

FREQUENTLY ASKED QUESTIONS ABOUT THE HONOR CODE AND THE HONOR BOARD

The UB School of Law Honor Code outlines the process and procedures for adjudicating Honor Code Complaints. This “FAQ” sheet is designed to answer common questions in a summary format. For complete details, please consult the Honor Code itself.

1. How does the Honor Board decide to investigate someone?

The Honor Board receives complaints from students and faculty who believe a violation of the Honor Code may have taken place. Once a complaint is received, members of the Board are assigned to investigate the allegation, and present their findings to a Preliminary Review Panel of Board members.

2. How do I report something to the Honor Board?

You are encouraged to verbally report any complaints right away to the exam proctor, to the Associate Dean, to the Honor Board Advisor (Rebecca Bainum) or to any member of the Honor Board. Complaints must be eventually be in writing on the Honor Code Complaint form on the Honor Board website and then submit the form to the chair of the Honor Board or to the Honor Board advisor.

3. How does the investigation process work?

Every investigation is different, but generally the Board will assign an investigator to meet with all parties involved in the incident and to gather all relevant documentary evidence. Accused students are not required to speak with the investigator, but the

investigator can only present the information that they gather.

4. What happens after an investigation?

After the initial complaint is made and investigated, the investigator presents his or her findings to the Preliminary Review Panel which is a group of 5 members of the Honor Board. The Preliminary Review Panel is responsible for determining if there is enough evidence to move forward with a formal hearing, or if the allegation is unsubstantiated and should be dismissed.

5. If the Review Panel says the allegation should go forward, what are the options?

Once the Review Panel has determined that there are reasonable grounds to believe a violation has been committed, the accused student may go forward with a full hearing (before 3 students and 3 faculty) or may seek to resolve the issue by meeting with the Dean.

6. Can a decision from the Hearing Committee be appealed by the student?

Yes. A student has 10 days from the date the Hearing Committee issues its decision to appeal. Appeals are made to the Provost.

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7. What should I do if I am the subject of an Honor Code complaint?

Just as you are legally entitled to due process, you are entitled to obtain your own legal representation before you speak to anyone regarding an allegation and as you go through the process. The attorney must not currently be a member of the law school's full time or part time faculty.

8. How long does the process take?

From the time an investigator(s) is selected, the Preliminary Review Panel has 30 days to determine if there are reasonable grounds to move forward with the complaint. All stages of the process should occur "without unnecessary delay" and the Board makes every effort to resolve all complaints as quickly and efficiently as possible.

9. Can I have an attorney represent me? Should I?

Students may be represented by an attorney, as long as the attorney is not currently a member of the law school's full time or part time faculty. The decision of whether to retain counsel is up to the individual student.

10. What should I do if I see or know of someone doing something dishonest?

You should report all instances of academic dishonesty. Section III (L) of the Honor Code states "Failure, on reasonable belief that another student has violated this code, to report this violation either to the professor of the

relevant course, the Dean's Office, or the Preliminary Review Panel."

11. What is the most common action that is subject of an Honor Code violation?

The majority of the matters referred to the Honor Board are plagiarism or cheating on an exam.

12. Will an Honor Code violation be on my permanent record? What does that mean and will the Bar find out?

Yes. Any Honor Code proceeding that continues after a finding of "reasonable grounds" by the Preliminary Review Panel are reported to the State Board of Law Examiners. The report to the Bar includes the disposition, including dismissal, settlement or hearing.

Students who are the subject of an Honor Code proceeding should disclose that activity on their application for the bar. The School of Law reports this activity as part of the student's character certification.