

**NKU Chase College of Law  
Honor Code**

**Northern Kentucky University  
Highland Heights, KY**

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**TABLE OF CONTENTS**  
**Honor Code & Plagiarism Policies**

**HONOR CODE**

- I. PREAMBLE
- II. DEFINITIONS
- III. NKU CHASE STUDENT HONOR CODE: Academic Integrity
  - A. Preamble and Honor Code Pledge
  - B. Academic Dishonesty
  - C. Research Misconduct
  - D. Ethical Violations
- IV. Consequences for Academic Dishonesty, Research Misconduct, or Ethical Violations
- V. Procedures for Handling Alleged Violations of the Honor Code
- VI. Formal Proceedings
- VII. Appeals
- VIII. Confidentiality

**PLAGIARISM POLICY**

## I. PREAMBLE

This document establishes an NKU Chase College of Law (NKU Chase) Honor Code (referred to as the Honor Code). The purposes of the Honor Code are to establish standards of academic integrity for students at the law school and provide procedures that offer assurances of fundamental fairness to any student accused of violating the Honor Code. This Honor Code also addresses ethical violations by NKU Chase students.

The procedures set forth in this document are specific to students at NKU Chase. As Northern Kentucky University students, NKU Chase students are also subject to the provisions of the NKU Code of Student Rights and Responsibilities as adopted by the Board of Regents. Where provisions or procedures set forth in the two documents differ or conflict, this document will prevail in cases involving NKU Chase students.

It is incumbent upon NKU Chase students to be aware of university regulations. Ignorance of these regulations does not excuse students from adherence to them.

## II. DEFINITIONS

**A. Associate Dean for Academics** - member of the law school administration primarily responsible for the academic program at the law school and the enforcement of academic policies at the law school.

**B. Chase Student** - A student enrolled at NKU Chase, including a student who is either on a leave of absence, visiting another institution, or who, although still enrolled at NKU Chase, is not currently attending classes.

**C. Dean** - senior academic affairs officer responsible for the administrative leadership of NKU Chase.

**D. Expulsion** - a permanent dismissal from the College of Law. The expulsion will remain a permanent record and shall be reflected on the academic transcript.

- E. NKU Chase Honor Code Council** - a standing committee appointed by the Dean to conduct formal proceedings regarding violations of the Honor Code. The Academic Standing Committee supplemented by two NKU Chase students selected by the SBA may constitute this committee, or the Dean may appoint a separate committee composed of at least three faculty members and two students.
- F. Policy** - any published regulation of NKU Chase or of Northern Kentucky University.
- G. Provost** - senior academic affairs officer responsible for the administrative leadership of academic programs and academic support services at Northern Kentucky University.
- H. Suspension** - a temporary dismissal from the College of Law. If suspended for violations of the Honor Code, a student may not enroll in courses or be an active member of the university during the suspension period. The suspension will remain a permanent record and shall be reflected on the academic transcript.
- I. Working day** - a day when the university is open for normal business, regardless of whether classes are in session.

### **III. NKU CHASE STUDENT HONOR CODE: Academic Integrity**

#### **A. Preamble and Honor Code Pledge**

This Honor Code is a commitment by NKU Chase students, through their matriculation or continued enrollment at NKU Chase, to adhere to the highest degree of ethical integrity in academic conduct. It is a commitment individually and collectively that NKU Chase students will uphold professional standards of research, writing, assessment, and ethics in their area of study.

The purposes of the Honor Code are to establish standards of academic integrity for NKU Chase students and to provide a procedure that offers basic assurances

of fundamental fairness to any person accused of violations of these rules. Each NKU Chase student is bound by the provisions of the Honor Code and is presumed to be familiar with all of its provisions.

Students must conduct themselves in a manner that is consistent with the highest degree of ethical integrity in all matters, whether covered in the Honor Code or not. The success of this commitment begins in the diligence with which students uphold the letter and the spirit of the Honor Code.

By enrollment at NKU Chase, all students accept and acknowledge the following pledge:

"I do hereby acknowledge the existence of the NKU Chase Honor Code. I understand that the Honor Code supports an environment that values integrity, honesty, and ethical conduct for all NKU Chase students. I understand that by my enrollment at NKU Chase, I confirm my agreement and understanding of the policies and procedures outlined in the Honor Code."

