (in cases involving a victim), the case goes to a full hearing.
If there is not sufficient evidence to justify a full hearing, the Council President verbally informs the accused, the victim (in cases involving a victim), and the Director of Campus Life of the outcome as soon as possible. The Council closes the file without any record, and all persons involved are charged to hold the matter in strict confidence. The Council President sends a letter to the accused within a reasonable length of time detailing the outcome.

Should the Preliminary Hearing Committee decide that the evidence is sufficient to warrant a full hearing, the Council President sets the time and date of the full hearing and gives the accused written notification (hand-delivered, if possible) of the specifics of the complaint at least twenty-four (24) hours before the hearing. At the same time, the Council President apprises the accused of all rights, such as the availability of assistance from a Student Advisor. The accused signs a statement indicating an awareness of the complaint, the rights of the accused, and of the procedures to be followed.

4. The Hearing

The procedures for a Social Council hearing shall be as follows:

- A quorum for a Social Council hearing shall be six (6) voting Council members. The Council President makes a reasonable effort to achieve quorum without the voting members of the Preliminary Hearing Committee. Any member of the Hearing Panel who is a material witness to the allegation charged or whose personal involvement with the accused may constitute a bias, shall not sit with the Hearing Panel or take part in its deliberations or voting. The Council President, or in his/her absence, the Vice President, in consultation with the Director of Campus Life, consults any Hearing Panel member believed to have a bias. After consultation, the Council President may request the member in question to withdraw from the Hearing Panel.

- The Council President presides. In the absence of the President, the Vice President presides.

- The hearing is recorded and the Recording Secretary keeps minutes of the proceedings.

- The Hearing Panel, Investigator(s), and accused (and Student
Advisor, if applicable) may examine individuals presenting testimony.

- If more than one (1) student is involved in the same charge, separate hearings are held.
- The hearing is closed unless the accused makes a written request to the Council President for an open hearing at least twelve (12) hours prior to the hearing. The Council President has the authority to exclude from the hearing any participants whose conduct interferes with a fair hearing.

Witnesses are excluded from the hearing except when they are testifying. Those persons attending an open hearing remain throughout the hearing unless excused by the Council President. The Council publicizes the open hearing by posting notices in classroom buildings, Edwards Commons, and other locations it deems appropriate.

- At the beginning of each hearing, the Council President reads the complaint and asks for the accused’s plea.
  a. If the accused admits to the substance of the charge, the accused may then make any statement regarding imposition of a sanction and may present a reasonable number of witnesses to support the statement. The Investigator(s) and Hearing Panel may question the accused and any witnesses. The Investigator(s) and the accused may also make a closing statement. The Hearing Panel then goes into executive session to determine imposition of the sanction.
  b. If the accused declines to admit to the complaint, the Hearing Panel proceeds to hear evidence as to the matter in dispute, normally in the following order:
     1. information gathered in relation to a complaint under the direction of the Investigator(s);
     2. additional information in relation to a complaint under direction of the accused;
     3. closing statements by the Investigator(s), followed by closing statements by the accused.
  c. The Investigator(s) and the accused may call witnesses subject to questions by all official participants.
  d. Material evidence will be allowed and the Council President rules on questions of whether evidence is pertinent. No at-
tempt is made to apply legal rules of evidence. However, basic elements of fairness govern the proceedings.

e. Council members must hold in strict confidence all matters related to the hearing. Any allegation involving breach of confidence is heard by the SGA (as outlined in Section III B).

5. **Decision by the Council**

The Hearing Panel makes a decision according to the preponderance of evidence. The Hearing Panel considers only information and evidence presented in the hearing.

The Hearing Panel finds the accused in violation of policy only if a two-thirds majority votes for a finding of in violation. The President of the Social Council tend the hearing and deliberation, but does not vote. Otherwise, the case is dismissed. In addition to the accused, the victim (in cases involving a victim), the Director of Campus Life, and the Dean of Students are given written notification of all Council decisions.

6. **Sanctions**

The Hearing Panel reviews the facts of the current situation, any past sanctions, the attitude of the accused regarding the complaint, and the ability of the accused to live under the Social System in the future. Prior to the hearing, the Director of Campus Life gives the Council President a sealed envelope containing a list of past sanctions, if any, to be opened if the accused is found to be in violation. If the Hearing Panel finds that the accused has violated any of the Standards of Student Behavior or other Student Handbook policies, it may impose the following sanctions:

**Expulsion** - Dismissal from the College with no option to re-enroll. An expelled student may not attend classes or visit the campus or be involved in College activities without the written permission of the Dean of Students.

