

# HONOR COUNCIL

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**Mercer University**

Email: [honorcouncil@student.mercer.edu](mailto:honorcouncil@student.mercer.edu)

Fax: 478-301-5576

Campus Box 70044

1400 Coleman Avenue

Macon, Georgia 31207

## RIGHTS AND RESPONSIBILITIES

I hereby acknowledge that I have read and understand my rights and responsibilities as an accused student in an Honor Council case. These rights and responsibilities (attached) are also listed in total in the *LAIR* and in the *Honor Council Handbook*. The rights include, but are not limited to, the right to counsel (accepting the limitations on the use of said counsel), the right to remain silent, and the right to call witnesses. If I have questions concerning my rights, I am to contact my Investigator, the Chief Justice, or a faculty advisor to the Honor Council to obtain an answer. This contact must be made no later than forty-eight (48) hours before a hearing.

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Student Charged with the Alleged Violation

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Date

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Investigating Justice

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Date

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Investigating Justice

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Date

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## Rights and Responsibilities of the Charged Student

1. The student alleged to have made a violation of the Honor Code shall have the following due process rights in the event that one shall face a hearing before the Honor Council:
  - a. The right to seventy-two (72) hours notification before his/her official hearing served by a member of the Honor Council. This right may be waived by joint consent of the charged student and the Council.
  - b. The right to be presumed not responsible of Honor Code violations until proven responsible by clear and convincing evidence.
  - c. The right to due process and equal protection under the Student Government Association Constitution and subsequent legislation.
  - d. The right to be informed of all charges against him/her and to review all evidence at least seventy-two (72) hours before a hearing.
  - e. The right to confront all witnesses and to question those witnesses, as well as re-examine all evidence in the hearing.
  - f. The right to call witnesses on his/her own behalf. Witnesses are limited to Mercer University students, faculty, and staff unless prior approval is granted by the Chief Justice of the Honor Council.
  - g. The right to counsel provided that said counsel is an undergraduate student at Mercer University. Counsel may be present at the testimony of the witnesses and the charged student; however, counsel will not be permitted to answer questions in lieu of the student.
  - h. The right to remove, for cause, any member of the Honor Council from the hearing. The Honor Council shall have the right to go into executive session to decide on the motion to remove.
  - i. The right to appeal the decisions of the Honor Council. This right must be exercised within four (4) business days after written notification of the results of the hearing.
  - j. The student has the right of full free speech and therefore may choose to remain silent when questions are posed and have no inference of responsibility made from his/her silence.
  - k. The student acknowledges that the entire hearing may be recorded on analog or digital technology that may be reviewed if the final decision of the Council is appealed (see below.)
  
2. The charged student shall have the following responsibilities in the event of a hearing before the Honor Council:
  - a. A general duty to cooperate fully with the Council in all matters pertaining to hearing procedure.
  - b. A duty to be present at the hearing at its scheduled time. If the student fails to appear or to notify the Council, the hearing shall proceed in his/her absence.
  - c. A duty to answer all relevant questions frankly, fully, and honestly, remembering that false information or willful omission of evidence could carry a charge of "Furnishing False Information" and/or "Contempt and/or Disregard for Judicial Procedures" before the University Judicial System.
  - d. A duty to contact character witnesses and refer them to the investigating justice.
  - e. Harassment of witnesses, justices, instructors, or other charged students is strictly forbidden. All contact with members of the Honor Council concerning Honor Council matters must take place only between the student and the Chief Justice or his/her appointed representative.