## **B. Academic Dishonesty**

Behaviors that constitute academic dishonesty include, but are not limited to, the following and other similar behaviors:

1. Engaging in any conduct involving academic deceit, dishonesty, or misrepresentation, including conduct during the application process for admission to NKU Chase.
2. Committing plagiarism on any examination, assignment, or graduation requirement. Plagiarism is defined as taking the literary property or ideas of another and passing it off as one's own without appropriate attribution. Plagiarism is a "strict liability" offense; however, a student's inadvertent or negligent failure to provide proper citation can be considered when determining the

student's punishment for the offense. To avoid a charge of plagiarism, a law student must:

- a. Acknowledge direct use of someone else's words.
  - b. Acknowledge any words he/she paraphrases from any source.
  - c. Acknowledge his/her direct use of someone else's ideas.
  - d. Acknowledge his/her source when the student's own analysis or conclusion builds on that source.
  - e. Follow any plagiarism policy adopted by a faculty member for a course or program, of which the students in that course or program have been given adequate notice.
3. Writing, taking, researching, developing, preparing, assisting with, or creating an examination, assignment, or graduation requirement for another student, in whole or in part. This paragraph is in no way intended to prohibit group projects and assignments where the professor has specifically indicated that collaboration is permitted.
  4. Submitting an examination, assignment, or graduation requirement written, taken, researched, developed, prepared, or created by another person, in whole or in part. This paragraph is in no way intended to prohibit group projects and assignments where the professor has specifically indicated that collaboration is permitted.
  5. Preventing or interfering with the use of any course-related resource by other students or other users for the purpose of causing them a disadvantage.
  6. Damaging or impairing any library or course-related resources or another student's completed assignments.

7. Taking or using the notes, papers, or other materials of another student or of a professor without express permission.
8. Misrepresenting class or other activity attendance for oneself or another student.
9. Misrepresenting information to postpone an examination, assignment, graduation requirement, or other deadline.
10. Misrepresenting or distorting academic or biographical data in connection with an application for criteria-based placements, course or program honors, or awards.
11. Engaging in any other fraudulent, deceptive, knowingly false, or misleading act, or other dishonest action or inaction involving academic endeavors for the purpose of obtaining an advantage.
12. Failing to report any known violation of the Honor Code committed by another NKU Chase student. Throughout the investigation of the alleged Honor Code violation, the student who reported the alleged violation has the right to remain anonymous. If, however, the accused student requests a hearing (discussed later in this document), the reporting student will not be able to remain anonymous.
13. Reporting a student for an alleged Honor Code violation without a good faith belief that the student has violated the Honor Code.

These prohibitions shall not preclude a faculty member from assigning team projects, cooperative efforts, and other similar activities in a course or for a graduation requirement, nor shall they preclude students from preparing for classes or examinations together or in study groups.

### **C. Research Misconduct**

The university is fully committed to the ethical conduct of research. Misconduct in research is a serious deviation from the Honor Code. Research misconduct is defined as fabrication, falsification, or plagiarism in proposing or performing research, or reporting research results.

Behaviors that constitute research misconduct include, but are not limited to, the following:

1. Falsifying or fabricating information or data.
2. Reporting results in a dishonest manner, whether by altering, revising, or selectively reporting data.
3. Representing another person's ideas, writing, or data as one's own.
4. Releasing the ideas or data of others when such data have been shared in confidence.
5. Misrepresenting the nature of creative material or its originality.
6. Adding or deleting the names of authors on publications without permission.
7. Listing oneself or another individual as an author when his/her contribution does not warrant authorship.

### **D. Ethical Violations**

Students are expected to adhere to the ethical and professional standards associated with the practice of law. These standards include, but are not limited to, the obligation to timely disclose character and fitness issues during the law school application process and throughout law school. During the law school application process, this information must be disclosed to the Admissions Committee. Once the student has been admitted to the College of Law, the student must report



any subsequent character and fitness issues (or previously undisclosed character and fitness issues) to the associate Dean for Student Services. For purposes of this provision, "character and fitness issues" is intended to incorporate the behaviors, definitions, and issues covered in the NKU Chase College of Law application. Unethical or unprofessional behavior may be treated in the same manner as academic dishonesty and research misconduct.

