

Accused Student Informational Handbook



*This packet was created by the Honor Board in order to detail your rights as a student accused of an Honor System violation. **If you have any questions, please feel free to consult your assigned Investigative Committee Chair (ICC), Procedural Advisor (PA) or email the Honor Board directly at honor@stevens.edu.***

Table of Contents

| | |
|---|----|
| Accused Rights Form (Explained)..... | 3 |
| Definitions of Commonly-Used Terms..... | 4 |
| The Role of the Investigative Committee..... | 6 |
| How A Case Can Proceed..... | 7 |
| Hearing Procedures..... | 8 |
| The Penalty Matrix: <i>How Penalties are Determined</i> | 9 |
| Your Resources..... | 10 |

The Accused Rights Form (Explained)

Upon meeting for the first time with the Investigative Committee, you will be presented an Accused Rights Form (sometimes abbreviated ARF), which you must sign before any case-related matters are discussed. The form looks like this:

Honor Board
Stevens Institute of Technology
Hoboken, New Jersey

"The measure of a man's real character is what he would do if he knew he would never be found out."
Thomas Babington Macaulay

Date: _____

Honor Board Members:

I, _____, do hereby acknowledge that I am aware of my rights in the Honor Board investigation. This means that I understand that I may have counsel during this investigation and that I also have the right to remain silent when questioned. In the situation that my case goes to trial, I understand that I will be informed in writing by the Honor Board of the time and place of the trial five days prior to the trial, that I may call any witnesses I feel are necessary for my defense, and that I may be tried in absentia if I fail to attend the trial without a valid excuse. Further, I understand that anything I say in a meeting can be used against me should my case go to a trial. I understand that I may appeal any final decision made by the Honor Board regarding my case to the Faculty Committee on Appeals. Finally, I hereby affirm that I will hold any knowledge about the following proceedings in the strictest confidence.

Signed, _____

Box 5- _____
Email: _____

Witnessed _____

HB Rep: _____
Email: _____

HB Rep: _____
Email: _____

Prior to the Investigative Committee asking you any questions regarding the case, they will ask you if you have any questions regarding this form, which outlines all of the rights that you have as a Stevens student in an Honor Board investigation.

Important Points to Note:

- This document grants you the right to a Procedural Advisor, who serves as unbiased counsel during the investigation process
- You may choose not to answer any questions that make you uncomfortable
- If the case goes to a hearing, you will be informed of the time and place at least five days prior to its occurrence.
 - You may call witnesses
 - Your case can be heard regardless of your absence if you fail to attend the hearing without a valid excuse
- Anything you say or share during an investigative meeting can be used as evidence, should the case go to a hearing
- You may appeal any final decision made by the Honor Board to the Faculty Committee on Appeals within ten business days of receiving the Penalty Notification

Definitions of Commonly-Used Terms

Being involved in an Honor Board investigation implies an introduction to a lot of terms that may be unfamiliar. Below are some terms that will be used quite frequently, along with their definitions.

Investigative Committee Chair (ICC) – the individual responsible for collecting all evidence in an Honor Board investigation, in addition to being responsible for the scheduling of meetings, updating the Honor Board on all case progress, and, if necessary, presenting to a jury at a hearing on behalf of the Honor Board.

Investigative Chair Assistant (ICA) – the individual responsible for assisting the ICC with their duties, taking accurate minutes of all meetings held regarding the case, and organizing meetings with the ICC. This person also steps in as a temporary ICC when the appointed ICC is unavailable.

Procedural Advisor (PA) – the individual responsible for serving as an unbiased counsel for the accused student throughout the investigative process. If the student is found responsible and assigned a penalty, they act as a mentor to see that penalty assignment to its completion. All PA meetings with the accused student are confidential and minutes will not be taken. The PA cannot share any details of their meetings with any party, and is recommended to abstain from any vote regarding the case during the Honor Board meetings.

Confession – a case outcome wherein the accused student accepts responsibility for committing an Honor System violation. The Honor Board votes on an appropriate penalty for such a violation based on the *Penalty Matrix* (see page 11) and informs the student following the Honor Board meeting in which the penalty was voted upon.

Stipulated Confession – a confession form that indicates the penalty the student will receive if they decide to confess by signing the form. This can be requested at any time during the investigation, and does not imply responsibility, nor does it change the penalty that would be assigned if a student were to confess using a standard confession form.

Case Drop – a case outcome wherein the ICC has determined that they have exhausted all efforts to obtain evidence and feel that there is not enough evidence to support the suspected violation report. The Honor Board must vote to approve this decision by a majority vote.

Hearing – a case outcome wherein the ICC and the Honor Board feels there is enough evidence to support the violation report. The Honor Board must vote to approve this decision by a majority vote. In this instance, the ICC and the accused student will

present to a jury composed of undergraduate Stevens students all of the evidence collected, and they will then determine responsibility.

