



XAVIER INSTITUTE OF ENGINEERING
A SISTER INSTITUTE OF ST. XAVIER'S COLLEGE, MUMBAI

HONOUR CODE

**FOR THE STUDENTS OF
XAVIER INSTITUTE OF ENGINEERING (XIE)**

**Ensuring Academic
Excellence and Integrity**

2019 - 2020



Purpose

The Code is established to make explicit to students what is implicit and sometime operating naturally in them, so that the Xavier Institute of Engineering functions in all its Departments with ethical honesty, fair-mindedness, and concern for the common good. The student will then be enthusiastic in studies and extracurricular activities, and will not allow falsifications, plagiarisms, and misrepresentations to mar one's conscience and the reputation of the Institute. Each student is responsible for completing the academic requirements of each course in the manner indicated by the Faculty.

TITLE I: DEFINITIONS

- A. "Accused" refers to a student or students charged with a violation of this Code.
- B. "Chair" refers to the Chairman of the Hearing Panel
- C. "Code" refers to the Students' Honor Code.
- D. "Council" refers to the Students' Honor Council.
- E. "Day(s)" refers to the College working days only.
- F. "Panel" refers to the members of a group selected [Panel selected] to hear a complaint.
- G. "Secretary" refers to the Honour Council Secretary
- H. "Student" refers to any full-time or part-time XIE students.

TITLE II: GENERAL PROVISIONS

A. Responsibility of the Institute Community:

All XIE students are responsible for reading, understanding, and upholding this Code. Students are expected to warn fellow students who do not appear to be observing proper ethical standards and to report violations of this Code. To fulfill the responsibilities of membership in the College community, faculty, students, and all other members of the community should report violations of this Code

Jurisdiction Suggested: This Code applies to all the students from the date of their admission to the Institute till the date of the Leaving Certificate.

This Code shall apply to all XIE students as defined herein throughout their enrollment and up to four years or date of last attendance.

B. Choice of Procedure

Suggested: Students charged with violations of the Code may choose to have their matter heard by a panel of members selected from the Council or by administrative hearing.

C. Faculty Role

1. Suggestion: Faculty members shall be informed of the final outcome of any Council or Panel proceedings relating to matters for which they are responsible.
2. Suggestion: Faculty members involved with Code violations are requested to provide documentation, list of witnesses, and any other information related to the case, preferably in writing.

During a pending proceeding, faculty members are encouraged to provide documents relevant to the proceedings. The faculty members are encouraged to cooperate fully in the implementation of this Code. The faculty member responsible for the course or other academic activity to which the charge relates may, and is encouraged to, file a statement, and provide any documentation, list of witnesses, or other information deemed relevant to the alleged offense. The faculty member shall present this information in writing to the Secretary.

TITLE III: VIOLATIONS

A. Policy Statement

All forms of academic dishonesty are prohibited, whether related to a written or oral examination, a thesis, term paper, and mode of creative expression, computer-based work, or other academic undertaking. Academic dishonesty includes attempting or agreeing to commit to any of the violations listed below and/or assisting another student to commit any such violation. In determining what constitutes academic dishonesty, a student should be guided by the purposes of this Code, common sense, and information provided by the faculty member.

B. Violations

1. Cheating – An act intended to deceive. Cheating includes all actions, devices, and deceptions used in an attempt to cheat. Examples include, copying answers from another student’s exam, using a cheat sheet, and getting aid or assistance from another person with respect to academic assignments.
2. Plagiarism – Representing the words or ideas of someone else as one’s own. Examples include failing to cite direct quotes properly and failing to give credit for someone else’s ideas or materials.
3. Misrepresentation – Lying to or otherwise deceiving a member of the faculty, staff, or administration for personal benefit, the benefit of another, to enhance one’s grade, or to meet other academic requirements.
4. Collusion – Working together on an academic undertaking for which a student is individually responsible. Examples include sharing information on lab projects when the projects are to be done individually.
5. Falsification of Data or Records – Tampering with, manipulating, or otherwise deceptively altering research or Institute information. It can apply to inappropriate manipulation of equipment. Data or records subject to this rule include documents, reports, and records that do not accurately represent the work performed.
6. Fabrication – Making up research results or other Institute information.

7. Disruption of Council Procedures – Examples include, failing to appear without good cause when requested by the Council, failing to keep information about cases confidential, supplying false information to the Council, accusing a student of a violation of this Code in bad faith and any attempt to compromise, threaten, or intimidate any individual associated with a Council proceeding.
8. Unauthorized or Inappropriate Use of Institute Computing Facilities – Unauthorized or inappropriate use of Institute computing facilities.

TITLE IV: HONOR COUNCIL

A. General

The Council's purpose is to hear alleged cases of violations of this Code, to determine the facts of a given case, and, upon finding a violation of this Code, to assess the appropriate penalties. The Selection and Appeals Committee will interview and select the members who will serve.

