

Newcomb-Tulane College

EXPECTED BEHAVIOR AT TULANE UNIVERSITY

Tulane University expects and requires behavior compatible with its high standards of scholarship. By accepting admission to the university, a student accepts its regulations (i.e., Code of Academic Conduct, Code of Student Conduct) and acknowledges the right of the university to take disciplinary action, including suspension or expulsion, for conduct judged unsatisfactory or disruptive.

The integrity of Tulane University is based on the absolute honesty of the entire community in all academic endeavors. As part of the community, students have certain responsibilities regarding all independent work that forms the basis for the evaluation of their academic achievement. Students are expected to be familiar with these responsibilities at all times.

The scholarly community of the university depends on the willingness of both instructors and students to uphold the Code of Academic Conduct. When a violation of the Code of Academic Conduct is suspected, it is the duty of every member of the academic community who has evidence to take action. Students should take steps to uphold the Code of Academic Conduct by reporting any suspected offense to the instructor or the Honor Board. Students should under no circumstances tolerate any form of academic dishonesty.

In all work submitted for academic credit, students are expected to represent themselves honestly. The presence of students' names on any work submitted in completion of an academic assignment is considered to be an assurance that the work and ideas are the result of the students' own intellectual effort, stated in the students' own words, and produced independently, unless clear and explicit acknowledgement of the sources for the work and ideas is included. This principle applies to papers, tests, homework assignments, artistic productions, laboratory reports, computer programs, and other assignments. A copy of the complete Code of Academic Conduct may be obtained from the Newcomb-Tulane College dean's office.

Behavior Norms

Listed below are generally accepted guidelines for student behavior in classrooms, laboratories and studios. Instructors and schools may impose other expectations.

- **Computers** are to be used for class-related purposes only; instructors will specify when computers may not be used.
- Students and instructors will turn off all **cell phones and electronic devices** at the beginning of each class; these items will remain off for the duration of the class.
- Students and instructors are required to observe **copyright** laws.
- Students are responsible for checking their Tulane **e-mail** accounts daily when classes are in session.
- Instructors expect students to be **punctual** when arriving for classes and presentations; they also expect uninterrupted **attendance** for the duration of the class.
- Students **submitting work late** can expect, at the instructor's discretion, to have the work refused or to receive a grade penalty.
- **Videotaping or recording** a class requires the instructor's approval in advance.

Discipline

For all academic activities and disruptive behavior, the authority for control and discipline rests with the dean of Newcomb-Tulane College and the deans of the undergraduate schools. In all other areas, the vice president of student affairs is responsible for formulating appropriate procedures and regulations concerning student behavior and for the judicial consideration of violations. Students should refer to the Code of Student Conduct for a full description.

Class Attendance

Students are expected to attend all classes unless they are ill or prevented from attending by exceptional circumstances. Instructors may establish policies for attendance and making up missed work in their classes, which are announced at the beginning of the semester. Students who find it necessary to miss class are responsible for obtaining notes on material covered in lectures or other class sessions.

Students are responsible for notifying instructors about absences that result from serious illnesses, injuries, or critical personal problems. Medical excuses are issued by the Student Health Center in the following instances: illnesses or injuries that involve hospitalization, a partial or complete withdrawal due to medical reasons, or a missed final examination for a medical condition being treated by the Student Health Center. In all of these instances, medical information will be released only with the student’s written permission.

Instructors are authorized to lower the grades of students who are absent excessively without a satisfactory excuse or do not make up work missed because of absences.

CODE OF ACADEMIC CONDUCT

INTRODUCTION

The integrity of the Newcomb-Tulane College is based on the absolute honesty of the entire community in all academic endeavors. As part of the Tulane University community, students have certain responsibilities regarding work that forms the basis for the evaluation of their academic achievement. Students are expected to be familiar with these responsibilities at all times. No member of the university community should tolerate any form of academic dishonesty because the scholarly community of the university depends on the willingness of both instructors and students to uphold the Code of Academic Conduct. When a violation of the Code of Academic Conduct is observed it is the duty of every member of the academic community who has evidence of the violation to take action. Students should take steps to uphold the code by reporting any suspected offense to the instructor or the associate dean of the college. Students should under no circumstances tolerate any form of academic dishonesty.

