

Honor Code

Owen Graduate School of Management

Preamble

Owen Students are honorable. They stand for that which is right: they do not lie, cheat, steal, or plagiarize, nor tolerate those who do.

Owen Students tell the truth and make certain that the full truth is known. They embrace equality in all dealings, ensuring that work submitted as their own is their own, and that assistance received from any source is authorized and properly documented. They pledge that assistance provided is endorsed and does not compromise the integrity of others. They respect the belongings of others and guarantee that their peers are able to benefit from the use of their own possessions. They aspire to exceed expectation and will not use the Owen Constitution as a tool of transgression.

Mission

As members of the Owen Student Body it is our aim to develop a sense of responsibility that stresses excellence and awareness in the community in which we live and work. We must steel our resolve to our commitment to the truth. We must establish a level of excellence that measures the righteousness of our work and accountability for our actions, both for those that result in success and those that end in failure. We must never settle for accomplishing only what is expected of us, but rather strive for a paradigm of excellence that reflects the dedication of those whose name Owen represents.

Honor Council Procedures Owen Graduate School of Management

Article I: Jurisdiction

The OGSM Honor Council shall have jurisdiction over all students participating in courses and activities offered by the Owen Graduate School of Management with regard to academic affairs. This includes the Master of Business Administration (MBA), Master of Accountancy (MAcc) and Master of Science in Finance (MSF) programs. The Executive MBA (EMBA) Committee is responsible for addressing any suspected violations within the Executive program; the EMBA Committee may refer a case to the OGSM Honor Council at their discretion.

Article II: Membership of the Honor Council

The Honor Council is responsible for the enforcement of the OGSM Honor Code. The Honor Council shall consist of the following sixteen (16) elected student representatives:

- Seven (7) representatives from the second year MBA class,
- Seven (7) representatives from the first year MBA class,
- One (1) representative from the MAcc program, and
- One (1) representative from the MSF program.

Elections/Voting

The members of the Honor Council will be elected as follows:

1. In the sixth week of the spring semester, the rising second year MBA class will elect seven (7) representatives to serve during the following academic year. The current first year representatives will continue to serve for the remainder of the current academic year.
2. In the fifth week of the fall semester, the first year MBA class will elect seven (7) representatives and the MSF and MAcc programs will each elect one (1) representative to serve in the current academic year.

Term & Summer Council

All members of the Honor Council will serve a term of one (1) academic year and may be called for duty at any time during that year. When school is not in session, if sufficient members are not present, then case proceedings may be postponed until school has reconvened.

Vacancy

In the case of a vacancy, the Honor Council will call for the election of a successor who shall serve for the remainder of the prior representative's term.

Confidentiality

All members of the Honor Council shall retain strict confidentiality regarding all matters related to past and present case proceedings. Consequently, the Honor Council may reprimand and dismiss an Honor Council member at any time for breaching this oath of confidentiality.

Article III: Officers

In the first two weeks of mod IV, the outgoing second year representatives will elect, by simple majority vote, a Chair and Vice Chair from among the newly elected rising second year members of the Honor Council. The newly elected Chair will then appoint a Chief Investigator from the rising second year MBA

class, who must be approved by the Honor Council and then confirmed by the OSGA Senate; both votes require simple majority.

Chair

Calls and presides over all meetings of the Honor Council, arranges for hearings of an accused student and performs other such duties as are common to this office. The Chair will also be the primary point of contact for answering questions posed by students or faculty regarding the Honor Code.

Vice Chair

Serves as Chair when the Chair is unable to serve and shall exercise the duties of that office. The Vice Chair shall also assist the Chair in the performance of his or her duties.

Chief Investigator

Investigates all reported violations of the Honor Code and presents all evidence to the Honor Council during the Initial Review and Formal Hearing. The Chief Investigator is an impartial fact-finder and does not have a voting role.

Article IV: Violations of the Honor Code

The jurisdiction of the OGSM Honor Council is specific to academic violations of the OGSM Honor Code. Non-academic violations are considered conduct issues and will be handled by the OGSM administration and/or the Vanderbilt University Conduct Council. Academic violations of the OGSM Honor Code include, but are not limited to, the following:

1. Lying encompasses, but is not limited to, the following:
 - a. The willful and knowledgeable telling of an untruth and any form of deceit, attempted deceit, or fraud in an oral or written statement relating to academic work. This statement can be made to any member of the OGSM or Vanderbilt University faculty, staff, or student body.
 - b. Providing false information to the Honor Council during the course of an investigation or during a Formal Hearing. This may result in an additional charge.

Note: If this charge is not in conjunction with another academic violation, then it is considered a conduct issue and the case will be referred to the Vanderbilt University Conduct Council.

