

## **Background**

In the spring of 2009, after several faculty members had expressed dissatisfaction with their recent experiences in the Honor System (HS), representatives of the Educational Policy Committee (EPC) and the Committee on Student Conduct (COSC) met to discuss the policies and procedures of the Honor Court (HC) as well as the respective rights and responsibilities of faculty complainants and student adjudicators within the Honor System more broadly. That initial conversation, which involved faculty, students, and staff involved in the work of the two committees, produced more questions than answers and led ultimately to the development of a survey instrument that was intended to measure faculty knowledge about, and attitudes toward, the Honor System at UNC. In the spring of 2010, the EPC conducted the faculty survey via e-mail invitation sent to all University faculty and graduate instructors. A total of 577 individuals responded to the survey, and their responses—which took quantitative and qualitative forms—provided varying opinions and much food for thought. The survey data were shared with the members of the EPC in the fall semester of 2010.

In the spring semester of 2011, EPC Chair Andrea Biddle formed an ad hoc EPC subcommittee and asked it to analyze the faculty survey results and to draft a report on its findings, including any recommended changes to policies or procedures. The subcommittee consisted of Bev Foster and Jay Smith, who were helped along the way by the principal designer of the faculty survey, Andrew Perrin. In May of 2011, Bev Foster's term as an elected member of the EPC came to an end, but she agreed to stay on the honor survey subcommittee in her capacity as a member of the University Hearings Board (UHB), which hears appeals of HC decisions. In May the EPC also decided, in keeping with the collaborative spirit that had produced the faculty survey in the first place, to expand the honor survey subcommittee to include representatives from the Committee on Student Conduct (COSC) and the Emergency Evaluation and Action Committee (EEAC). Subsequently, Law School faculty member and Associate Dean Richard Myers (for COSC), Dean of Students Jonathan Sauls (for COSC), and Associate Dean for Advising Lee May (for EEAC) joined Jay Smith (EPC) and Bev Foster (UHB) to carry out the subcommittee's task of assessing faculty responses to the survey.

Each member of the subcommittee independently reviewed the faculty survey results, and the subcommittee met four times over the course of summer, 2011 to discuss their impressions, to find areas of agreement, and to develop recommendations for improving the procedures of the Honor System.

## **General Impressions**

The subcommittee noted the relatively low participation rate of more senior members of the UNC faculty, but decided not to read too much into the inverse relationship between faculty seniority and degree of interest in the Honor System

survey.<sup>1</sup> The survey results pointed to a wide variety of opinions and a great range of experiences with the Honor System, and the subcommittee saw the sample as being large enough to be representative of faculty perspectives and concerns.

The quantitative indicators in the faculty survey suggest that strong majorities favor the UNC tradition of a student-led Honor System. When asked whether they agreed with the principle of a student-led system, 72% of respondents who had reported at least one case to the HS said yes. When asked whether they believe that an honor system provides the “proper” way of adjudicating cases of alleged academic dishonesty, 71% of that same pool of respondents said yes. And when asked whether they agreed with the sanctions handed down by the HC after convictions for academic dishonesty in cases they themselves had initiated, a healthy majority of faculty—64%—said yes. These figures indicate that UNC’s Honor System retains considerable faculty support, and that calls for its elimination represent “outlying” opinion.

Despite the broad consensus on large philosophical questions, however, there are many signs of faculty frustration and discontentment in the survey results. A sizable minority of roughly 25-30% of faculty expressed opposition to the Honor System as it currently functions. Contemptuous and dismissive comments that called into question the basic functionality of the Honor Court were plentiful. (A document that captures the wide range of opinions expressed about the Honor Court, from the strongly negative to the strongly positive, is appended to this report).

The existence of an image problem might help to explain one of the more surprising findings in the whole survey—evidence of the reluctance of many faculty to engage the Honor System at all. Among those who had encountered only one case of suspected academic dishonesty in the last 5 years, for example, 72% did not report the infraction to the Honor System. Those who had encountered multiple cases had only somewhat higher rates of reporting. For example, of those who had encountered five cases of suspected dishonesty (question #11 in the survey), 72% reported none of them and only one respondent out of 32 reported all 5. Only 49% of faculty indicated that they would be inclined to report a new infraction if it came to their attention.