B. Members

1. Suggestion: The Council consists of six Staff members and six student members, the former selected by the Principal in consultation with Dean of Staff and Students' Welfare, HoDs and Director. The student members shall be selected by the Dean of Students' Welfare in consultation with the Principal. The Dean will be responsible for the recruitment of the pool of student applicants to serve on the Council.

C. Business Meetings

1. The Secretary shall call business meetings of the Council
2. Suggestion: The quorum for a Council Meeting is at least seven members, with at least two faculty members and two student members.

D. Vacancies and Removal of Members

1. Vacancies on the Council will be filled in the same manner as original selection.
2. Suggestion: Members of the Council could resign or be removed by the Selection or Appeals Committees or by the Secretary, for failure to be available for deliberations at the Council.

E. Secretary

1. The Dean of Students' and Staff Welfare and the Principal shall appoint a Secretary to the Council.
2. The Secretary shall draft charges, keep orderly records of all proceedings, provide such advice as may be sought by the Council, and perform other duties specified in this Code.

TITLE V: HEARING PROCEDURES

A. Policy Statement

Suggestion: Council hearings are not modeled after court of law proceedings, and no prosecuting or defense attorneys shall be permitted to participate in the proceedings. The hearings will be conducted in an amicable manner.

B. Complaint

General remark:

1. Upon observing or discovering an alleged violation of this Code, a student, faculty member, or other member of the Institute community may submit a written complaint to the Secretary of the Council. The complaint shall include a statement of:
 - a) The name of the accused, if known,
 - b) the facts underlying the alleged violation,
 - c) the names of any witnesses, and
 - d) such other factual information or documentation as may be useful in determining the truth of the complaint
2. Complainants should refrain from including their opinions or information not relevant to the alleged violation.

C. Panel Selection and Regulations

1. Upon receipt of a complaint, the Secretary shall draft a charge that includes a brief description of the alleged violation.
2. Upon receipt of the notice, Panel members shall recuse themselves if they are aware of any personal bias or conflict of interest that may affect their judgment or if they are enrolled in the course section or other academic activity to which the complaint relates. If a Panel member is challenged on this basis, a majority of the Panel, excluding the challenged member, may remove that member for cause.
3. The Secretary shall provide a copy of the charge to the complainant.
4. Within one day of the receipt of the names of the Panel members, the accused may challenge any member by submitting to the Secretary a written statement specifying why the Panel member should not serve. The Secretary shall determine if just cause exists to remove the Panel member and shall notify the accused of new Panel members. The accused, following the same procedures, has the right to object to any new Panel member.
5. Within one day of the receipt of the charge, the accused may request a change of the hearing date, time, or location by providing the Secretary with a written request specifying the reasons. The Secretary shall determine if the request provides a valid reason to alter the date, time, or location of the hearing and shall notify the accused, witnesses, and Panel members of any change in date, time, or location.
6. If a student is charged with a violation of this Code less than two weeks prior to the student's graduation, the Secretary shall make every reasonable effort to conclude the procedures under this Code prior to the student's graduation. If the procedures are not completed prior to graduation, the Institute reserves the right to delay graduation until the case is fully adjudicated.

D. Investigation

An administrative staff member of the Office of the Dean of Students shall investigate the complaint and present the results of that investigation to the Panel. The investigator should interview the accused, the complainant, the faculty member, if any, responsible for the course or other activity to which the complaint relates, and any other possible witnesses. The investigator should also review all documentary evidence available, including any statements from the

faculty member, and make appropriate additional inquiries.

E. Hearings

1. The hearing shall be held in private and the proceedings shall be confidential.
2. The accused, the Secretary, the complainant, and all witnesses must attend the hearing. The accused may choose a Institute student, faculty, or staff to attend and assist him/her. This advisor may not speak on behalf of the accused during the proceeding.
3. It is not the function of the Panel to act as prosecutor of the case against the accused, but to examine all evidence in order to ascertain the truth of the matter.
4. If a question of policy or procedure not covered by this Code arises during the course of a hearing, the Panel shall resolve the matter by majority vote of the members present.
5. The Chair of the Panel shall commence the hearing by reading the charge and any statements received from the complainant.
6. The investigator shall give a report of his/her findings. The Panel and the accused may then question the investigator. The investigator shall remain at the hearing as a resource for the Panel but shall not participate in deliberations or vote with the Panel.
7. At any time, the Panel may modify a charge to reflect the evidence; however, the student charged must be given an opportunity to respond. If a modification occurs following a hearing during Panel deliberations, the hearing shall be reopened to allow a response by the student charged.

