



HONOR CODE

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PART I: GENERAL PROVISIONS AND DEFINITIONS

D. GUIDELINES FOR STUDENTS WITH QUESTIONS ABOUT THE HONOR CODE OR RELATED PROCEEDINGS

1. If a student has questions about whether a particular course of conduct constitutes or may constitute a violation of the Honor Code, the student is encouraged to consult with the advisors of his or her choosing, including, but not limited to, the Academic Dean of the Law School and the Dean for Students of the Law School.
2. If a student receives a notice from the Registrar of a report of an alleged violation of the Honor Code allegedly committed by him or her, the student is encouraged to consult with the advisors of his or her choosing, including, but not limited to, the Academic Dean of the Law School, the Dean for Students of the Law School and legal counsel of the student's

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8. “Code Violation Notation” shall have the meaning set forth in Part III.B.2.d.i.
9. “Hearing” means a hearing by the Adjudicatory Panel pursuant to Part V.B.
10. “Honor Board” means the student Honor Board appointed by the SBA pursuant to Part III.A.1.
11. “Honor Code” means this Pace University School of Law Honor Code.
12. “Instructor” means the person in charge of an academic activity, including by way of illustration and not by way of limitation, a faculty member

22. “ProhibitedMaterial” means any material, device, information or source of information other than that which the Instructor has stated is proper for use in the preparation or submission of an assignment or examination. If an Instructor has stated in writing to the student individually or to the class as a whole that certain material is expressly permitted in the preparation or submission of any assignment or examination, the student’s use of such material is not a violation of the Honor Code.
23. “Registrar” means the Registrar of the Law School.
24. “StudentRespondent” means a student whose conduct is the subject of an investigation, hearing or other proceeding due to an alleged or actual violation of the Honor Code.
25. “StudentAppellant” or “StudentAppellee” means a Student-Respondent who takes an appeal or opposes an appeal, as the case may be, to the Appeals Panel.
26. “Same examination” means a course examination given to more than one section of a course or at more than one time by an Inmn li

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- d. Discussing the contents of an examination already taken with another student who will take the same examination.
- e. In preparing any assignment or taking any examination, providing, receiving or using any material, device, information or source of information other than that which the Instructor has stated is proper for use in preparing the assignment or taking the examination.

D. ACADEMIC MISCONDUCT AND ACTS OF DISHONESTY

- 1. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently engage in any act of academic misconduct.
- 2. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently engage in any act of dishonesty.
- 3. Acts of academic misconduct and acts of dishonesty include, but are not limited to, the following:
 - a. Invading the administrative security maintained for the preparation and storage of examinations. A student who has come in contact with an examination subject to administrative security must immediately inform the Academic Dean of the Law School. It is a separate violation of the Honor Code to fail to report such an incident to the Academic Dean of the Law School, notwithstanding the possible inadvertence of the invasion.
 - b. Taking, keeping, hiding or damaging the property of the Law School or any Member of the Academic Community, or that of another law school or its faculty or students. Attempting to take, keep, hide or damage such property is also a violation of the Honor Code. This section is intended to include property of the Law Library. This Honor Code does not address other violations of library rules. Those remain subject to the rule-making authority of the Director of the Law Library, the Dean of the Law School or the Dean's designee and such other authority as the University has constituted or empowered from time to time to deal with violations of library rules.
 - c. Interfering with any mail box, including but not limited to, e-mail boxes belonging to a Member of the Academic Community. "Interfering" includes a person's reading, duplicating or damaging material in a mail box not belonging to him or her or removing

regard to the assignment and (B) that their collaboration was exclusively of the type permitted.