Penalty Matrix – a governing document of the Honor Board that indicates recommended penalties for specific violations. The Honor Board uses this document when deciding on penalties to assign for violations in addition to considering aggravating and mitigating factors.

Preponderance of the Evidence – the standard by which cases and hearing outcomes are determined. Responsibility for a violation is determined using a “more likely than not” reasoning, which differs from the “beyond a reasonable doubt” standard used in the US judicial system. For more information, and as a helpful visual representation of this concept, consider following this link to a short video explaining this standard: <https://vimeo.com/85936565>.

Confidentiality – the crucial aspect of any Honor Board investigation pertaining to all case-related materials remaining private and unshared with any member of the Stevens community except for the Honor Board, their advisors, and those directly involved in the case (professors, TA’s, accused students, etc.). It is considered a right of the accused student to share personal information about their involvement in an open Honor Board investigation with whomever they choose (parents/guardians, friends, doctors, etc.) as long as their disclosing of information does not impede upon another individual’s right to confidentiality. The Honor Board and its advisors are required by federal law (FERPA) to maintain confidentiality indefinitely.

Have any other questions related to terminology? Consult your ICC, PA, honor@stevens.edu, or stevens.edu/honor.

The Role of the Investigative Committee

The job of the IC team is to collect all of the evidence in a case in an unbiased manner to obtain a comprehensive picture of the situation.

What is the IC team NOT supposed to do?

Your IC team will not:

- *Coerce you to answer questions or sign documents.*
- *Assume your responsibility for a violation.*
- *Present any evidence at a hearing that you have never seen before (this is the purpose of the evidence exchange).*

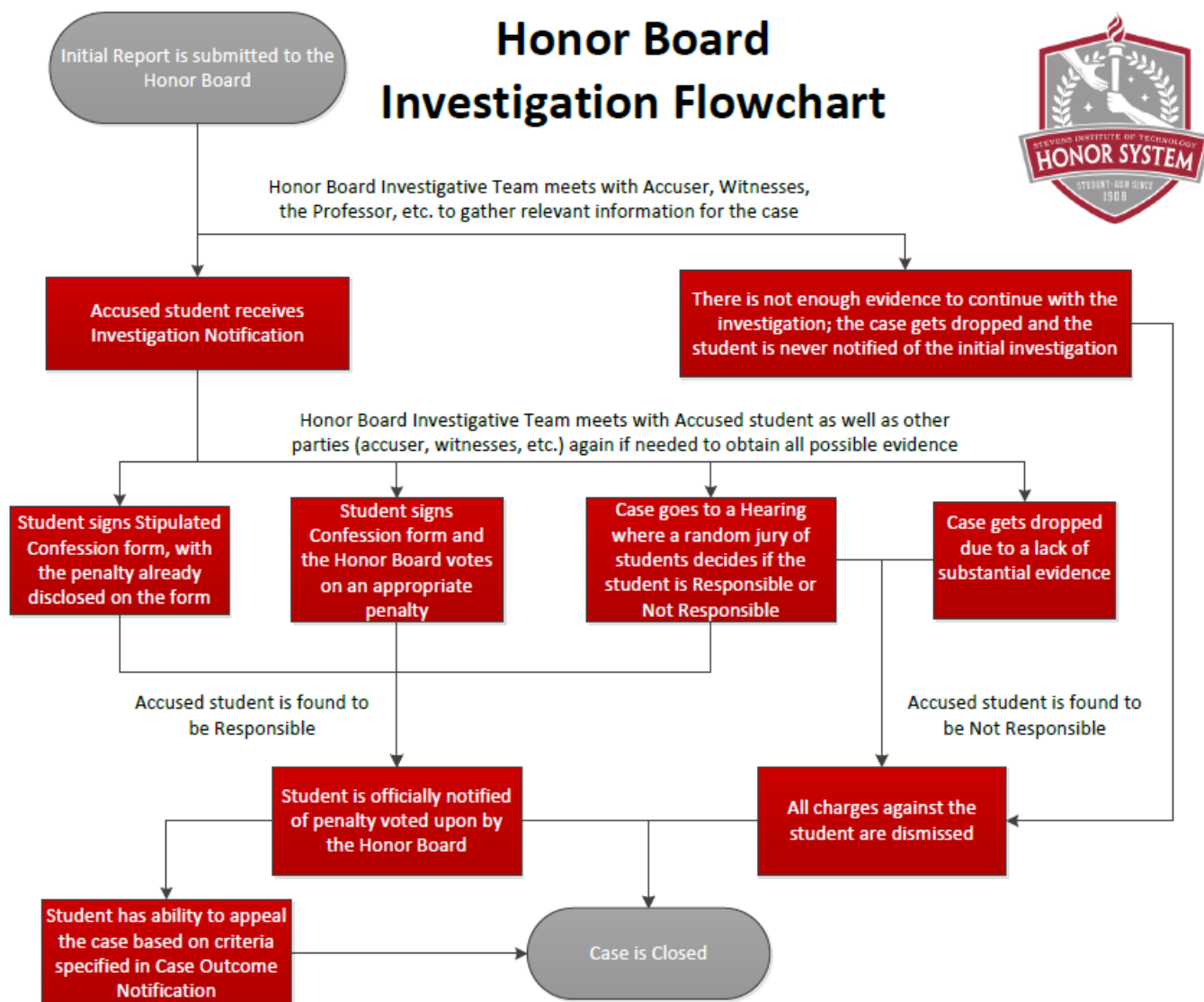
What is the IC team SUPPOSED to do?