F. Plea

1. Upon receipt of the charge and at any time before the hearing, the accused may admit or deny the charge, in whole or in part.
2. If the accused enters a plea of responsible when charged by the Secretary, the Panel may elect not to hear witnesses or the complainant. After admitting the charge, the accused shall have the opportunity to present evidence of mitigating circumstances before the Panel retires to deliberate on a sanction.

3. The accused student shall have the opportunity to question the complainant and witnesses and submit statements or evidence to prove innocence.
4. If the accused fails to appear at the hearing, or refuses to enter a plea or speak on his/her own behalf, the Panel shall enter a plea of not responsible for the accused and proceed with the hearing. If the accused remains silent, no inference may be drawn from this silence.

G. Witnesses

1. The Panel shall hear from any witnesses involved in the case. The accused will have the opportunity to question any witness. Witnesses may refuse to answer a question if they believe the answer might incriminate them as it relates to the Code or to possible criminal proceedings. A student witness called by the Panel may be sanctioned by the Panel for refusing to appear without good cause. The Panel shall determine if the witness's reasons constitute good cause.
2. The Panel may consider an affidavit or written statement against the accused only if the person giving the affidavit or statement has good cause to justify the inability to appear in person to testify before the Panel. The Panel may not consider any such document unless they have advised the accused of its content and the name of the person making the affidavit or statement three working days before the hearing. They must also give the accused an opportunity to rebut any fact contained therein or inference that might be drawn therefrom.
3. All evidence that is pertinent to the matter under consideration may be heard, whether or not it would be admissible in a court of law.
4. Irrelevant evidence shall be excluded, whether or not it would be admissible in a court of law.

H. Deliberation

1. When the Panel is satisfied that it has heard all available evidence in a case, the accused and complainant will be allowed to make closing statements before the Panel retires to deliberate. The Panel shall find the accused responsible only if it finds clear and convincing evidence of responsibility. A majority vote is required to find the accused responsible and to assess a penalty.

2. The burden of proof in a hearing shall be on the Dean of Students Office. In reaching its decision on responsible or not responsible, the Panel shall consider only the evidence or information presented at the time of the hearing.

I. Finding of Responsible – Mitigation Hearing

An individual who enters a plea of responsible or whom the Panel has found responsible shall be given an opportunity to present evidence relevant to the determination of the penalty.

J. Dismissal and Finding of Not Responsible

1. The Panel shall dismiss the complaint before hearing evidence if it determines, by majority vote of those present, that the passage of substantial time between the alleged violation and the filing of the complaint has materially prejudiced its ability to reach a fair decision in the case.
2. If the Panel dismisses the complaint or finds the student not responsible, no record of any complaint shall appear in the student's file or other official Institute record.
3. If the student is found not responsible and a failing grade or an incomplete has been given as a result of the charge, the Panel may suggest that the faculty member review the grade.

K. Rights of the Accused

1. The accused has the right to question any complainant and the witnesses.
2. The accused has the right to call witnesses and to present evidence. An accused may make a written request that the Panel call specific witnesses if those witnesses have refused to appear. If the Panel believes the witnesses requested are material in the defense of the accused this request will be honored. The Panel shall determine a witness's materiality based on the statement the accused presents.
3. If the accused remains silent, no inference may be drawn from this silence.
4. The accused, if found responsible, has the right to review the written summary of the evidence upon which the finding of responsible and penalty are based. The Chair of the Panel shall prepare the summary.

L. Penalties

Penalties for a Code violation shall be based on the severity of the violation and may consist of one or more of the following:

1. Expulsion from the Institute: Permanent dismissal from the Institute without a right to future readmission under any circumstances. A student who has been expelled is also barred from campus visiting privileges.
2. Suspension from the Institute: Mandatory separation from the Institute for a period of time specified in an order of suspension. An application for readmission will not be entertained until the period of separation indicated in the suspension order has elapsed. Readmission is subject to the approval of the Institute. During the period of suspension, the student is barred from campus visiting privileges unless the Dean of Students or the Dean of the Graduate School grants specific permission.
3. Disciplinary Probation: A disciplinary sanction serving notice to a student that his/her behavior is in serious violation of Institute standards. For the time period indicated in the sanction any further violation of Institute policies and regulations may result in Suspension or Expulsion from the Institute even if the second violation, standing alone, might result in a lesser penalty.
4. Disciplinary Warning: A disciplinary sanction serving notice to a student that his/her behavior has not met Institute standards. This sanction remains in effect until the conclusion of a designated number of semesters of attendance after which it is removed from the student's file.
5. Fines: Penalty fees payable to the Institute as directed by the adjudicating body for violation of certain regulations. Such fines are additional to any administrative charges imposed by the Institute.
6. Restitution: Payment made for damages or losses to the Institute, as directed by the adjudicating body.
7. Restriction or Revocation of Privileges: Temporary or permanent loss of privileges including, but not limited to, the use of a particular Institute facility or campus, visitation privileges, and parking privileges. All recommendations of restriction or revocation of privileges must be approved by the Dean of Students' welfare.