In all work submitted for academic credit, students are expected to represent themselves honestly. The presence of a student's name on any work submitted in completion of an academic assignment is considered to be an assurance that the work and ideas are the result of the student's own intellectual effort, stated in his or her own words, and produced independently, unless clear and explicit acknowledgment of the sources for the work and ideas is included (with the use of quotation marks when quoting someone else’s words). This principle applies to papers, tests, homework assignments, artistic productions, laboratory reports, computer programs, and other assignments.

All new students in the Newcomb-Tulane College shall receive a copy of this code before the start of the Fall semester. Lack of familiarity with the code or with the precise application of its principles to any specific instance is not an excuse for noncompliance with it.

ARTICLE I: DEFINITIONS

The terms below are used throughout this document and are defined as follows:

1. “**Accused Student**” means any student accused of violating the Code.
2. “**Appellate Panel**” means any person or persons from the Honor Board authorized by the Associate Dean to consider an appeal of an Honor Board Hearing Panel’s determination or from the sanctions imposed in a particular situation.
3. “**Chairperson**” means the chair of an Honor Board Hearing Panel. The Chairperson must be an officer of the honor board.
4. “**Code**” means this Code of Academic Conduct.

5. “**Associate Dean**” means the College Official authorized by the Dean of the College to coordinate Honor Board proceedings.
6. “**College**” means the Newcomb-Tulane College of Tulane University.
7. “**College Official**” means any person employed by the College to perform administrative or professional responsibilities.
8. “**Complainant**” means any person who submits a charge alleging that a student violated the Code.
9. “**Dean**” means the Dean of the Newcomb-Tulane College.
10. “**Honor Board**” means those persons who may from time to time be asked to serve on an Honor Board Panel. The Honor Board shall consist of approximately forty (40) students and twenty-five (25) faculty members from the Schools. It shall be the goal of the Dean of the College to select representation proportional to enrollment from the College and the Schools (as defined below) whenever possible. The size of the pool of members can be increased or decreased at the discretion of the Dean of the College. The Dean of the College shall have the right to remove any member of the Honor Board.
11. “**Honor Board Hearing Panel**” means any person or persons authorized by the Associate Dean to determine in a particular situation whether a student has violated the Code and to recommend sanctions that may be imposed when a rules violation has been committed.
12. “**Instructor**” means any person who conducts classroom or teaching activities for Tulane University, or who is otherwise considered by the university to be a member of its faculty.

13. “**Member of the University Community**” means any person who is a student, instructor, College Official, or any other person employed by Tulane University. A person’s status shall be determined by the Associate Dean of the College.
14. “**Schools**” means the Schools of Architecture, Business, Liberal Arts, Public Health, and Science and Engineering, and Continuing Studies.
15. “**Student**” means all persons enrolled at the College pursuing undergraduate degrees. Persons who withdraw after allegedly violating the Code or who have been notified of their acceptance for admission are considered “students.”

ARTICLE II: CODE AUTHORITY

1. The Associate Dean shall determine the composition of Honor Board Hearing Panels and Appellate Panels, as well as which Honor Board Panel and Appellate Board shall be authorized to hear each matter.
2. The Associate Dean shall develop procedures for the conduct of Honor Board Hearing Panels and Appellate Panel hearings that are not inconsistent with provisions of the Code.
3. Decisions made by an Honor Board Panel and/or Associate Dean shall be final, pending the normal appeal process.
4. Allegations of harassment shall be addressed under Tulane University’s harassment policy.
5. Student members of the Honor Board shall elect officers from their number on an annual basis, and shall work with

the Associate Dean to provide training to Honor Board members.

ARTICLE III: PROSCRIBED CONDUCT

1. Jurisdiction of the Code

The Code shall apply to academic conduct of each student from the time of application for admission through the actual awarding of a degree, even though academic conduct may occur before classes begin or after classes end, as well as during the academic year and even if the academic conduct is not discovered until after a degree is awarded. The Code shall apply to a student's academic conduct even if the student withdraws from school while a disciplinary matter is pending.