- b. Propose to the ASC, for its consideration, such amendments to or modifications of the Honor Code as the Honor Board may consider appropriate from time to time.
- c. With respect to all cases arising under the Honor Code, publicize and retain records as provided in Part VII.A.
- d. Maintain a Case Reporter (a “Case Reporter”) that includes the following information:
 - i. **Code Violation Notations.** For each allegation resulting in a final determination (whether by informal resolution or formal adjudication) that a student has violated the Honor Code, the Case Reporter shall contain (A) a notation of the violation of the Honor Code; (B) a summary of the evidence; (C) a notation of the sanction(s) imposed against the Student-Respondent; and (D) the names of the Investigator(s), the members of the Adjudicatory Panel, and/or the members of the Appeals Panel, as applicable (together, a “Code Violation Notation”). If such determination is reached by informal resolution, the Investigator(s) shall prepare the Code Violation Notation, as set forth in Part V.A.4. If such determination is made by formal adjudication, the Adjudicatory Panel shall prepare the Code Violation Notation, as set forth in Part V.B.11.a, subject to reversal, alteration or modification by the Appeals Panel. A Code Violation Notation shall not include the name of the Student-Respondent and shall not include the name of the person reporting the alleged violation(s) of the Honor Code pursuant to Part IV.A.
 - ii. **Code NonViolation Notations.** For each allegation that does not result in a final determination (whether by informal resolution or by formal adjudication) that a student has violated the Honor Code, the Case Reporter shall contain (A) a notation of the alleged violation of the Honor Code; (B) a summary of the evidence; (C) a notation of any recommendation made in connection with the resolution of the allegation (of-d())Tje3 Tw (a)-4(c)-r14 (o)5 (a) Page (a) iLaw (re)

- (C) The appropriate use of academic equipment, subscriptions and resources.
- (D) The consequences for falsification or misrepresentation of any credentials, especially on a student's résumé or transcript.

PART IV: REPORTING AND INVESTIGATING ALLEGED VIOLATIONS OF THE HONOR CODE

A. REPORTING PROCEDURE

If any Member of the Academic Community has a reasonable basis to believe that a violation of the Honor Code has occurred, such Member of the Academic Community has an affirmative duty to report the violative conduct. The procedures for reporting such conduct are as follows:

1. The person reporting such conduct should do so in a signed writing that (a) contains a reasonably detailed statement of the alleged violation of the Honor Code and the person(s) involved and (b) is addressed to the Chairperson of the ASC.
2. A report of an alleged violation of the Honor Code described in Part IV.A.1 must be delivered to the Registrar, who shall provide notice of its receipt to one or more of the Investigators or to the Chairperson of the ASC. If either but not both an Investigator and the Chairperson of the ASC receives such notice from the Registrar, he or she should make reasonable efforts to communicate receipt of such notice to the other and to the President of the Honor Board.
3. The Investigator(s) shall then commence an investigation pursuant to Part IV.C.

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B. CONFIDENTIALITY

1. A person who reports an alleged violation of the Honor Code

of notice of such violation(s). Such conclusion may be made by dismissal, informal resolution or a decision to proceed by formal hearing, as set forth in Part V. Any conclusion made within four (4) calendar months of the date on which the Investigator receives notice of the alleged violations(s) presumptively is made within a reasonable time.

PART V: INFORMAL RESOLUTION AND FORMAL ADJUDICATION

A. INFORMAL RESOLUTION

1. An Investigator is expressly vested with the sole and absolute discretion to offer an informal resolution of allegation(s) of violation(s) of the Honor Code to a Student-Respondent. In connection with reaching such an informal resolution, an Investigator is free to enter into negotiations with the Student-Respondent. An informal resolution may, but need not, be based on a final determination of whether or not the Student-Respondent violated the Honor Code.
2. An informal resolution pursuant to this Part V.A. or a formal resolution pursuant to Part V.B.7. may include, but is not limited to, any one or more of the following sanctions:
 - a. Private reprimand.
 - b. Public reprimand.
 - c. Community service.
 - d. Dismissal from any law review.
 - e. Failure of a course.
 - f. Repetition of a failed course.
 - g. Notation of the alleged violation(s) of the Honor Code and/or the resolution of such allegation(s) on the Student-Respondent's permanent record.
 - h. Suspension.
 - i. Expulsion from the Law School.

This list is for illustrative purposes only and in no way restricts the sole and absolute discretion of the Investigator to offer, and the ability of the Adjudicatory Panel and the Appeals Panel, as the case may be, to impose cumulative, additional or alternative sanctions or recommendations that seem appropriate and reasonable under the circumstances.

