

AMERICAN JEWISH UNIVERSITY HONOR CODE

I. PREAMBLE

As an educational institution fundamentally concerned with the free exchange of ideas, American Jewish University depends on the academic integrity of each of its members. In the spirit of this free exchange, the students and faculty of American Jewish University recognize the necessity and accept the responsibility for academic honesty. Because our community is committed to sustaining its institutional values of personal responsibility, respect, decency, and care, American Jewish University also has high communal expectations regarding general student behavior. An essential aspect of the University's educational mission, as a Jewish institution of higher learning, is to instill in students an understanding that Judaism represents a way of life where prayer and ritual must be accompanied by proper conduct and concern for others. To these ends, the Honor Code of American Jewish University has been developed to reflect the importance of upholding community values and minimizing conflict in order to do our best to be a model human community. The Honor Code is based upon the premise that concern for the individual rights of students must be balanced by the ethos of personal responsibility.

The Honor Code of American Jewish University was written by a committee of undergraduate and graduate students, faculty and administrators and was discussed and approved by the elected and appointed officers of the Associated Students of the College, the Academic Senate and the Graduate Student Association. Under the Honor Code of American Jewish University, students have a two-fold obligation: individually, they must not violate the code, and, as members of a community, they are responsible to see that suspected violations are reported. Where the Honor Code is concerned, an individual's obligation to the student body as a whole and to the reputation of American Jewish University in particular should transcend any reluctance to report suspected infractions.

II. STUDENT RIGHTS AND RESPONSIBILITIES

A. STUDENT RIGHTS

Every student attending American Jewish University is entitled to the freedoms of speech, assembly, and association as defined within the context of this document. A concomitant responsibility of the University is the maintenance of order on campus to ensure the broadest range of freedom for all members of the University community. Maintaining the balance between students' rights and responsibilities necessitates the promulgation of rules and regulations that reasonably limit some student activity and proscribe certain behavior as harmful to the orderly operation of the University and the pursuit of its legitimate goals.

Every student also has the right to a fair process. Safeguards have been incorporated into the Honor Code to the extent that some disciplinary sanctions may be appealed and the student may present evidence relevant to the issues involved in the allegations. In matters related to alleged Honor Code violations, an accused student has the right to be accorded a presumption of innocence until such time, if ever, that his or her guilt is established by a preponderance of evidence. He/she has the right to remain silent at a hearing and, at the same time, to be assured that said silence shall not be construed as evidence of guilt. He/she has the right to be apprised of the evidence to be presented against him or her and the right to present evidence in rebuttal. He/she also has the right to present evidence on his/her behalf. Students,

however, do not have the right to utilize legal counsel at any point during a university honor code violation investigation or hearing unless mutually agreed to by the student and the university.

Students also have the right to confidentiality. All proceedings and/or records related to each student conduct code case are strictly confidential to the extent the student poses no harm or threat to himself/herself or others. Student records will be maintained in accordance with the Family Education Rights and Privacy Act of 1974. The Dean of Students shall keep records of all cases. If a student is found guilty of a violation, records of the case will become a part of the student's permanent academic file, which is housed in the Registrar's office. Sanctions of academic or administrative suspension or expulsion will be recorded on the student's permanent academic transcript. Information from student records will not be made available to either persons on or off campus except as provided by FERPA.

Finally, students possess the right to an education and an equal opportunity to learn. The concomitant responsibilities of American Jewish University include goals for student learning, assessment of student performance and the provision of faculty and instructional resources to meet these expectations.

American Jewish University is dedicated to preventing any form of discrimination by or toward students. It is a violation of University policy to discriminate based on age, sex, race, color, creed, religion, marital status, national origin or ancestry, physical or mental disability, medical condition including genetic characteristics, sexual orientation, or any other consideration made unlawful by federal, state, or local laws. If any student believes that unlawful discrimination has occurred, he/she should submit a written complaint to the Office of the Dean of Students requesting an investigation.

B. STUDENT RESPONSIBILITIES

For the purposes of this article, the following terms are defined:

1. The term "member of the campus community" is defined as American Jewish University academic, non-academic, or administrative personnel; students; Board of Directors; or other persons while such persons are on campus property or at a campus function.
2. The term "campus property" includes: real or personal property in the possession of, or under the control of, the Board of Directors of American Jewish University, and
3. All campus dining, retail, or residence facilities whether operated by the campus or a campus auxiliary.
4. The term "deadly weapon" is based upon definitions of state law.
5. Reference to behavior described as "lewd, indecent, or obscene" is based upon definitions of state law.
6. The term "hazing" refers to any method of initiation into a student organization or any pastime or amusement engaged in which causes, or is likely to cause bodily danger, or physical or emotional harm to any member of the campus community.
7. Actions which are held to be "intimidating, demeaning, harassing, coercive, or abusive to another person" must be so in the eyes of reasonable observers and not solely in the opinion of the accuser.