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<sup>1</sup> The figures that follow represent estimated response rates, since it is impossible to verify the number of faculty who actually received and read the e-mail invitation to provide input for the EPC survey. Based on the number of faculty employed by the University in 2010-2011, however, the committee can affirm that roughly 11% of full professors responded to the survey, as compared to 17% for associate professors and 18.5% for assistant professors. (For faculty employment figures, collected by the Office for Institutional Research, see <http://oira.unc.edu/facts-and-figures/faculty-and-staff-data/faculty-and-staff-data.html>)

Responses indicated that whole departments and schools have developed a culture of avoidance with respect to the Honor System. Although no questions on the survey were designed to elicit feedback on department-wide perceptions and practices, there were at least nineteen unsolicited comments from faculty and graduate student instructors that point to the reality of wholesale avoidance of the Honor System. Some department/unit heads have discouraged junior faculty from reporting infractions; some professors do not allow or strongly discourage the reporting of misconduct suspected by their TA's; junior faculty report that they've been "gently" told by peers and colleagues not to bother with the Honor System; some units have a policy of running all suspected infractions through the Chair, who decides whether to "bother" with the judicial system. In addition, at least ten separate comments suggest that faculty in certain fields—foreign languages, mathematics, some of the sciences—have little faith that student judges have the capacity to understand and adjudicate the charges that might be brought against students enrolled in highly specialized courses.

The subcommittee concluded that the survey supports six general findings.

- 1) There is broad support for the tradition of the student-led Honor System, and much respect and appreciation for the students who give their time to the System.
- 2) The Honor System has nevertheless failed to achieve full faculty "buy-in."
- 3) More should be done to cultivate and sustain a strong sense of collective responsibility for, and "ownership" over, the values of honor and integrity at UNC.
- 4) The Honor System is perceived as cumbersome and therefore subject to human error.
- 5) Communications must be improved so that faculty are kept up to date and informed of the status and outcome of their cases and of their rights as complainants.
- 6) Across-the-board ignorance—of Honor System procedures on the part of faculty, and of the definition and modalities of plagiarism on the part of students and faculty alike—has contributed to many needless headaches and frustration for every constituency at the University.

To address procedural concerns with the Honor System, to increase the strength and vitality of our collective commitment to honesty and integrity at UNC, and to help the Honor System realize its full potential as both a pedagogical and an ethical instrument in the lives of students and the entire University community, the honor subcommittee recommends that EPC and COSC endorse the following twelve proposals, listed here under three broad headings:

### **Increasing faculty participation in and respect for the Honor System**

- Have department/unit Chairs nominate two people each year who would be available for occasional service to the Honor System and the UHB (where HC appeals are heard); one of the two nominees could serve as the Honor

System representative at the unit level, available to provide guidance and answers for other faculty.

**Rationale:** By rotating membership on the UHB, faculty will develop a sense of ownership over, and greater familiarity with, Honor System procedures. Unit representatives will serve as valuable bearers of institutional memory and as information conduits for all participants in the system.

- Revive and reinvigorate the Faculty Honor System Advisory Committee charged to provide advice and guidance to the judicial officers in the System.

**Rationale:** Faculty frequently cited the HC's lack of expertise and specialized knowledge as a reason to distrust the Honor System. A robust faculty advisory committee, as set forth in section V. B of the Instrument for Student Judicial Governance, could preempt many problems in the initial sifting of evidence and the crafting of charges. The advisory committee, composed largely of experienced faculty with some knowledge of the System, could provide assistance in interpreting difficult-to-read evidence and in identifying cases that might require "expert" witnesses at HC hearings. This preliminary faculty guidance could be appropriate, for example, in cases of alleged cheating in some foreign language, math, or science classes; in cases where an accused student wishes to introduce a health issue as a mitigating factor in his/her behavior; and in cases that would have the potential to bring outside pressures to bear on the Court.

- Adopt a student-faculty resolution option that would enable an accusing faculty member and an accused student to arrive at a mutually agreeable penalty in certain cases of academic or non-academic misconduct. A range of acceptable "alternative resolutions" would need to be defined and affirmed by the Honor System, and the alleged infractions and outcomes would still need to be reported to the Honor System for the broad purpose of insuring equity across units.