3. An offer of an informal resolution of the allegation(s) of violation(s) of the Honor Code shall be memorialized in writing by the Investigator and delivered to the Registrar, who shall make a good faith effort to inform the Student-Respondent of its receipt. Such communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-

3. Pre-Hearing Exchange of Information

- a. Within a reasonable time prior to the Hearing, the Investigator shall deliver to the Registrar, who shall attempt to notify the Student-Respondent of receipt of this information by communicating with the Student-Respondent:
 - i. A list of any witnesses whom the Investigator intends to call at the Hearing.
 - ii. Copies of all documents the Investigator intends to offer at the Hearing.
 - iii. Any evidence in the possession or control of the Investigator that tends to exonerate the student or to mitigate the seriousness of any offense.

Any delivery to the Registrar that is made on or before the seventh (7th) calendar day prior to the commencement of the Hearing is presumptively made within a reasonable time prior to the Hearing.

- b. Within a reasonable time prior to the Hearing, the Student-Respondent shall deliver to the Investigator:
 - i. A list of witnesses that the Student-Respondent intends to call at the Hearing.
 - ii. Copies of all documents that the Student-Respondent intends to offer at the Hearing.

Any delivery to the Investigator that is made on or before the seventh (7th) calendar day prior to the commencement of the Hearing is presumptively made within a reasonable time prior to the Hearing.

- c. Failure to timely comply with the disclosure requirements of Part V.B.3.a or V.B.3.b may result, in the sole and absolute discretion of the Adjudicatory Panel, in an adjournment of a case or in the exclusion of evidence or witnesses not timely disclosed. The Adjudicatory Panel also

- a. The Investigator shall present the alleged violation(s) of the Honor Code at the Hearing.

decision by majority vote, the Chairperson of the ASC, in his or her sole and absolute discretion, may (i) dismiss the case or (ii) direct the Vice-President of the Honor Board to appoint an additional student member to the Adjudicatory Panel or (iii) appoint an additional faculty member to the Adjudicatory Panel. If an additional member is appointed, the newly-appointed member shall listen to the recordings or read the verbatim transcript of the proceedings that took place prior to his or her participation and thereafter serve as a full member of the Adjudicatory Panel.

- d. If fewer than four (4) members of the Adjudicatory Panel are available and able to participate, an alternate member shall be appointed by the Vice-President of the Honor Board (if only two (2) student members are then acting) or the Chairperson of the ASC (if only one (1) faculty member is then acting). The substitute member shall listen to the recordings or read the verbatim transcript of the proceedings that took place prior to his or her participation and thereafter serve as a full member of the Adjudicatory Panel.
 - e. If the Adjudicatory Panel determines that the Student-Respondent has violated the Honor Code, it shall impose sanctions. The Adjudicatory Panel may impose any of the sanctions listed in Part V.A.2 alone or in combination, and may, in its sole and absolute discretion, impose other academic sanctions alone or in combination with any of the listed sanctions.
8. **Timing of Decision** The Adjudicatory Panel shall decide the case within a reasonable time after completion of the Hearing. Any decision made within six (6) weeks of the date on which the Hearing concludes presumptively is made within a reasonable time.
9. **Content of Decision**
- a. If the Adjudicatory Panel decides that the Student-Respondent violated the Honor Code, it (i) shall issue a written decision that includes a summary of the evidence presented at the Hearing, the bases for the Adjudicatory Panel's finding that the Student-Respondent violated the Honor Code and the sanction(s) imposed by the Adjudicatory Panel; (ii) shall prepare a "Code Violation Notation," pursuant to Part III.B.2.d.i, for inclusion in the Case Reporter, such notation to be added to the Case Reporter once the appeal process has been exhausted and subject in any event to a reversal, alternation or modification by the Appeals Panel; and (iii) may order that any part of the proceedings, including the decision

of the Adjudicatory Panel, be entered into the Student-Respondent's official Law School file maintained by the Registrar.