**Suspension** – The Hearing Panel may dismiss a violator, student, or organization from the College for a specific period of time, with the expectation that a suspended student will return and complete his or her education at Lyon. During the period of suspension, suspended students may not attend classes, live on or visit the campus,
fully completed. A suspended student organization loses its SGA recognition for a specified period of time.

**Recommended Withdrawal** — The Hearing Panel may refer a student to the Dean of Students with recommendations that a student withdraw from campus and/or from the College for a specified period of time.

**Probation** - Restrictions, which are elements of probation, are a means to achieve reform while maintaining the safety and harmony of the College community. The Hearing Panel may place a violator on probation for a specified period of time. If a subsequent incident occurs during the probationary period, either as repetition of the first act or violation of a different College standard or policy, the Hearing Panel will then consider the recent violation, as well as the act of violating probation in determining disciplinary action. Violation of probation is severe and jeopardizes a student’s enrollment and an organization’s SGA recognition.

**Restitution** - The Hearing Panel may require a violator who has committed an offense against property to reimburse the College or other owner for damage to or misappropriation of such property, limiting any such payment in restitution to actual cost of repair, replacement or related cost.

**Reprimand** - The Hearing Panel may give a written reprimand to any violator whose conduct breaches any part of the Standards of Student Behavior or other Student Handbook policies. Such a reprimand does not restrict the violator in any way. It signifies that parties are given another chance to modify behavior and to conduct themselves within the community standards.

The Hearing Panel may impose other sanctions that include, but are not limited to, the following:
- restriction from offices open to the general student vote and/or SGA appointments;
- restriction from attending or hosting College social activities;
- restriction or loss of visitation privileges in living areas;
- restriction or loss of alcohol privileges;
- appropriate counseling arrangements (if sought by a student);
- educational discussions on specified topics;
- community service assignment that directly relates to the na-
7. Appeals

Only the violator may appeal a decision and/or sanction. In the case that new evidence arises, this evidence may be presented to the original presiding members of the Hearing Panel. If the evidence comes up after the three (3) day period (see below), the presiding president of the case must approve reopening the case.

Sanctions imposed by the Hearing panel and by the Dean of Students, or his/her designee, will remain in force during the appeal process unless the President of the College, or his/her designee or the Student Judicial Panel chooses to lift some (or all) of the restrictions.

IV. The Student Judicial Panel

A. Role

The Student Judicial Panel will serve as an appeals body after a decision has been rendered by the Social Council. The Panel shall not hear cases involving new evidence.

B. Membership

The Panel will consist of five (5) students appointed by the SGA Executive Officers. In case of an appeal, three (3) of the five (5) will be selected by lot to serve as the Hearing Panel, naming a chair from among themselves. The Student Life Administrative Coordinator will serve as recorder for the panel. The Panel members will be selected for a one-year term.

C. Panel Proceedings

1. Initiation of Proceedings

Only the violator may appeal a Council decision. To do so, they must file a written appeal with the Dean of Students within three (3) business days of receipt of the decision they wish to appeal. That written appeal must contain the reasons for the appeal, the name of counsel, and witnesses who will be called. The violator may file an appeal to the Student Judicial Panel on the following grounds:

- the nature of the violation;
- any other sanction that may be deemed rehabilitative and educational.
• evidence does not support the finding;
• sanction is not appropriate for the violation;
• procedural failures.

The Panel must hear the case within one (1) school week after receiving the request unless the Panel determines there are extenuating circumstances. A quorum of three is necessary to hear any case.

2. Panel Hearing

All persons notified to be present at the hearing must attend or be subject to disciplinary action. In cases that require disciplinary action, the Panel will have the authority to impose disciplinary action through the Dean of Students.

The Panel hearings are closed. The presiding Social Council President and the accused will have the right to be present. The violator, Social Council President, and Hearing Panel members have the right to question all witnesses. If either party waives the right to be present, the Hearing Panel shall treat the case in the manner it believes is just.

3. Decision by the Student Judicial Panel

Following the presentation of charges, evidence, and witnesses, the Hearing Panel, in closed deliberations, shall make a decision according to the preponderance of evidence by majority vote and, if necessary, shall assign discipline. The chair of the Hearing Panel will notify the student of the verdict verbally as soon as possible after the completion of the hearing and will send written notification within a reasonable length of time. The chair will also notify the Dean of Students and the Director of Campus Life of all Panel decisions in writing.