2. Violations of the Conduct

Any student behavior that has the effect of interfering with education, pursuit of knowledge, or fair evaluation of a student's performance is considered a violation. Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in this Code. The following are defined as violations:

- i. **Cheating** -- Giving, receiving, or using, or attempting to give, receive, or use unauthorized assistance, information, or study aids in academic work, or preventing or attempting to prevent another from using authorized assistance, information, or study aids.
Consulting with any persons other than the course professor and teaching assistants regarding a take-home examination between the time the exam is distributed and the time it is submitted by the student for grading.

Students should assume the exam is closed book; they may not consult books, notes, or any other reference material unless explicitly permitted to do so by the instructor of the course.

- ii. **Plagiarism** -- Unacknowledged or falsely acknowledged presentation of another person's ideas, expressions, or original research as one's own work. Such an act often gives the reader the impression that the student has written or thought something that he or she has in fact borrowed from another. Any paraphrasing or quotation must be appropriately acknowledged. Plagiarism also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials. Please consult *Acknowledging Sources In Academic Work*, a copy of which may be obtained in the Newcomb-Tulane College Dean's Office or the Center for Academic Advising, for more information on documenting sources.
- iii. **Fabrication** -- Submission of contrived or altered information in any academic exercise.
- iv. **False Information** -- Furnishing false information to any University official, instructor, or Tulane University office relating to any academic assignment or issue.
- v. **Unauthorized collaboration** -- Collaboration not explicitly allowed by the

instructor to obtain credit for examinations or course assignments.

- vi. **Multiple submission** -- Presentation of a paper or other work for credit in two distinct courses without prior approval by both instructors.
- vii. **Sabotage** -- Destroying or damaging another student's work, or otherwise preventing such work from receiving fair graded assessment.
- viii. **Unfair advantage** -- Any behavior disallowed by an instructor that gives an advantage over other fellow students in an academic exercise.
- ix. **Facilitation of academic dishonesty** -- Knowingly helping or attempting to help another student violate any provision of the code.
- x. **Tampering with academic records** -- Misrepresenting, tampering with, or attempting to tamper with any portion of a student's academic record.
- xi. **Improper disclosure** -- Failure of an honor board member or participant in an honor board hearing to maintain strict confidentiality concerning the identity of students accused of Code of Academic Conduct violations.

ARTICLE IV: RESPONSIBILITIES

1. Instructors

All instructors shall foster an environment which encourages adherence to the principles of honesty and integrity. Each instructor shall give specific directions concerning the nature of examinations and assignments, stating, for example, when collaboration is permissible.

Each instructor shall be familiar with the principles and procedures of the Code. He or she shall report all suspected violations so that, for example, repeat offenders can be detected. Each instructor shall also appear and testify when called upon by the honor board.

2. Students

All students are expected to adhere to the principles of the Code. All academic work must be the result of the student's own efforts, except when collaboration has been explicitly allowed. If a student is unsure how a particular assignment is affected by the Code, it is his or her responsibility to consult the instructor. This applies not only to the student's own behavior but also to the behavior of others.

ARTICLE V: REPORTING VIOLATIONS AND PREPARING FOR A HEARING

1. Reporting Suspected Violations

Any member of the university community may file charges against a student for violations of the Code. A charge shall be prepared in writing and directed to the Associate Dean. Any charge should be submitted as soon as possible after the Complainant becomes aware of the relevant events or actions, preferably within five (5) working days of the alleged violation.

2. Copy of the Charges

If a violation of the Code is suspected, the Associate Dean will provide the accused student with a copy of the formal charge in writing: the nature and occasion of the alleged violation, the name of the complainant, copies of the documents pertinent to the allegation and a copy of the code within five (5) working days or as soon as practical.

3. Associate Dean's Initial Review

If alleged violation of the code has been reported, the Associate Dean shall review written the charge to confirm that the charge being made falls within the scope of this code and that all documents have been prepared according to its provisions. This review shall take place within two (2) working days of Associate Dean's receipt of the charge.

If, in the considered opinion of the Associate Dean, the charge is improper and should not be taken to a hearing, that decision shall be communicated to the complainant, who retains the right to have the Associate Dean's decision reviewed by the Dean of the Newcomb-Tulane College.