2. Cheating encompasses, but is not limited to, the following:
 - a. Aiding or receiving unauthorized assistance of any form, including soliciting, using or distributing unauthorized aid, copying from another student's work, or similar actions contrary to the principles of academic honesty.
 - b. Use of texts or papers prepared by commercial or noncommercial agents and submitted by a student as his own.
 - c. Submission of work prepared for another course without the specific prior authorization from the instructors in both courses.
 - d. Falsification of results of study or research.
3. Plagiarism encompasses, but is not limited to, the following:
 - a. Incorporating into one's own work the work of another without properly indicating that source.
 - b. Using patterns of thought, arrangement of material, or sequencing of ideas from another without properly indicating that source.
 - c. Paraphrasing, changing wording, or using a catchy word or phrase from another without indicating that source.

Note: Plagiarism may be the result of carelessness or ignorance of acceptable forms of citation; it may also include some degree of premeditation. Plagiarism is not the accidental deletion of a footnote when it should be obvious to the professor that the student has, in general, properly credited the author and thus preserved academic honesty.

4. Stealing encompasses, but is not limited to, the following:
 - a. Taking or appropriating without permission to do so property belonging to someone else.

Note: If this charge is not in conjunction with another academic violation, then it is considered a conduct issue and the case will be referred to the Vanderbilt University Conduct Council.

5. Tolerating a violation encompasses, but is not limited to, the following:
 - a. Failing to report a known or suspected violation of the Honor Code.

Note: If this charge is not in conjunction with an academic violation, then it is considered a conduct issue and the case will be referred to the Vanderbilt University Conduct Council.

Article V: Reporting a Violation

Suspected violations of the OGSM Honor Code should be reported to the Chair of the Honor Council as soon as possible. The Accuser may also report the suspected violation to any member of the Honor Council, who will in turn notify the Chair of the Honor Council. The Accuser may be called upon to testify during the Formal Hearing.

Article VI: Procedure for Violations on Group Assignments

When accusations of Honor Code violations are brought forth on group assignments, all members of the group will be investigated during the Chief Investigator's initial investigation. Once the Chief Investigator's report is presented to the Initial Review Board, the Initial Review Board will determine, by a separate vote for each accused group member, whether or not there is sufficient evidence to warrant a formal charge and Formal Hearing. In Formal Hearings, all charged group members will be tried simultaneously, but individual votes of guilt or innocence will be cast for each charged group member. For each charged group member found guilty of the charge, individual votes will be cast to determine the appropriate penalty.

Article VII: Investigation

Promptly after the suspected violation has been reported to the Honor Council, the Chief Investigator will notify the Accused of the allegation.

At times when more than one investigation is being conducted, the Honor Council Vice Chair may act as Chief Investigator to ensure timely resolution of all investigations and hearings.

The Chief Investigator will inform the Accused of the process of an investigation, Initial Review, Formal Hearing, possible penalties, and the Accused's rights throughout the process.

The Chief Investigator will gather evidence related to the suspected violation. This investigation may include gathering physical evidence, identifying potential witnesses, and interviewing relevant parties (e.g. the Accuser, the Accused, witnesses).

After the Chief Investigator has completed his investigation, the Chair will call a meeting of the Initial Review Board to hear the Chief Investigator's report.

Article VIII: Initial Review

The Initial Review should be conducted within ten (10) regular school days from the time the suspected violation is reported.

The Initial Review Board is comprised of the Chair and four (4) randomly selected members of the Honor Council. No person related to the Accused by blood or marriage will be allowed to serve on the Initial Review Board. A member may excuse himself from the Initial Review Board if a clear conflict of interest exists. The Chief Investigator and any individuals assisting in the investigation will not participate in the vote.

The purpose of the Initial Review is to determine, by simple majority vote, if there is sufficient evidence to warrant a Formal Hearing of the charge(s); it is not to determine the guilt or innocence of the Accused. No outside parties (e.g. the Accused, the Accuser, any witnesses) will be present at the Initial Review. The Initial Review will be conducted in private, and all members of the Honor Council will be required to preserve the confidentiality of the proceedings in all cases.

During the Initial Review, the name of the Accused and other related parties (e.g. the Accuser, any witnesses) will not be disclosed to the Initial Review Board, unless the Initial Review Board is unable to adequately assess the evidence presented without this information.

If the Initial Review Board finds that there is not sufficient evidence to warrant a Formal Hearing, the Chief Investigator will notify the Accused that the case has been dismissed and no further proceedings on the matter will be conducted.

If the Initial Review Board decides there is sufficient evidence to warrant a Formal Hearing, the Chief Investigator will notify and formally charge the Accused.