**Rationale:** This reform would reduce an already heavy case load for the HC, it would helpfully empower faculty, and—provided the agreed-upon penalty fits within the acceptable parameters of the Honor System—it would open the way to a fair and just resolution of a case in a matter of hours or days rather than months.

- Improve communication between Honor System personnel and faculty, so that faculty are kept fully informed of their rights and prerogatives and fully abreast of developments in cases that concern them. Training documents and procedures should be altered to reflect the priority of clear communications.

**Rationale:** Communication breakdowns are a frequently cited problem in the faculty survey, one that contributes to a perception that the Honor System cannot always be trusted. Although communication lapses undoubtedly also reflect resource

shortages (see the next section). Honor System personnel should redouble their efforts to move efficiently through their case load and to explain any delays to both the accusing faculty and the accused student; weeks should not pass before the principals receive informative updates from the office of the student attorney general, and it should not be assumed that faculty understand the Honor System and their rights and responsibilities within it.

### **Providing tools and resources**

- Funding for the Honor System should come from a separate budget line item and removed from the catch-all “Activities” category in the Student Fees collected by the University each year.

*Rationale:* The Honor System is now in the position of having to make its case to Student Congress each year for authorization to purchase paper clips, printer ink, and highlighters. Without a steady and dependable flow of resources, the personnel working in the Judicial Programs office have little hope of keeping up with their workload or of improving efficiencies and communication. At a University that values honor and integrity, as well as their enforcement, this situation is intolerable. Ideally, funding for the Honor System should be sufficient to defray the costs of the occasional new initiative—including, for example, the regular videotaping of Honor Court hearings.

- COSC should develop and make widely available a set of educational resources to acquaint faculty and the whole University community with the procedures and policies of the Honor System. These should include: an online video of a full HC hearing; an online tutorial that tells faculty and graduate students how to report an infraction, lays out the various steps in the investigative process, and provides information about hearings, verdicts, appeals, and the rights of complainants and the accused; and an online tutorial about the dangers of plagiarism.

*Rationale:* Evidence of misunderstanding and misinformation about the Honor System is quite abundant in the faculty survey, and this points to the unfortunate role of hearsay and rumor in contaminating faculty opinion. Exposure to the proceedings of a “typical” case, and instruction in the basic procedures of the System, would help to counteract unfounded rumors. In addition, greater awareness of the Honor System, and of the standards it requires, may actually reduce the incidence of student misconduct and relieve the time burden placed on System personnel.

- Faculty, course syllabi, instructional resources, and a portion of precious instructional time must be incorporated into a campus-wide and ongoing campaign against plagiarism and other forms of academic misconduct.

*Rationale:* Responses to the faculty survey showed that there is no commonly recognized definition of plagiarism even among faculty, and there are reasons to suppose that many UNC students do not fully understand either the concept of intellectual property or the line that separates acceptable collaboration/sharing from intellectual theft. A forceful, public, full-fledged campaign is called for, one that asks faculty to address and discuss in their classrooms the specific guidelines and ground rules that should govern writing, composition, and intellectual creativity in their respective disciplines. It is reasonable to expect that consciousness-raising will reduce the incidence of unintentional plagiarism; by drawing attention to the seriousness of the offense and the University's determination to eliminate it, such a campaign may also reduce the incidence of deliberate and reckless plagiarism.

**Boosting confidence in the Honor System and promoting an ethic of shared responsibility for University values (in ways that involve adjustments to the Instrument of Student Judicial Governance and/or the Faculty Code)**

- Convert faculty COSC membership into an elected office, to be included in the annual ballot for faculty elections.

*Rationale:* This change would raise both the visibility and status of COSC in the eyes of the faculty. It would also make faculty more aware of COSC's work and more cognizant of faculty responsibility for its smooth functioning.

- Eliminate the language of "guilt" and "innocence" and seek the acceptance (or confirm the denial) of "responsibility" in cases of alleged misconduct. Additionally, evaluate the use of legalistic language throughout the Instrument of Student Judicial Governance.

*Rationale:* Several faculty expressed concerns about the highly judicial and sometimes stilted atmosphere of HC hearings. This subtle but important change in language would relieve the HC of the burden of declaring a fellow student "guilty" of a serious infraction, it would mitigate the courtroom atmosphere of the hearings, and it would reinforce the constructive/instructive purposes that lie behind the whole process—a process in which the accused student would actually be a participant in the search for truth.