4. Accused Student's Review

If the charge is brought to a hearing, the accused student will be allowed five (5) working days to prepare his or her case; an extension to this period will be granted by the Associate Dean if necessary.

5. Administrative Disposition

If the accused student (or students) in the case informs the Associate Dean that she or he plans to plead guilty, the accused student may waive the hearing and the penalty for violating the Code will be a grade of WF and one semester

of honor board probation, assigned by the Associate Dean. The student must also sign a statement acknowledging the violation and the penalty, and in the case of a Code violation involving multiple students, the signed statement will become part of the record in the hearing for any of the other students that do not plead guilty. A student may elect this option only if he or she has no prior convictions and if the violation, in the opinion of the Associate Dean, would not be likely to result in suspension from Tulane if the student were to appear before a hearing panel. Administrative disposition of the case will appear on the student's permanent record as a violation of the Code.

6. Witnesses

The officer who will chair the hearing shall consult with the complainant and the accused student, if necessary, to ascertain what witnesses should be called in the hearing, to make sure that all concerned understand the workings of the Code.

7. Right to an Advisor

The Accused Student has the right to be assisted by an advisor they choose (to be selected from a list of instructors familiar with the workings of the Code of Academic Conduct). The Associate Dean will provide the Accused Student with a list of potential advisors. The advisor may not have an attorney-client relationship with the person advised. The Accused Student is responsible for presenting his or her own information, and therefore, an advisor is not permitted to speak or to participate directly in any Honor Board hearing. A student who selects an advisor should insure that the advisor's schedule allows attendance at the scheduled date and time of the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.

ARTICLE VI: COMPOSITION AND JURISDICTION OF THE HONOR BOARD AND HEARING PANELS

1. Composition of the Honor Board

The Honor Board is composed of persons selected by the procedure below who may from time to time be asked to serve on an Honor Board Panel. The Honor Board shall consist of approximately forty (40) students and twenty-five (25) instructor members from the Schools. It shall be the goal of the Dean of the College to select representation proportional to enrollment from the College and the Schools whenever possible. The size of the pool of members can be increased or decreased at the discretion of the Dean of the College. The Dean of the College shall have the right to remove any member of the Honor Board.

2. Selecting New Members and Officers of the Honor Board

a. Selection of Students

- i. New student members of the honor board shall be chosen as needed by the continuing members of the honor board; these students shall serve until graduation, interruption of residency, or until resigning their positions. The board will strive to achieve approximate representation across student classes and schools.
- ii. No student who has been convicted of a violation of the Code may serve on the honor board.

b. Selection of Student Officers

Six student members the board shall serve one-year terms as officers of the board. Selection of the

officers will be made each spring by vote of the continuing members of the board. The officers of the honor board may convene the board to review procedures, conduct training and other official business.

c. Selection of Instructor Members

Instructor members of the board shall be chosen by their schools and will serve two-year terms. The associate dean of the Newcomb-Tulane College will determine the number of members needed from each school on an annual basis.

3. Composition of Honor Board Hearing Panels

Panels shall be constituted from five (5) members of the Honor Board - three students and two instructors whenever possible. One of the three students must be an officer of the board. If the accused student is in a school, one of the instructor members must be from that school. The panel shall hear cases and determine the guilt or lack of guilt of the accused student(s), and shall recommend appropriate penalties for implementation by the Dean or designate of the Dean

4. Honor Board Hearing Panel Procedure

The Honor Board shall determine the rules of procedure for its hearing panels, subject to the approval of the Dean of the Newcomb-Tulane College.

5. Honor Board Hearing Panel Voting Rights

Students and instructors are voting members of the Honor Board Hearing Panel and each member has one (1) vote.

ARTICLE VI: HONOR BOARD PANEL HEARINGS

1. Purpose of Hearings

The purpose of the hearing is to provide the student with an opportunity to be heard and to supply the Honor Board Hearing Panel with the relevant information necessary to reach a decision. It should be noted that a hearing is not a legal procedure and as such, formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Code proceedings. Polygraph tests are not admissible as evidence.

