

Notice of Faculty Consideration of the Proposed Honor Code

At its meeting on December 16, 1957, the law school faculty passed the following resolutions:

1. That the faculty of the law school approves the statement of ideals contained in Article I of the proposed "Indiana University School of Law Honor Code" and considers the fostering of these ideals a special responsibility in addition to its general responsibility as part of the University faculty, as stated in the Faculty Handbook "(1) to inspire in their students an appreciation of and a desire for honesty in academic work; (2) to prevent dishonesty and to protect the honest student; and (3) to take appropriate action in instances of dishonesty."
2. That self-discipline in matters of ethics is both a goal and a method of serving these ideals that is especially appropriate in professional pursuits.
3. That the proposed Code is intended to transfer from members of the faculty to all students taking examinations in the law school or submitting work for grade or credit in the law school the duty otherwise imposed by University rule on faculty members to "arrange for vigilant proctoring of all examinations and class exercises," but neither exempts faculty members from the duty to specify clearly in advance what terms and conditions are applicable to performance of assignments for grade or credit, including the taking of examinations, nor precludes the presence of faculty members in the examination room for consultation about examination questions.
4. That the proposed Code is intended to include as "accusers" only students enrolled in courses offered by the law school, and will extend to misconduct observed by members of the faculty or staff, only when the proposed Honor Committee has devised, with faculty concurrence, procedures for handling such cases; and that in any case regularly subject to the jurisdiction of the Honor Committee, members of the faculty and staff will cooperate as witnesses if called upon by accused, accuser, or Honor Committee.
5. That the proposed Code is intended to supersede the existing procedures for University review (by the Dean of Students and the Student Conduct Committee) to the extent of the jurisdiction exercised by the Honor Committee, but is not intended to affect administration of library regulations to the extent that dishonesty is not involved in their infraction, nor to qualify the principle that a penalty affecting a student's grade in a course depends upon the concurrence of the faculty member in charge of the course.
6. That the proposed Code is intended to vest in the Honor Committee the authority to fix the sanction by vote of a simple majority, in the event of a determination of guilt by the extraordinary majority prescribed by the Code.

7. That in the event of faculty termination of the Code, cases pending would be subject to procedures prescribed by the faculty, and in the case of pending recommendations of sanction by the Honor Committee, the faculty would be entitled to disregard the penalty recommended under the terminated code.

8. That a faculty decision concerning approval of the proposed Code should not be taken until there has been substantial opportunity for consultation by individual students with individual faculty members of their choice on the issue of adoption, either for a definite term, or for indefinite duration, and to this end the members of the faculty solicit the advice of students during the period ending January 6, 1958.

9. That these resolutions be made available for inspection by students, and that a notice soliciting advice from students in the light of these resolutions be published.

Leon H. Wallace

HONOR CODE

INDIANA UNIVERSITY SCHOOL OF LAW (Bloomington Division)

I. PREAMBLE

We, the students of the Indiana University School of Law, in recognition of our obligation as future members of a profession that is responsible for the administration of justice in our society, do hereby affirm our belief in the following precepts:

1. It is essential to the welfare of the legal profession and the people whom it serves that the integrity of all its members is at all times beyond reproach; and
2. That the standards by which the law student governs his conduct should be no less rigorous.
3. That it is the duty of the individual law student to assume the responsibility to maintain these standards.
4. That it is the basic postulate of this Code that there is no end which will justify the use of dishonest means. This principle shall be applicable to all phases of law school activity.

II. BREACHES OF THE HONOR CODE SHALL INCLUDE:

A. Dishonest Examination Practices

It shall be a breach:

1. To bring into the examination room in the course of an examination unsanctioned books or papers of any sort.
2. To refer to unsanctioned books or papers of any sort outside the examination room during the course of an examination.
3. To talk during the course of an examination in a manner indicative of dishonesty.
4. To dishonestly display one's own examination or to look at the examination paper of any other student during the course of an examination.
5. To commence an examination before the stipulated time or to continue working on an examination after the announced conclusion of the examination period.

B. Dishonest Library Practices

It shall be a breach:

1. To intentionally tear, mutilate or destroy library material.

2. To dishonestly secrete library materials or to remove the same from the law library, intending to return, but with motive of unfairly depriving others of their use.