4. Appeals

The violator may file an appeal to the President of the College or his/her designee on the following grounds:
• evidence does not support the finding;
• sanction awarded is not appropriate for the violation;
• procedural failures;
• the availability of new evidence that could reasonably be expected to alter the outcome of the case.
If the President of the College initiated the Council proceeding in question, he/she designates the Dean of the Faculty or another officer of the College to hear any appeal for that particular case. The appeal must be presented in writing within three (3) business days after receiving written notification of the decision of the Student Judicial Panel and must include a statement of the grounds for appeal. A copy of the appeal must be provided to the violator, the Council President, Dean of Students, and the Director of Campus Life, and the chair of the Student Judicial Panel.

The President of the College, or his/her designee may affirm, reverse or remand the decision of the Student Judicial Panel. If a decision is remanded on appeal, the case is returned to the Council for reconsideration. The decision of the President of the College or his/her designee is final.

V. Extraordinary Procedures
The Council allows the Dean of Students or his/her designee to handle extraordinary situations, such as those instances in which students are unable to take care of their needs or are judged to be a danger to themselves or others. The Dean of Students may impose, but is not limited to, the following sanctions:

Temporary Suspension - The Dean of Students may deny or restrict an accused students' access to campus for a specified period of time.

Summary Suspension - The Dean of Students may summarily suspend the student and require his or her departure from the campus. The President of the College, or his/her designee, shall review each suspension within forty-eight (48) hours after the decision is made, and may reverse or affirm the decision. During the review, the terms of the summary suspension remain in effect.

VI. Maintenance of Records and Reports to the College Community
The Dean of Students or his/her designee maintains the records of the Social System. In each case considered by the Council, the Recording Secretary is responsible for recording the proceedings
of a hearing, distributing, collecting, and disposing of written material used in the hearing, and delivering written material to be retained for permanent records.

Records of proceedings are delivered to the Dean of Students or his/her designee immediately following each hearing. The Dean of Students or his/her designee shall inform the Registrar of cases involving suspension and expulsion.

A student who is found not in violation has the option to request that the case file be maintained. The student is informed of this during notification of the outcome. Standard file maintenance and access rules apply. If said student does not choose this option, the case file is destroyed.

Only the student named in the file, the President of the Social Council, the Dean of the Faculty, the Dean of Students, the Director of Campus Life, Registrar, and the President of the College have access to the records of the Social Council. The Dean of Students may reveal that portion of the record which is requested by some one other than those named above only with the student’s written permission.

The Council President is responsible for making all reports to the College community. A summary of complete results, exempting names, is reported at the beginning of each school year covering matters which occurred the previous year. A report of the number and variety of cases heard and appealed is made to the Faculty and Staff Assemblies and the SGA once each year, and to the Board of Trustees at its fall meeting.

VII. Amendments to the Social System

Members of the College community may recommend amendments to the Social System presenting them in writing to the SGA for consideration. Prior to voting, the SGA discusses the proposed amendment with the Council. Adoption of amendments requires a two-thirds majority of SGA members present.
VIII. Summer Proceedings

Those matters which are presented to the Council for review following the end of the spring semester will be adjudicated upon their return the week prior to the beginning of the fall semester. If the accused requests an earlier review with a reduced number of Council members, the Council President, upon notification by the Director of Campus Life will attempt to initiate a review during the summer. In cases where a review cannot be initiated during the summer or in those that must be dealt with immediately, the Director of Campus Life will refer the case to the Dean of Students or his/her designee (see “Extraordinary Procedures,” section V).
2019-2020 Members of the Social Council

Seniors

Juniors

Sophomores

Freshmen

Additional representatives will be elected in the fall.
When In Doubt

Important contacts

When you find yourself pondering and questioning the Honor or Social Code, in doubt of the propriety of your actions, concerned about yourself or someone else, or in trouble, the following people will answer your questions:

Dr. Terrell Tebbetts, Martha Heasley Cox Chair in American Literature and Advisor to the Honor Council  
    x 7342

Dean Lai-Monte Hunter, Advisor to the Social Council  
    x 7375

Dr. Patrick Mulick, Dean of Students and Advisor to the Honor Council  
    x 7247

Student Life Office  
    x 7314

President of the Honor Council

President of the Social Council