2. Hearing Date

The Honor Board will make every effort to process cases in a timely manner. An officer will convene a Honor Board Hearing Panel to review the charges brought against the student. Every effort will be made to convene that hearing within ten (10) working days after the accused student has been apprised of the charges.

3. End of the Semester Offenses

If the offense is reported at the end of the semester and an officer and a sufficient number of board members with appropriate representation from the student's school are unavailable to hear a case, the Associate Dean may form an ad hoc panel composed of two instructor members (one from the student's school) and three students. If the case must be heard by an ad hoc panel, it should be heard as soon as possible and no later than fourteen working days after the end of final exams when feasible, unless the accused student asks to have the matter deferred until the beginning of next semester. If more than one student is accused in the same case and at least one of the accused students desires to postpone the hearing, it shall be deferred until the beginning of the next semester, unless any of the accused students is expected to graduate before the hearing

is to take place or will be on a study abroad program in the fall semester. In either event, the hearing will take place within the ten (10) day period stipulated, when feasible.

4. Failure to Appear

If an Accused Student, having been notified, does not appear before an Honor Board Hearing Panel, the information in support of the charges shall be presented and the hearing shall proceed.

5. Testimony

If a person is called before a Honor Board Hearing Panel, the person is obligated to be completely honest because the charges against the accused student can result in suspension or expulsion from the university. It is every member of the university community's duty to ensure that the principles of the Code are upheld and that the procedures are properly followed.

6. Procedures for Honor Board Hearing Panel

- a. Honor Board hearings shall be conducted in private.
- b. An officer of the board shall preside over each Honor Board Hearing Panel. He or she shall see that a tape recording is made of all testimony. The officer shall notify all participants of the date and time of the hearing within five working days after the accused student has been notified, when feasible. The officer shall submit a written report of the hearing, accompanied by a tape recording of all testimony and a copy of all evidence presented, to the dean of the Newcomb-Tulane College within two working days after the hearing.
- c. There shall be a single verbatim record, such as a

tape recording, of all Honor Board Hearings. Deliberations of an Honor Board shall not be recorded. The record shall be the property of the College. The record shall be retained by the College only until all appeals have been exhausted or a determination has otherwise become final, or such longer period as may be required by law, rule or regulation.

- d. The Accused Student has the right to be assisted by an advisor they choose (to be selected from a list of instructors familiar with the workings of the Code of Academic Conduct). The Associate Dean will provide the Accused Student with a list of potential advisors. The advisor must be a member of the university community and may not have an attorney-client relationship with the person advised. The Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Honor Board Panel Hearing. A student who selects an advisor should insure that the advisor's schedule allows attendance at the scheduled date and time of the Honor Board Hearing Panel because delays will not normally be allowed due to the scheduling conflicts of an advisor.
- e. Pertinent records, documents, and written statements may be accepted as information for consideration by an Honor Board Hearing Panel at the discretion of the chairperson.
- f. All procedural questions are subject to the final decision of the chairperson of the Honor Board Hearing Panel. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Code proceedings.

- g. At the beginning of the hearing, the Chairperson shall read the charges against the accused student. Normally the complainant will give testimony first, followed by supporting witnesses, followed by the accused student and supporting witnesses, and then by other witnesses, if any. Any of the preceding may be recalled for further testimony if clarification is necessary. The Chairperson shall inform the accused student and any witnesses of the following before testimony begins:
 - i. False testimony given in a hearing is a violation of the Code of Academic Conduct.
 - ii. All testimony given in an honor board hearing is to be held in the strictest confidence.
 - iii. All witnesses must be called to give substantive testimony rather than as character witnesses.
- h. The accused student may make a statement before the honor board, examine or dispute any evidence, make no statement, or decline to respond to any questions.
- i. The Complainant, the Accused Student, and any witnesses will be brought before the hearing panel independently of one another to give testimony. If the Complainant and/or Accused Student in the hearing cannot be present, written testimony will be accepted.
- j. After hearing all evidence and witnesses in the case, the panel will vote to determine the guilt or lack of guilt of the student based on whether it is more likely than not that the Accused Student violated the Code.; a majority is necessary for a finding of

guilty. All members vote, and abstentions will be counted as votes of not guilty. No member of the panel will be allowed to vote unless he or she has been present to hear all the evidence in the case.