3. To take any library material with intent not to return.

C. Property Violations

It shall be a breach:

1. To engage in dishonest or destructive practices in regard to personal property of other persons of the law school or property in the law school.

D. General Breaches

1. The previous three sections list specific breaches of the Honor Code. However, this Code is not susceptible of precise limitation. Therefore, it shall be a breach of the Honor Code to engage in:

- a. Any other dishonest conduct relating to examinations; or
- b. Any dishonest or destructive conduct relating to library practices; or
- c. Any dishonest or destructive practices relating to personal property of law school students or law school property.

III. PROCEDURE

1. Upon a suspected breach of the Honor Code the accuser, or accusers, shall confront the accused for an explanation of his conduct.

2. The accused has an opportunity to answer for his conduct to the satisfaction of the accuser.

3. If the accused fails to provide a satisfactory explanation of his conduct and is so told by the accuser, the accused has the obligation of contacting the Honor Committee.

4. If the accused fails to present himself as obligated, the accuser will be under a moral duty to report the violation to the Honor Committee.

5. The Honor Committee, upon receiving a report of a violation, shall meet to determine if the alleged violation merits a hearing.

6. The Honor Committee has the responsibility of providing a fair hearing for the accused. No accused student shall be denied the presumption of innocence until a violation of the Code is proven beyond a reasonable doubt. The accused student is specifically guaranteed the right to be confronted by the accuser, and the right of law school student counsel.

7. The accused may have an open or closed hearing, at his election. The minutes of the hearing shall be kept by an employed stenographer, if possible, and shall be in the strict custody of the Honor Committee.

8. The Honor Committee shall consist of nine (9) members, three (3) representing and elected by each class. Elections shall be held the second Tuesday in November. Freshman representatives shall serve one (1) year. Junior representatives shall serve two (2) years. From the beginning of the Fall semester until the second Tuesday in November the committee shall consist of six (6) members elected the year previously. If a violation occurs during this period, three (3) Freshman members shall be chosen by lot to serve in that hearing. The responsibility of conducting the election shall be handled by the returning members of the committee, with the exception that for the first election the officers of the Law Club will conduct the election. The Committee shall publicize the Honor Code as necessary. The Committee shall have the power to call special elections.

9. It shall require a quorum of seven (7) members to constitute a validly organized hearing. A Senior member of the Honor Committee, elected by the Honor Committee, shall act as Chairman. All further organizational rules shall be formulated at the discretion of the Honor Committee.

10. To find a breach of the Honor Code it shall require the concurrence of seven (7) members of the Honor Committee if seven (7) are present; seven (7) if eight are present; and eight (8) if nine (9) are present. The voting will be by secret ballot. All due precautions will be taken to protect the name of the accused party.

11. On finding a breach of the Honor Code, the Honor Committee shall recommend a sanction to the Faculty. The latter group shall not increase the sanction. All minutes will be submitted to the Faculty with the recommendation for punishment.

IV. SANCTIONS

A. If the accused is found in breach of the Honor Code, the Honor Committee may, depending upon the gravity of the offense, recommend:

1. A reprimand for the accused; or
2. A penalty short of expulsion, suspension, or denial of academic credit; or
3. Probation, suspension, expulsion, or denial of academic credit.

B. If the Honor Committee determines there has been no violation of the Honor Code, it shall take such steps as it believes necessary to protect the integrity of the accused.

V. AMENDMENT OR REPEAL

A. This Honor Code may be amended or repealed at any time during the Fall and Spring semesters. In order to effectuate such amendment or repeal, a petition containing the signatures of fifteen per cent (15%) of the entire student body of the law school containing the proposed amendment or repeal shall be presented to the Honor Committee. The proposed amendment or repeal shall immediately be posted in full view of the entire student body of the law school by the Honor Committee. After the proposed amendment or repeal has been so posted for two (2) weeks, the Honor Committee shall conduct an election of the entire student body of the law school. In order to pass the amendment or repeal, a majority of the entire student body of the Law School must vote in favor of such proposed amendment or repeal.

B. This Honor Code may be terminated at any time by action of the Law School Faculty.