- Change the burden of proof in academic dishonesty cases from "beyond a reasonable doubt" to "the preponderance of the evidence."

*Rationale:* This change would bring UNC's Honor System into line with the practices at many other Universities and it would make Honor System policy consistent with other UNC internal policies (e. g., those concerning charges of sexual harassment). In addition, this change would remove a source of frustration among faculty: the application of what sometimes seems an impossibly high burden of proof.

- Give the Honor System greater flexibility in determining penalties for infractions, perhaps establishing firm “minimum” penalties (e. g., a failing grade on an assignment) with a wide range of acceptable penalties and no “usual” penalties. Also allow for the eventual expunction of HC convictions in cases later proven to have been anomalous but valuable “teaching moments.”

*Rationale:* One reason frequently cited by faculty who avoid the HC is the Court’s tendency to impose draconian penalties after conviction. There is a perception that the harshness of the standard penalty for dishonesty (suspension for a semester) encourages the Court to search for implausible exonerating circumstances in cases of alleged dishonesty. In light of the principle that “student educational development should...play a central role in the development and imposition of sanctions” (Instrument of Student Judicial Governance, Section III. A), the Honor System should focus first on its educational purpose, and save its harshest penalties for the most deliberate offenders.

- Explore ways to enhance faculty participation in the assessment, investigation, and fact-finding aspects of academic misconduct cases.

*Rationale:* The Honor System was built to promote and sustain values of central importance to the University as a whole. The Instrument of Student Judicial Governance is predicated on the “furtherance of the University community’s shared commitment to the pursuit of truth, and the dissemination of knowledge to succeeding generations of citizens devoted to the high ideals of personal honor and respect for the rights of others” (*Instrument*, Section I, Preamble). Faculty are obviously vital members of the University’s “shared” community, and some members of the faculty have indicated a sense of being disconnected from the Honor System process. In some instances, this has contributed to a lack of confidence or trust in individual case decisions or the Honor System process as a whole. Although faculty members enjoy a number of unique rights and privileges within Honor System processes, by virtue of their status as faculty, a thorough discussion of other possible means of incorporating faculty input is warranted. This discussion should include faculty, students, and staff and should involve thorough consideration of the potential effects of structural changes on participation in and support of the Honor System by all University constituents. Among the ideas shared by members of the subcommittee which would be incorporated into a larger discussion are the following: the greater use of faculty members in evaluating potential academic misconduct or as “expert witnesses” during hearings, inclusion of one or more faculty members on original hearing panels, and expansion of the appeal process.

### **Summary**

Some of the ideas listed here may need refining, trimming, or broadening, but our committee strongly and unanimously urges that the EPC and the COSC consider thoughtfully and carefully all of the recommendations laid out in this document. The overriding purpose behind these proposals is to strengthen an Honor System that has long served the University well but with less than optimal efficiency. The

most important step to be taken in order to improve the System—the one that drives all of our recommendations—is to reassert the collective responsibility of the University community to insure the System’s proper functioning. We all suffer when dishonest or illicit behavior undermines the University’s basic academic mission of pursuing and broadcasting “truth,” and we all therefore have a responsibility to protect the structural integrity of the institutions developed to detect and eliminate corrosive dishonesty. Faculty need to become more “pro-active” in promoting, articulating, and defending the principle of intellectual integrity; administrators and other staff must provide adequate resources to the officers charged with ferreting out dishonesty; students should be open to ideas of reform that are intended to strengthen and reinvigorate a System in which they rightfully take great pride.

Unanimously submitted,

Bev Foster  
 Lee May  
 Richard Myers  
 Jonathan Sauls  
 Jay Smith (Chair)

Faculty figures (from <http://oira.unc.edu/facts-and-figures/faculty-and-staff-data/faculty-and-staff-data.html>):

Full Profs at UNC, Fall 2010:	971
Assoc Profs at UNC, Fall 2010:	506
Asst Profs at UNC, Fall 2010:	439
Fixed Term (Lec/Instrctrs):	1,318 (793 in Medicine; 284 in all of Ac. Affairs)
Full Profs responding:	107 (11% of 971)
Assoc Profs responding:	86 (17% of 506)
Asst. Profs responding:	81 (18.45% of 439)
Fixed Term responding:	69 (??%)