- k. If the Accused Student is judged not guilty, there will be no report of the case on his or her college record.
- l. If the Accused Student is found guilty of violating the Code, the Honor Board Hearing Panel will recommend sanctions to the Dean of Newcomb-Tulane College.

7. Sanctions

Sanctions for violations of the Code are imposed on the basis of the infraction and any history of repeated violations by the student. In all cases of findings of guilt, the offense is noted permanently in the academic record of the student. The appropriate sanctions to be recommended by the Honor Board Hearing Panel to the Dean of the Newcomb-Tulane College for a guilty verdict should include:

- a. Probation, signifying that a student is not in good standing for a specified length of time and a student cannot graduate while on probation.
- b. Lowering of a grade to zero, for an assignment or test; the honor board may stipulate that if a student chooses to withdraw from a course after receiving a grade sanction for an Code of Academic Conduct violation, the student's record will reflect a grade of "WF" for the course in which the sanction was assessed.
- c. A grade of "WF" in a course;

- d. Suspension from the University for a period of time;
- e. Expulsion from the university.
- f. Admission to or a degree awarded by the College or any School within Tulane University may be revoked for violation of the Code.
- g. More than one of the sanctions listed above may be imposed for any single violation.

Students should be aware that infractions of the Code of Academic Conduct usually warrant a grade of a "WF" for the course and honor board probation of two semesters for a first offense. A conviction for a second offense warrants, and typically results in, expulsion from the university. In addition, the university reserves the right to withhold institutional support from a student's application for graduate or professional school if violations of the Code are noted in the student's academic record.

- 8. The Dean of the Newcomb-Tulane College or the Dean's designate shall review all pertinent materials. If the Dean/designate disagrees with the recommended sanction, he or she must provide the panel with the reasons for disagreement. The Dean/designate, having reviewed all pertinent information, shall notify in writing the student, the instructor, and the chair of the hearing panel of his or her decision within three working days after receipt of the hearing panel's report

ARTICLE VII: DUTIES OF THE DEAN

1. Records

- a. The Dean of the College shall maintain a permanent record of all honor board convictions involving

their students. The record shall include a copy of all evidence submitted to the hearing panel, the report of the chair of the hearing panel to the dean, and the dean's final action. Copies of the latter two documents shall be maintained in separate, permanent records of the honor board. The tape recording of the hearing should be preserved only until all appeals have been exhausted or such longer period as may be required by law, rule or regulation.

- b. From the permanent record, the dean shall note in the college records any conviction and the sanction imposed. This information shall be available only to that student unless the student waives his or her right of exclusive access under the provisions of the Family Educational Rights and Privacy Act.
- c. Access to the tape recording and other information concerning a case during the process of adjudication shall be reserved for members of the hearing panel or, if necessary, the appeal committee. The right to borrow these materials or copies of them from the dean's records shall be restricted to the honor board officer who chaired the hearing, the dean, and the honor board officer chairing the appeal committee. The original or one copy of all documents shall remain in the dean's records at all times.

ARTICLE VIII: APPEALS

1. Appeal Process

- a. A student may appeal a decision of the Honor Board Hearing Panel or the dean on one or more of the following grounds: procedural error, new evidence, and inappropriateness of sanction.

- i. **Procedural error** is defined as any violation of the procedures stated in this Code.
- ii. **New evidence** is defined as testimony or documentation not previously introduced that is directly relevant to the charges heard during the hearing and which merits consideration in light of its potential effect upon the outcome.
- iii. **Inappropriateness of sanction** means the sanction is excessive for the violation of the Code

- b. An accused student who wishes to request an appeal of a decision of the Honor Board Hearing Panel may do so by notifying in writing the Associate Dean within seven (7) working days after being notified of the Dean's decision, except when the appeal is on the basis of new evidence, in which case more time may be granted by the Associate Dean. Students requesting an appeal on the basis of new evidence may, with the permission of the Associate Dean, listen to a copy of the tape recording of the original hearing in the presence of an officer of the honor board. Access to the tape recording will not be provided to any other individual.
- c. The appeal document must be in writing and must provide evidence of substantial procedural error, excessive sanction, or new evidence.