Article IX: Charging the Accused

Following the Initial Review, the Chief Investigator will draft a formal charge against the Accused. When formally charging the Accused, the Chief Investigator will provide the Accused with the following:

1. A copy of the formal charge brought against the Accused.
2. A statement to be signed by the Accused acknowledging that he or she has received a copy of the charge. Signing this statement does not constitute an admission of guilt.
3. A copy of the OGSM Honor Code and Honor Council Procedures.
4. A reading of the Accused's rights, which are as follows:
 - a. The right to remain silent at the time of charging.
 - b. The right to have an Advisor during the Formal Hearing.
 - c. The right to have one Character Witness and as many Material Witnesses as desired to testify at the Formal Hearing.
 - d. The right to appeal the Honor Council's decision to the Vanderbilt University Appellate Review Board.

After the formal charge has been served to the Accused, the Chair will schedule a Formal Hearing.

Article X: Formal Hearing

The Formal Hearing should be no earlier than three (3) regular school days and no later than ten (10) regular school days from the signing of the formal charge by the Accused, unless otherwise mutually agreed upon by the Chair and the Accused.

Prior to the Formal Hearing, the Chief Investigator may conduct additional interviews and collect further documentation as necessary. All evidence must be shared with the Accused at least 48 hours prior to the Formal Hearing.

The purpose of the Formal Hearing is to determine the guilt or innocence of the Accused, as well as any applicable penalties. Voting procedures and penalties are outlined below. The Formal Hearing will be conducted in private, and all members of the Honor Council will be required to preserve the confidentiality of the proceedings in all cases.

The Hearing Committee for the Formal Hearing is comprised of the Chair, the Vice Chair and five (5) members of the Honor Council as chosen below:

- i. If the accused is a member of the MAcc or MSF program, the Honor Council representative from the program of which the Accused is a part will participate in the Formal Hearing, unless the honor council member from that program has a conflict of interest or unavoidable schedule conflict
- ii. The other four (4) participants will be selected at random from a drawing that includes all remaining members of the Honor Council
- iii. If, after the initial slate of representatives to participate in the hearing is chosen, a selected member cannot participate in the hearing due to an unavoidable conflict, that member will be replaced at random via a drawing that includes all remaining members of the Honor Council, without consideration of the selection guidelines outlined above.

If the Vice Chair is acting as Chief Investigator in an investigation, the Hearing Committee will be composed of the Chair and six (6) members of the Honor Council, per the guidelines above.

No person related to the Accused by blood or marriage will be allowed to serve on the Hearing Committee. A member may excuse himself from the Hearing Committee if a clear conflict of interest exists. The Chief Investigator and any individuals assisting in the investigation will not participate in the vote.

Prior to all Formal Hearings, one (1) alternate Hearing Committee Member will be randomly chosen and asked to attend the Formal Hearing. Prior to the announcement of the accused's name, the alternate will be identified and asked to leave the room. Once the name of the accused has been announced to the Hearing Committee, if there are no conflicts of interest among committee members, the alternate will be dismissed. If there is a conflict of interest that leads a committee member to recuse him/herself, the recused committee member will be dismissed at the alternate will assume that seat on the Hearing Committee. The alternate may also be used to fill unexpected absences of Hearing Committee members.

If a hearing committee of seven (7) is not present and able to participate, the Accused shall be entitled to a complete re-hearing under the same procedures outlined here. The committee rehearing the case may consist of members of the original Hearing Committee.

Advisor

The Accused may elect to have an Advisor present during the Formal Hearing. The Advisor may not be a lawyer, a law faculty member, a law student, or any individual with formal legal training. The Advisor may also serve as a Character Witness for the Accused. The Accused may consult with the Advisor throughout the Formal Hearing; however, the Advisor may not directly address the Hearing Committee, the Chief Investigator, the Accuser, or any witnesses.

Administrative Representative

The Administrative Representative is appointed by the OGSM administration to serve as a non-voting observer for all Formal Hearings, unless otherwise requested by the Accused. The Administrative Representative will attend all Formal Hearings and will be excused whenever the Accused is excused; he/she will not be present during Council deliberations. The Administrative Representative is bound to the same confidentiality standards as the Honor Council.

Proceedings

The Chair will open the Formal Hearing by reading into record the charge of the Accused. At this time, the Accused will be required to plead “guilty” or “not guilty”.

The Chief Investigator will then present the results of his investigation and call witnesses with knowledge of the suspected violation. Material Witnesses may include any faculty, staff or students. A Material Witness, including the Accuser, should only be present for his or her testimony; a Material Witness should not be present for the testimony of other witnesses or any other official proceedings. Each Material Witness may present a prepared statement or testimony; after which time, each witness will be subject to questioning by the Accused and the Hearing Committee. The Accused and the Administrative Representative should be present during the presentation of evidence and during all Material Witness testimony, including that of the Accuser.