1. CONDUCT CODE:

Any student at American Jewish University may be found to be in violation of the Honor Code of American Jewish University for one or more of the following causes:

- a. Academic dishonesty.
- b. Forgery; alteration; or misuse of campus documents, records, or identification; or knowingly furnishing false information.
- c. Misrepresentation of oneself or of a student organization to be an agent of the American Jewish University.
- d. Obstruction or disruption, on or off campus property, of the campus educational process, administrative process, or other campus function. This also includes disruptive behavior in the classroom or at a campus event.
- e. Physical or verbal abuse, on or off campus property, of the person or property of any member of the campus community or members of his or her family or the threat of such abuse.
- f. Theft of, or non-accidental damage to, campus property, or property in the possession of, or owned by, a member of the campus community.
- g. Unauthorized entry into, unauthorized use of, or misuse of campus property.
- h. The sale, or knowing possession of, or use of dangerous drugs, restricted drugs, illicit drugs or narcotics as those terms are used in California statutes, except when lawfully prescribed pursuant to medical or dental care, or when lawfully permitted for the purpose of research, instruction, or analysis.
- i. Knowing possession or use of explosives, dangerous chemicals, or deadly weapons on campus property or at a campus function.
- j. Engaging in lewd, indecent, or obscene behavior on campus property or at a campus function.
- k. Hazing a member of the campus community.
- l. Any actions, including those of a sexual nature or involving sexual activities, which are intimidating, demeaning, harassing, coercive, or abusive to another person, or which invade the right to privacy of another person.
- m. Creating a fire, safety or health hazard.
- n. Unauthorized use of a computer system, access codes, or similar devices to access restricted or controlled data, property or areas of the campus.
- o. Making an accusation which is intentionally false or is made with reckless disregard for the truth against any member of the campus community.
- p. Soliciting or assisting another to do any act which would subject a student to disciplinary action under the Honor Code of the American Jewish University.
- q. Failure to report known Honor Code infractions committed by fellow students.

2. **STANDARDS OF ACADEMIC INTEGRITY:** The term "academic dishonesty" which appears in the Conduct Code, Section A, includes but is not limited to the following definitions:

(a) Examination Behavior:

Unless expressly permitted by the instructor, use of external assistance during an examination shall be considered academically dishonest. Inappropriate examination behavior includes but is not limited to:

1. Communicating with another student in any way during an examination,
2. Copying material from another student's examination,
3. Allowing a student to copy from one's examination,
4. Using unauthorized notes, calculators, the Internet or other sources of unauthorized assistance.

(b) Fabrication:

Any intentional falsification, invention of data, or false citation in an academic exercise will be considered to be academic dishonesty.

Fabrication involves but is not limited to: (1) inventing or altering data for a laboratory experiment or field project, (2) padding a bibliography of a term paper or research paper with sources one did not utilize, (3) resubmitting returned and corrected academic work under the pretense of grader evaluation error when, in fact, the work has been altered from its original form.

(c) Plagiarism:

Plagiarism is the representation of the words and ideas of another as one's own in any academic exercise. Plagiarism includes failing to provide in-text and works cited citation(s) for any outside sources. Plagiarism also includes using the original or similar language of a source without quotations. Modifications and rephrasing do not reduce the requirement for providing a citation. Any source material must be phrased in a student's own language or it must be quoted. This also applies to information obtained electronically from the internet as well as print sources.

(d) Other Types of Academic Dishonesty:

Other forms of academic dishonesty include but are not limited to:

1. Submitting a paper written by (either wholly in part) or obtained from another person.
2. Using a paper or essay in more than one class without the instructors' expressed permission.
3. Obtaining a copy of an examination in advance without the knowledge and consent of the instructor.
4. Altering academic records outside of official institutional procedures.
5. Using another person to complete academic assignments such as homework or take-home exams, essays or using another person posing as oneself to take classroom examinations.

III. UNIVERSITY JUDICIAL PROCEDURES FOR ALLEGED HONOR CODE VIOLATIONS

A. INITIATIONS OF CHARGES INVESTIGATION

In order to initiate an Honor Code investigation with the Office of the Dean of Students, a current matriculated student must complete and submit an AJU grievance form along with any witness statements or supporting evidence. It is the accusing student's responsibility, not that of the university, to gather witness statements and supporting evidence.

The Dean of Students determines whether the grievance is potentially actionable and whether an additional fact-finding investigation is necessary. This fact-finding may involve interviews with named individuals or requests for additional, written statements. While respecting confidentiality as much as possible, the Dean of Students or a named representative from the Office of the Dean of Students may also consult with other campus administrators, staff or faculty.

Students may not involve legal counsel in any alleged Honor Code violation, investigation or hearing, nor can legal counsel engage other AJU students, staff or faculty without the university's written consent. Without this written consent, legal counsel will be considered trespassers.

B. INTERIM ACTION

The Dean of Students, jointly with the Vice President of Administration, may order the immediate restriction or suspension of a student alleged to be in violation of the Honor Code for an interim period prior to the resolution of a disciplinary proceeding if there is reliable or credible information that the continued presence of the student on the university campus or at university sponsored events poses a

threat of harm or substantial disruption. The decision to restrict or suspend a student for an interim period of time will be communicated in writing to the student from the Office of the Dean of Students. Partial suspensions (e.g., from university housing or from specific classes or activities) are also possible.