Your IC team will focus on:

- *Collecting all of the pertinent evidence for a case.*
- *Handling all case materials in the strictest confidence.*
- *Maintaining professionalism and respect for all parties involved.*
- *Ensuring that all materials paint an adequate “picture” of the incident as it was reported.*

How A Case Can Proceed

The flowchart below is meant to help you understand the process through which an Honor Board investigation is carried out. Please read through it carefully, and direct any detailed questions to your ICC, PA, or honor@stevens.edu.



Questions? stevens.edu/honor

Hearing Procedures

Sometimes, an Honor Board investigation will culminate in an Honor Board hearing, wherein a randomly-assigned group of students from Stevens will determine whether it is more likely or less likely that an Honor System violation occurred, and will determine responsibility based off of the preponderance of the evidence (see page 5). Both the IC team and the accused student will present to the jury all of the evidence that they have gathered, and the jury will make the final decision. Below are some general hearing-related guidelines.

- An Honor Board advisor **MUST** be present at a hearing in order for that hearing to be considered legitimate. The Honor Board advisors are Deans Deborah Berkley and Kristie Damell. For their contact information, please see page 14.
- The accused student reserves the right to call witnesses (including his/herself) to testify in their defense. They also may have up to two character statements from professors, student leaders, coaches, or others.
 - The accused student may also have a Student Representative to speak on their behalf, if it would make them more comfortable. This Representative would serve in all roles that the accused student normally would in the hearing.
 - The accused student reserves the right to object to any claims by the IC team during a hearing on the grounds of speculation and relevance, among other grounds.

For more details on hearings, consult your PA in addition to the “Hearing Procedures Manual”, located on the home page of the Honor Board Website (stevens.edu/honor).

The Penalty Matrix: How Penalties are Determined

*Should your case outcome indicate responsibility, whether through confession, stipulated confession, or a hearing, the Honor Board will be tasked with assigning a penalty to fit the violation. To do this, the Honor Board has created a Penalty Matrix, a governing document which indicates minima and maxima of penalty for various Honor System violations. **It is possible that an assigned penalty is outside of this Matrix (either above or below the maximum or minimum, respectively), and this is due to mitigating and aggravating factors which are taken into consideration.** These mitigating and aggravating factors include, but are not limited to:*

- Class year of the student involved
- Type of assignment
- Amount of assignment affected by the infraction
- Number of assignments affected by the infraction
- Premeditation
- Malicious intent
- Cooperation during the investigation
- Second or further violation

To view the complete and most up-to-date version of the Penalty Matrix, please visit <https://web.stevens.edu/honor/documents/Penalty%20Matrix.pdf>.

Your Resources

The Honor Board wants to ensure you are as comfortable as possible throughout the entire investigative process. We're here for the students, we've been student-run since 1908, and we will continue to help students succeed fairly. If you have any questions or comments regarding anything even remotely related to the Honor System, below is a list of all of the resources at your disposal. Make use of them as much as you need to.

Dean Kristie Damell, Ed. D., Associate Dean of Students, Title IX Coordinator, and Honor Board Advisor

Phone: 201.216.5679

Email: kdamell@stevens.edu

Dean Deborah Berkley, Student Development and Enrichment Programs Director, STEP and EOF Programs, and Honor Board Advisor

Phone: 201.216.5387

Email: dberkley@stevens.edu

Stevens Honor Board

Email: honor@stevens.edu

Website: www.stevens.edu/honor

Stevens Counseling and Psychological Services (CAPS)

Email: stevenscounseling@stevens.edu

Phone: 201.216.5177

Location: Wesley J. Howe Center, 7th Floor

Hours: Monday-Friday, 9:00 AM – 5:00 PM

Stevens Office of Disability Services

Phone: 201.216.3748

Location: Wesley J. Howe Center, 7th Floor

Contact your individual PA with any other questions.