#### **IV. Consequences for Academic Dishonesty, Research Misconduct, or Ethical Violations**

- A. An NKU Chase student who violates the foregoing provisions may be subject to one or any combination of the following consequences imposed by either the Associate Dean for Academics or the Honor Code Council:
1. A requirement to re-do the assignment or re-take all or part of the course in which the conduct occurred.
  2. An oral admonition or reprimand.
  3. A written admonition or reprimand.
  4. A grade reduction or a grade of "F" in the course, examination, or assignment.
  5. Suspension from the law school for the remainder of the current semester or session (with the word "suspension" included on the student's transcript).
  6. Suspension from the law school for the semester or session following the current semester or session (with the word "suspension" included on the student's transcript).
  7. Suspension from the law school for one year (with the word "suspension" included on the student's transcript).

8. Expulsion from the law school (with the word "expulsion" included on the student's transcript in order to prevent any reapplication).  
"Revocation of an offer of admission," for a student who has already matriculated, for failure to disclose character and fitness information during the application process shall be synonymous with expulsion.

B. Information about prior or multiple Honor Code violations by an NKU Chase student is relevant and receivable in any hearing with regard to the consequences to be imposed for a violation of the Honor Code and is grounds for such additional or increased consequences as the circumstances may warrant.

C. Withdrawal from a course or from the law school shall have no effect on the application of the Honor Code.

**V. Procedures for Handling Alleged Violations of the Honor Code**

A. A faculty member or associate dean (hereinafter "faculty member"), or a student, who has sufficient information to believe that a student has violated the Honor Code shall notify the Associate Dean for Academics within seven (7) working days from the date of discovery of the alleged violation.<sup>1</sup> The faculty member or student shall provide all appropriate documentation regarding the alleged Honor Code violation to the Associate Dean for Academics. If grades must be turned in during the meantime, the faculty member shall give the student a grade of "Incomplete."

B. Within ten (10) working days of receiving the information from the faculty member or student, the

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<sup>1</sup> Although not required to do so under this Honor Code, staff members are also encouraged to report suspected Honor Code violations to a faculty member or to the Associate Dean.

Associate Dean for Academics will notify the accused student and attempt to resolve the matter with the accused student. If the Associate Dean and the student are unable to agree to an appropriate resolution to the matter, the Associate Dean will refer the case to the formal proceedings stage as set forth in the provisions below.

## **VI. Formal Proceedings**

- A. The proceedings and hearing process set forth in this section are applicable when a faculty member, a staff member, or a student has referred the matter to the Associate Dean for Academics and the Associate Dean and the accused student could not agree to an appropriate resolution to the matter.
- B. For these proceedings, the matter will be heard by the Chase Honor Code Council.
- C. A member of the Honor Code Council will be excused from hearing a matter when a conflict of interest exists. When a member or more than one member is removed because of a conflict of interest (or is not present due to absence), the Dean will appoint alternate members to serve on the panel. Each panel will consist of three faculty members and two students.
- D. The Chair of the Honor Code Council, as designated by the Dean, will hold a preliminary meeting with the student and the Associate Dean within ten (10) working days of the matter being referred to the Chair. At this preliminary meeting, the Chair will explain the hearing process and the rights of the accused student. The Chair will convene a hearing within a reasonable time period (not to exceed 10 working days) after the preliminary meeting, unless extenuating circumstances prevent otherwise or unless the Associate Dean of Academics and the student both agree to a delay. The Chair of the Honor Code Council shall determine all procedural matters relating to the hearing process and will provide for due process for the accused student.

- E. The student and the Associate Dean may address the Honor Code Council and provide testimony. Both the student and the Associate Dean may bring supporting witnesses to the hearing.
- F. The student has the right to be represented by an attorney at the student's expense, who will be permitted to attend and advise the student. The attorney will not be allowed to provide any other type of assistance such as questioning witnesses, making opening or closing statements, or presenting evidence. The attorney will attend as an advisor only. If the student intends to appear with an attorney, the student shall so advise the Chair of the Honor Code Council so that University Counsel or such person's designate may be present. Students are reminded that the Northern Kentucky Bar Association and the Kentucky Bar Association have lawyer referral information.
- G. The Honor Code Council will deliberate and vote on whether the violation has occurred and on the sanctions to be imposed, up to and including suspension or expulsion. A majority vote shall be required to sustain a violation (by a clear and convincing evidence standard) and to impose sanctions.
- H. The Associate Dean for Academics shall provide the Honor Code Council with information about other Honor Code violations by the student in connection with its deliberations on any sanctions to be imposed.
- I. The Honor Code Council will make a written report of its decision to the Associate Dean for Academics within ten (10) working days of the hearing, unless there is good cause for delay, in which case such delay shall be communicated and justified to, and approved by, the Associate Dean.
- J. The Associate Dean will provide written notification of the decision to the student and the faculty member within five (5) working days of the Honor Council's decision.