2. Appellate Panel

- a. The Associate Dean of the Newcomb-Tulane College shall convene a panel of three members of the Honor Board to form an Appellate Panel to review the student's request for appeal, including an

officer of the board, who will serve as the chair, and one other student and one instructor member of the board where the students and instructor member can be from any school.

- b. No member who heard the original case may serve on the Appellate Panel. If this Panel of three decides that an appeal should be granted, this panel will conduct the appeal hearing immediately.
- c. The review panel may uphold the original decision, alter the sanction, or set the decision aside and refer the case back to the honor board for a new hearing

3. Appellate Board Hearing Procedures

- a. An appellate hearing is not a retrial but rather a careful examination of points raised in a letter of appeal and is conducted in private.
- b. Persons other than the three-member Appellate Panel who may be present during an appellate hearing include:
 - i. the accused student, who may state his or her reasons for appeal,
 - ii. material witnesses, who may appear if the accused is presenting new evidence, and
 - iii. the chair of the hearing panel that originally heard the case shall summarize the case as heard by the panel and address the grounds for the appeal.
- c. The Complainant in the original case may not be present.
- d. All information presented or discussed at an Appellate Panel hearing shall be confidential.

- e. All members of the Appellate Panel present for the appellate hearing shall receive a copy of all pertinent information and a copy of the student's document of appeal.
- f. The chair shall ensure a tape recording shall be made of all testimony and placed in the files of the Dean of the Newcomb-Tulane College. The record shall be the property of the College. The record shall be retained by the College only until all appeals have been exhausted or a determination has otherwise become final, or such longer period as may be required by law, rule or regulation.
- g. An accused student shall present his or her document of appeal and may call material witnesses if new evidence is submitted.
- h. The chair shall inform the accused student and any witnesses of the following before testimony begins.
 - i. False testimony given in a hearing is a violation of the Code of Academic Conduct.
 - ii. All testimony given in a hearing is to be held in the strictest confidence.
 - iii. All witnesses must be called to give substantive testimony rather than as character witnesses.
- i. Pertinent records, documents, and written statements may be accepted as information for consideration by an Appellate Panel at the discretion of the chairperson.
- j. All procedural questions are subject to the final decision of the chairperson of the Appellate Panel. Formal rules of process, procedure, and/or technical

rules of evidence, such as are applied in criminal or civil court, are not used in Code proceedings.

- k. The Appellate Panel shall deliberate in private and decisions of the Appellate Panel shall be by majority vote.

4. Appellate Decision

The Appellate Panel may uphold the hearing panel's decision, alter the sanction, or set the decision aside and return the case to the honor board for a new hearing. This decision shall be communicated in writing to the Dean of the Newcomb-Tulane College and the presiding officer of the Honor Board Hearing Panel that originally heard the case within one (1) working day. The Dean or designate shall inform the student of the decision within (3) working days of receipt of notification by the chair. If the decision is made to uphold the original decision and sanction, the matter shall be considered final and binding upon all involved.

5. Records

All printed material distributed during the appellate hearing shall be collected by the chair who shall deposit one copy of the printed materials and tape recording in the files of the Dean. A copy of the report of the Appellate Panel and the action of the Dean shall be included in the records of the Honor Board.

6. Attending Classes During the Appellate Processes

Students may continue to attend classes during the appeal process. In the most serious cases, involving expulsion from the University, if the original verdict is upheld under appeal, then no academic credit can be earned for the semester in which the student was notified by the Dean of the expulsion, nor for any further semester into which the

appeal process might continue. If the decision to expel the student is upheld, he or she will be eligible for a tuition refund only for the semester(s) during which the appeal was ongoing.

7. Students Exonerated

Students exonerated as the result of the appeal process would have the original Code of Academic Conduct verdict removed from his or her college record and any institutional financial aid that had been withdrawn as a result of the conviction retroactively reinstated.

AMENDMENTS AND REVISIONS

These regulations may be amended or revised with the approval of the Undergraduate Student Government Association and the faculty of the Newcomb-Tulane College.

Code of Student Conduct

All students matriculating through Newcomb-Tulane College will share a unified code of student conduct administered by the Office of Student Affairs.