A student who is restricted or suspended may appeal this decision to the Vice President of Academic Affairs within 5 business days following the effective date of the interim action. Assuming the interim action is not overturned, it will remain in effect until a final decision has been made on the pending charges or until the Dean of Students and the Vice President of Administration determine that the reasons for imposing the interim action no longer exist.

C. PRELIMINARY REVIEW AND DELIBERATIONS

If the Dean of Students determines that there is sufficient basis to believe that an Honor Code violation may have occurred, the investigation will be forwarded to a Hearing Board so that a hearing date may be set to determine guilt and potential sanctions. The Hearing Board will consist of a combination of university faculty and staff.

The Dean of Students will convey in writing to the accused student the specific Honor Code violations and provide the accused student with a copy of the grievance form(s) and supporting evidence supplied by the accusing student(s) in advance of the hearing date. The accused student will have an opportunity to supply any supporting evidence to the Dean of Students by a specific deadline prior to the hearing.

D. THE HEARING

In order to preserve the confidential nature of the disciplinary process, and to protect the privacy of the student charged with the Honor Code violation(s) and the witnesses who may be called to testify, the hearing conducted by the Hearing Board will be closed. Except as otherwise agreed to by all parties, witnesses will be excluded from the hearing except during their own testimony. However, the accusing party may attend the entire hearing if he/she so chooses.

A staff member from the Office of the Dean of Students or another designated staff member will serve as the coordinator of the hearing. This coordinator's presence is purely administrative and will serve as a hearing stenographer. The hearing coordinator does not participate in the hearing.

The accused and accusing parties may each be accompanied by a personal advisor (not legal counsel), who may provide emotional support. Should the student wish to invite his/her personal advisor, he/she must convey this request in writing to the Dean of Students at least 3 business days in advance of the hearing date, and the Dean of Students must approve this request in writing. This personal advisor, however, is not allowed to directly participate in or speak during the hearing. Should a personal advisor obstruct or disrupt a hearing in any way, the Hearing Board reserves the right to remove the personal advisor. As addressed previously, unless otherwise agreed upon *by all parties*, attorneys are not allowed at a hearing, and the university bears no responsibility to respond to any student's legal counsel.

Information regarding prior misconduct will not be used as proof of a current violation, but may be admitted for other purposes - to show that the student had prior experience relevant to the charge or to show that the student had previously been informed that the conduct was unacceptable. Evidence of prior misconduct may be considered by the Hearing Board in determining an appropriate sanction.

A student who fails to appear at the hearing will be deemed to have abandoned his/her request for an appeal, unless the student can demonstrate that an extraordinary circumstance beyond his/her control prevented his/her appearance.

The hearing will be recorded manually or by a recording device.

The content and procedure of the hearing will be as follows:

1. A representative from the Office of the Dean of Students will present an overview of the allegations which will summarize the hearing to come.
2. The accusing student and then the accused student may present a short opening statement if he/she chooses.
3. The Hearing Board may ask questions of the accusing student and the accused student.
4. The representative from the Office of the Dean of Students will call witnesses to provide statements under oath. Witnesses may give a statement or they may choose to just respond to questions posed to them by the Hearing Board.
5. Throughout the proceeding, the parties may refer to any previously submitted evidence. However, no new evidence should be introduced, nor will any such evidence be considered.
6. The accusing student and then the accused student may present a short closing statement if he/she chooses.
7. The representative from the Office of the Dean of Students will then summarize the next steps of the judicial process.

E. HEARING BOARD DELIBERATIONS, RECOMMENDATION AND DECISION

At the conclusion of the hearing, the Hearing Board will discuss the case and reach a decision which may include potential sanctions.

A member of the Hearing Board will write the recommendation, which will include reasoning for the decision and any necessary sanctions. This document is due to the Dean of Students within 5 business days after the conclusion of the hearing.

The Office of the Dean of Students will send the accused student a letter detailing the decision within 15 business days after the conclusion of the hearing. This letter will include a description of the procedure for the appeal process. A copy of this letter will also be sent to the accusing student(s).

F. APPEAL PROCESS

Should the accused student accept the decision or sanction, the case will be considered closed. However, should the accused student wish to appeal the decision, he/she may do so within 7 calendar days after the receipt of the letter informing the student of the decision. The appeal must be made in writing to the dean of the student's academic program or the Vice President of Academic Affairs. The appeal must be based upon one of the following elements in order for the appeal to be reviewed: (1) substantial evidence that did not exist; (2) sanction is disproportionate to the offense; and/or (3) new evidence has come to light. All supporting evidence must be included with the written appeal. *There is no appeal past the final decision of the Vice President of Academic Affairs.*

The information under "Student Rights and Responsibilities", Section II, A. and B. is adapted with permission from the Codes of Student Conduct of The California State University, the University of Nevada, Las Vegas, and the University of Maryland.