- K. The Honor Code Council's decision will be final with the exception of cases involving the sanction of suspension or expulsion. There shall be no further appeal in any case not involving suspension or expulsion.
- L. In a case where the Honor Code Council determines that a violation of the Honor Code has not occurred, all parties shall be bound by that determination.

## **VII. Appeals**

- A. In cases of suspension or expulsion, the student may appeal to the Dean, limited to the questions of whether (1) suspension or expulsion is warranted; (2) the student was afforded a fair hearing; and/or (3) significant newly discovered evidence is shown on appeal that was not available at the time of the hearing, could not have been obtained for presentation during the hearing by the student's exercise of reasonable diligence, and materially affects the finding of a violation or the imposition of the sanction. The appeal to the Dean must be in writing. The appeal must be submitted within ten (10) working days of the student's receipt of the decision of the Honor Code Council. Upon receiving the appeal, the Dean will obtain the entire file from the Associate Dean of Academics and make his or her decision based solely on the documentation provided. No new evidence is admissible (subject to (3) above). The Dean will review the appeal within fifteen (15) working days of receipt of the file and determine whether to uphold the recommended sanction or impose a lesser sanction. The Dean will notify the Associate Dean for Academics of his/her decision in writing and will return the file to the Associate Dean. The Associate Dean will communicate the Dean's decision to the student. The communication will be in writing.
- B. If the Dean affirms the decision to suspend or expel the student, the student may file an appeal to the Provost, limited to the questions outlined in section VII(A), above. The appeal to the Provost must be in writing. The appeal must be submitted within ten (10)

- working days of the student's receipt of the decision of the Dean. Upon receiving the appeal, the Provost will obtain the entire file from the Associate Dean for Academics and make his or her decision based solely on the documentation provided. No new evidence is admissible (subject to (3) noted above in section VII(A)).
- C. The Provost will review the appeal within fifteen (15) working days of receipt of the file and determine whether to uphold the recommended sanction or impose a lesser sanction. The Provost will notify the Dean and the Associate Dean for Academics of his/her decision in writing and will return the file to the Associate Dean for Academics. The Associate Dean for Academics will communicate the Provost's decision to the student. The communication will be in writing with a copy to the Dean. The Provost's decision shall be final and binding unless the student submits a timely appeal to the Board of Regents.
- D. If the student is dissatisfied with the Provost's decision in a case of suspension or expulsion, the student may appeal to the Board of Regents. The appeal to the Board of Regents must be in writing. The appeal must be submitted within ten (10) working days of the student's receipt of the Provost's determination. Upon receiving the appeal, the full record shall be transmitted to the Board of Regents for final resolution. The Board of Regents' determination will be final and binding.
- E. In a case where the Dean, Provost, or the Board of Regents determines that a lesser sanction (other than suspension or expulsion) should be imposed, all parties shall be bound by that determination.

### **VIII. Confidentiality**

- A. All proceedings under the Honor Code shall be confidential, and information about a student shall be provided only to a person or persons who have responsibilities for the proceedings in a case involving that student and/or to professional licensing authorities (including State Boards of Bar Examiners).

B. Nothing in the above paragraph is intended to prevent the posting of Honor Council proceedings and results, as long as the document is drafted in such a way that the accused student remains anonymous.

## **PLAGIARISM POLICY**

Plagiarism on any examination, assignment, or graduation requirement is prohibited and is a violation of the Student Honor Code. Plagiarism is defined as taking the literary property of another, passing it off as one's own without appropriate attribution, and reaping from its use any benefit from an academic institution. Without limitation of the foregoing, a student must:

1. Acknowledge direct use of someone else's words;
2. Acknowledge any words he or she paraphrases from any source;
3. Acknowledge his or her direct use of someone else's idea;
4. Acknowledge his or her source when the student's own analysis or conclusion builds on that source;
5. Acknowledge his or her source when the student's idea about a case comes from a source other than the case itself;
6. Follow any plagiarism policy adopted by a professor for a course or program, of which the students in that course or program have been give adequate notice.

For a more complete discussion of this topic, see the following websites:

<http://www.lwionline.org/publications/plagiarism/policy.pdf>

<http://www.lwionline.org/publications/plagiarism/lawschool.pdf>

<http://owl.english.purdue.edu/owl/resource/589/01/>