

Investigation Procedures Manual of the Stevens Honor System

Created: *A. Mackavage* *5-31-2010*

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Article I. Investigating Committees

Section 1.01 Designation of the Investigation Committee

1. When a case is reported to the Stevens Honor Board, it shall be the Honor Board Chair's responsibility to appoint the Investigating Committee.
2. The Chair shall appoint one member to serve as the chair of the Investigating Committee. The chair of the Investigating Committee shall henceforth be called the IC.
3. The Chair shall appoint one or more members to serve as assistants to the chair of the Investigation Committee. The assistant to the chair of the Investigating Committee shall henceforth be called the ICA.
4. No member of the committee can have fraternal, sororal, or social affiliations with the accused students.

Section 1.02 Role of the IC

The chair of the Investigating Committee shall have the following duties:

1. Maintain a file of all case related information, including, but not restricted to, all hard evidence, meeting notes, and correspondence.
2. Conduct all correspondence with accused student, accuser, professor, and witnesses. Set up meetings times with all aforementioned parties.
3. Submit case update forms to the Corresponding Secretary prior to each Honor Board meeting.
4. Present case updates to the general membership of the Honor Board at meetings.
5. At the conclusion of the case, submit the file of case information and a final case report to the Corresponding Secretary. The Corresponding Secretary shall file it in the Honor Board office.
6. If the ICA fails to report or arrives late to investigative meetings without a reasonable excuse, it is the IC's responsibility to alert the Honor Board Chair. The Honor Board Chair may choose to levy demerits in this situation.

Section 1.03 Role of the ICA

The assistant to the chair of the Investigating Committee shall have the following duties:

1. Be present at all meetings between the Honor Board and accused student, accuser, professor or TA, and witnesses and take notes at the meetings.
2. In the absence of the IC, present case updates to the general membership of the Honor Board at meetings.
3. If the IC fails to report or arrives late to investigative meetings without a reasonable excuse, it is the ICA's responsibility to alert the Honor Board Chair. The Honor Board Chair may choose to levy demerits in this situation.

4.

Article II. Investigation Procedures

Section 2.01 Opening an Investigation

After a case has been reported to the Honor Board and the Investigating Committee has been assigned, the Corresponding Secretary will notify all accused students that they are under investigation. The IC should not contact the accused students until this notice has been sent, except in extraordinary circumstances.

Section 2.02 Investigatory Meetings

1. The IC shall set up all meetings during the investigation.
2. At least two Honor Board members must be present at all investigatory meetings.
3. Meeting notes should be taken by the ICA at all meetings, and at the conclusion of the meeting, must be approved and signed by person being interviewed and the Honor Board members present.
4. The Investigating Committee should meet with all persons involved in the case, including, but not restricted to, the accused student, the accuser, the professor or TA, and any witnesses.
5. The initial meetings with all persons involved on the case should happen within two weeks of the assignment of the case to the Investigating Committee.
6. A person failing to appear before an Investigating Committee to answer any non-incriminating question may be reported to the Honor Board Advisor for further disciplinary action. This can only happen with the consent of the majority of the Honor Board for obstructing an Honor Board investigation. No witness shall be forced to answer any question which, in the opinion of the IC, might incriminate the witness.
7. Any accused student who has not reported to two scheduled meetings of the Investigating Committee without a valid excuse submitted at least 24 hours in advance of the scheduled meeting will be assumed guilty of the alleged violation, and a penalty will be rendered by the Honor Board.
8. As per the accused rights form signed by accused students at the beginning of all investigations, if an accused student does not appear at his/her own hearing, he/she will be tried in absentia. In the case that an accused student is tried in absentia, the accused's Defense Advocate will speak on behalf of the accused at the hearing.
9. In the case that an accused student repeatedly requests that investigatory meetings, evidence exchanges, or hearing dates be delayed, and in the case that the Executive Board and the Honor Board advisor(s) believe the accused student is doing so to intentionally delay the investigative process without a valid reason, the Board may set a non-negotiable hearing date. If the accused student does not appear, he/she will be tried in absentia, as provided for under Article II §2.02 point 8.

10. The Investigating Committee may choose to meet with some parties multiple times to gather all evidence that is relevant to the case.

Section 2.03 Provisions for Confidential Reporting

1. If the accuser is a member of the undergraduate student body, he/she has the option of having his/her name remain unknown to the accused student throughout the investigation. If the accuser chooses to exercise this option, he/she must make this clear to the Honor Board upon submission of the written violation report. This is known as Confidential Reporting (see Bylaw VI, Section 2); such an accuser is known as a confidential accuser and can be referred to as 'the accuser'.
2. If a case involving a confidential accuser is to proceed to hearing, and the Honor Board believes that the testimony and/or presence of the accuser is crucial to the case, the accuser will be asked by the IC for permission to reveal his/her identity no later than the time of evidence exchange.
3. If the accuser does not wish to disclose his/her identity to the accused, no testimony from the accuser may be submitted by the IC as evidence at the hearing.
4. The Honor Board will determine whether the hearing may continue based only on the evidence collected in the course of the investigation, or be dropped.

Section 2.04 Provision for Leaving the Institute

In the case a student severs his/her connection with the Institute before being brought to hearing, he/she shall be given the opportunity to appear before the Investigating Committee to present his/her case. If he/she fails to do this, the Investigating Committee shall conduct its investigation and consult the Honor Board Advisor regarding final disposition of the case.

Section 2.05 Dropping a Case

If the Investigating Committee for the case has collected all relevant evidence and testimony to the case and feels that there is insufficient evidence to pursue a case, the IC may motion to drop the case while the Honor Board is in session. For the motion to drop the case to be approved, it shall require a two-thirds vote of quorum present at the meeting. If such approval does not occur, the chair may appoint a new Investigating Committee to further look into the case. If the case is dropped, no further investigations shall be made concerning the case unless additional relevant evidence is obtained within 1 semester of the close of the case.

Section 2.06 Confessions

The Investigating Committee may accept a written confession from the accused student. This confession must be witnessed by two Honor Board members.

Section 2.07 Hearings

1. If the case is not dropped, and no confession has been submitted to the Board, the case will be resolved at a hearing. Hearing Procedures are explained in detail in the Hearings Procedure Manual.
2. The Investigative Committee will confer with the involved parties and set a hearing date.
3. After a hearing date is set, the date may only be changed at the request of an accused student, with a valid explanation, at least five days prior to the set hearing date.

Section 2.08 Faculty Adjudications

When a Faculty Adjudicated case is reported to the Honor Board, the Chair of the Honor Board may appoint an Investigating Committee to conduct follow-up meetings with the professor and accused student without opening a formal investigation. However, as stated in Bylaw 7.01, the Honor Board does reserve the right to fully reopen the case. If the Honor Board chooses to open a formal investigation based on a Faculty Adjudication, all investigation procedures outlined in this document shall be followed.

Article III. Confidentiality throughout Investigations

During the investigation, no specific information provided by either the Honor Board or the accused or any other person involved in the case may be made public. If information is made public, such action will be treated as a breach of confidentiality (See Bylaw II) and subject to investigation and possible prosecution.

Article IV. Presumption of Innocence

A student under investigation by the Honor Board is not in violation of the Honor System until proven so by his/her own admission or decided by a panel of his/her peers at an Honor Board hearing.