8. Revocation of a degree: Where good cause such as fraud, deceit, or error is shown and the student is afforded a hearing under this Code, a student's degree may be withdrawn.
9. Counseling Intervention: When a student's behavior indicates that counseling may be beneficial, the student may be referred to the Counseling Center. The Institute reserves the right to withdraw a student whose continuation in school, in the Institute's judgment, is detrimental to the health or safety of the student or others.
10. Institute Service.
11. Other Action: Disciplinary action not specifically defined in this section but approved by the Dean of Students. Students placed on Disciplinary Probation, or Disciplinary Warning may be required as a condition of probation to attend follow up counseling sessions or present educational workshops. Examples include loss of the privilege of representing the Institute or of participating in extra-curricular activities.

M. Maintenance and Retention of Disciplinary Records

1. The Office of the Dean of Students shall maintain records of disciplinary action as follows:
 - a) Disciplinary Warning – maintained for specified number of academic semesters in which the student is in attendance.
 - b) Disciplinary Probation – maintained for two years after student graduates or withdraws from the Institute.
 - c) Suspension and Expulsion – maintained indefinitely.
 - d) After the time periods specified above, the Office of the Dean of Students will remove the record of disciplinary action from its files. However, other offices within the institution may have knowledge or records that indicate that a student has been subject to disciplinary action.
2. Failure to comply with any of the conditions of a penalty may result in additional charges.

3. In assessing penalties, the Panel may consider prior findings of responsibility under this Code or any similar Code or Institute policy.

N. Panel's Decision

1. The Panel's decision shall be made within seven working days after the hearing. However, when considering complaints involving more than one accused, the Panel may postpone judgment until the completion of the hearings for all students under the given complaint.
2. The Secretary will notify the accused and the complainant in writing of the Panel's decision and will include a written summary of the evidence.

TITLE VI. ADMINISTRATIVE HEARING

A student alleged to have committed an offense may opt for an administrative disposition of his/her case without a panel. The student must select this option in writing within three (3) days after being provided with the charge document. The Dean and Secretary shall then meet with the student and reach a decision based upon the available information presented by the investigator and by the Secretary of the Council. If the Dean makes a finding that the student is responsible of the offense and that a sanction should be imposed, the student shall be afforded a mitigation hearing with the Dean before a final determination is made. The student shall be informed in writing of the Dean's decision. Students may appeal the decision of the Dean pursuant to the appeal procedures; however, students who appeal an administrative decision are not afforded the right to a hearing before the Council.

TITLE VII. APPEALS

A. Selection and Appeals Committee

The Selection and Appeals Committee consists of the Dean, Heads of the Department, an Alumni and a student representative appointed by the Principal. The student representative may not be a member of the Council.

B. Procedures

1. Appeals may only be taken from a Panel's decision finding responsibility or from penalties arising from the violation. Only the accused may appeal.

2. Appeals shall be in writing and addressed to the Selection and Appeals Committee and must list specific grounds for the appeal.
3. The only grounds for appeal shall be:
 - a) Failure to follow the procedures of this Code,
 - b) newly discovered evidence, and
 - c) excessive penalty for the offense.
4. The appeal must be submitted within three (3) days of receipt of the hearing summary to the Graduate Student Honor Code Selection and Appeals Committee, 244 Ashe Building.

C. Appellate Hearings

1. The Selection and Appeals Committee shall have three days from the receipt of an appeal to decide whether it is timely and based upon proper grounds. If these criteria are met, the Selection and Appeals Committee or their appointees shall reconvene.
2. The Selection and Appeals Committee may extend the time for filing if the student submits a written request specifying the reasons for the extension.
3. The Secretary provides the hearing summary to the Selection and Appeals Committee.
4. The Selection and Appeals Committee shall question and hear from the accused and the Chair of the Panel.
5. The Selection and Appeals Committee may:
 - a) Affirm the Panel's decision;
 - b) Reduce the penalty;

- c) Refer the case back to the Panel for appropriate action; or
 - d) Dismiss the matter (which shall result in removal of charges from all Institute records).
6. The decision of the Selection and Appeals Committee shall be final.

TITLE VIII. PUBLICATION OF CONVICTION AND PENALTIES AND AMENDMENT PROCEDURES

A. Publication

The Secretary of the Council shall be responsible for preparing and releasing such reports.

B. Amendment of this Code

- 1. The Code may be amended solely by formal action of the Principal of the Institute following approval of the Governing Council of the Institute.

C. Effective Date

This version of the Xavier Institute of Engineering Student Honor Code is effective as of Odd Semester 2019.