At the request of the Accused or the Hearing Committee, the Chair may suspend the Formal Hearing proceedings for a reasonable period of time to gather additional evidence deemed material to the outcome of the case.

Following the presentation of evidence, the Accused will present his or her defense. The Accused may present a statement to the Hearing Committee and may call witnesses, including as many Material Witnesses as desired and one (1) Character Witness.

The Accused will not be present for the testimony nor questioning of the Character Witness. The Character Witness may present a prepared statement or testimony; after which time, he or she will be subject to questioning by the Hearing Committee. The Accused will be present for the testimony of any Material Witnesses. The Hearing Committee and the Accused will have the opportunity to question all Material Witnesses. During the testimony of the Character Witness, the Accused will be excused from the room, the Character Witness will present his/her testimony, and the Hearing Committee will have the opportunity to ask questions of the Character Witness. After all witnesses have been excused, the Hearing Committee will have the opportunity to question the Accused. Following the conclusion of the defense, the Accused, the Advisor and the Administrative Representative will be excused.

If the Accused pled “not guilty” at the beginning of the Formal Hearing, then the Hearing Committee will deliberate and determine, by simple majority vote [e.g. four (4) of the seven (7) members of the Hearing Committee], if the Accused is guilty of the charge. If the Hearing Committee finds the Accused “not guilty”, the Accused will be recalled and the Chair will announce the verdict.

If the Hearing Committee finds the Accused “guilty” or the Accused has already pled “guilty”, then the Hearing Committee will determine the penalty as outlined in Article X below. After the penalty is

decided, the Accused, the Advisor and the Administrative Representative will be recalled and the Chair will announce the verdict and penalty.

Following the conclusion of the Formal Hearing, the Chair will inform, in writing, the Accused and the Accuser of the verdict and any applicable penalties.

The minutes (including tape recordings) shall be kept on file at the Owen Graduate School of Management for a period of five (5) years.

Article XI: Penalties

The penalties for violating the OGSM Honor Code include, but are not limited to, the following:

Failure in the Course

The minimum penalty for all academic violations of the Honor Code is failure in the course, whether the Accused admits guilt or is found guilty by the Hearing Committee. The course may be retaken; however, a note on the student's academic record will state that the student received an "F" in the course as the result of the Honor Code violation.

Suspension

In addition to failure in the course, the Accused may be suspended for a length of time determined by the Hearing Committee. Suspension will begin at the end of the module in which the student is convicted of a violation. After the Accused has been found guilty, the Hearing Committee may vote on the penalty of suspension; a vote of five (5) of the seven (7) members of the Hearing Committee will be required to administer this penalty.

Permanent Expulsion

In addition to failure in the course, the Accused may be permanently expelled from the Owen Graduate School of Management. Expulsion will begin at the end of the module in which the Accused is convicted of a violation. A note on the student's academic record will state that the student received an "F" in the course and was permanently expelled as the result of an Honor Code violation. After the Accused has been found guilty, the Hearing Committee may vote on the penalty of expulsion; a unanimous vote [e.g. seven (7) of the seven (7) members of the Hearing Committee] will be required to administer this penalty.

Note: If a student has previously been found guilty for an academic violation of the Honor Code, then the automatic penalty is permanent expulsion.

Appeal

Any student found guilty by the OGSM Honor Council may appeal the verdict to the Vanderbilt University Appellate Review Board. The appeal must be filed within ten (10) business days of the Formal Hearing.

Article XII: Absence of the Accused

If the Accused withdraws from the Owen Graduate School of Management before a Formal Hearing has been conducted, that fact shall be recorded by the Honor Council. A letter shall be sent to the Accused stating that he or she is suspected of an Honor Code violation, that an investigation will be conducted, and that a Formal Hearing will be held to resolve the matter. The Accused may respond as follows:

1. The Accused may return to participate in the Formal Hearing.

2. The Accused may waive the right to appear and send a written, signed statement to be presented on his or her behalf at the Formal Hearing.
3. The Accused may waive the right to give testimony and the Formal Hearing may be conducted in his or her absence.

The Accused will not be allowed to register or return to OGSM until a Formal Hearing has been conducted.

Article XIII: Publicity

Following the conclusion of each module, the Chair of the Honor Council shall provide the OGSM community with a summary of Honor Council proceedings, including all the salient facts pertaining to any formal charges, the findings of the Hearing Committee, and any penalties imposed. The name(s) of the Accused and any other sensitive information shall be withheld to protect his/her right to confidentiality. At this time, the Administrative Representative will also confirm that procedures and protocol were followed by the Honor Council during all Formal Hearings.

Article XIV: Amendments

Amendments to the Honor Council Procedures may be adopted by the approval of two-thirds of the members of the Honor Council and ratified by a simple majority of the voting members of the student body in a general election.