- b. If the Adjudicatory Panel decides that the Student-Respondent did not violate the Honor Code, it shall (i) issue a written decision that shall include a summary of the evidence presented at the Hearing and the bases for the Adjudicatory Panel's finding that the Student-Respondent did not violate the Honor Code; and (ii) prepare a "Code Non-Violation Notation," pursuant to Part III.B.2.d.ii, for inclusion in the Case Reporter, such notation to be added to the Case Reporter once the appeal process has been exhausted and t

10. **Delivery of Decision** The Presiding Member of the Adjudicatory Panel shall deliver one (1) copy of the Adjudicatory Panel's decision (with the form of the Notice of Appeal attached) to the Registrar, who shall provide copies to the Investigator and the Chairperson of the ASC. The Chairperson of the ASC shall make reasonable efforts to notify the President of the Honor Board of the decision. The Registrar shall make a good faith effort to inform the Student-Respondent of receipt of the decision. Such communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-class mail to the student at the local address last on file with the Registrar and additionally may be made in person, by telephone or by other means.
11. **Implementation of Decision.** If the Adjudicatory Panel has ordered any sanctions to be imposed against the Student-Respondent, then such sanctions shall be implemented, without modification, by the Dean of the Law School at the expiration of the period within which to file a timely appeal, as set forth in Part VI.B.

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the “Student-Appellant.” In cases of an appeal by the Investigator, the Student-Respondent shall be referred to in this Part VI as the “Student-Appellee.”

3. Either or both of the Student-Appellant and the Investigator may take an appeal by delivering two (2) copies of a notice of appeal (a “Notice of Appeal”) to the Registrar. One (1) such copy shall be enclosed in an envelope addressed to the Chairperson of the ASC and one (1) such copy shall be enclosed in an envelope addressed to the non-moving party. The Registrar shall forthwith deliver the envelopes to the addressees. The Chairperson of the ASC should make reasonable efforts to notify the President of the Honor Board of receipt of any Notice of Appeal
4. The Appeals Panel shall have no power to hear an appeal unless it is taken within the time specified by this Part VI.B.
5. The Investigator may proceed in any appeal by (a) himself or herself; (b) a representative of the Investigator appointed by the Chairperson of the ASC; (c) a faculty member; or (d) outside counsel.
6. The Student-Appellant or the Student-Appellee, as the case may be, may proceed in any appeal by himself or herself or by any representative, including outside counsel.

C. ADDITIONAL INFORMATION PRESENTED ON APPEAL

1. Each of the Student-Appellant and the Investigator, as the case may be, shall have fifteen (15) business days after filing the notice of appeal with the Registrar to file with the Registrar two (2) copies of any additional papers in support of the appeal. One (1) such copy shall be enclosed in an envelope addressed to the Chairperson of the ASC and one (1) such copy shall be enclosed in an envelope addressed to the non-moving party. The Registrar shall forthwith deliver the envelopes to the addressees. The Chairperson of the ASC should make reasonable efforts to notify the President of the Honor Board of receipt of any additional papers in support of the appeal.
2. Before the first to occur of (a) the fifteenth (15th) business day after delivery to the Registrar of additional papers pursuant to the provisions of Part VI.B.1., or (b) the thirtieth (30 b

the addressees. The Chairperson of the ASC should make reasonable efforts to notify the President of the Honor Board of receipt of any response to the appeal.

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2. The Appeals Panel shall deliver to the Registrar written notice of its decision on appeal, or its failure to reach a decision to the Registrar, who shall provide copies to Investigator and the Chairperson of the ASC. The Chairperson of the ASC shall make reasonable efforts to notify the President of the Honor Board of the decision. The Registrar shall make a

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and formal proceedings under the Honor Code. For any matter pending at the beginning of such a moratorium period, all time limits under the Honor Code shall be extended by the number of calendar days in the moratorium period.

2. During school vacations, all timing guidelines, presumptively reasonable time periods and other

proceeding hereunder because the student failed to check his or her Law School e-mail address or to provide the Registrar with a valid and accurate local address at which the student may receive first-class mail from the Registrar shall have no impact on any investigator or proceeding under this Honor Code.

D. HEADINGS

The headings used in this Honor Code are for convenience only and shall not constitute or be relied upon in order to constitute or construe this Honor Code.