



Where
thought
leads.

The Code of Student Rights and Responsibilities

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Preamble

Since Wofford College is a community of persons living together in a social as well as educational context, there must be a code of student responsibility. Wofford College is, however, dedicated to the maturing of men and women and the pursuit of a liberal education. Therefore, the responsibility for student conduct, both on and off the Wofford campus, rests principally with the students themselves. Wofford College has flexible policies and procedures, rather than rigid and needlessly detailed rules and regulations. Thus, the Wofford College community expects to remain open as well as to maintain order.

I. Relationships between College Code and Other Authorities

A. Civil Law

Although Wofford College is concerned with all activities of all students, both on and off campus, which constitute a part of their educational experience, Wofford College will not assume jurisdiction over activities off campus except in those rare instances in which such activities are clearly detrimental to the Wofford College community. Aside from ensuring fair treatment and providing assistance in the securing of counsel, Wofford College administration will not involve itself in students' arrest by civil authorities.

If a violation of civil law occurs on campus, Wofford College may institute its own proceedings against the offender if Wofford College's interest as determined by the Judicial Commission is clearly distinct from that of the community outside the college.

B. College Policies

Wofford College students will be subject to the policies and procedures of this institution. If any issue is not clearly addressed by the Code of Student Rights and Responsibilities, the judicial body and student body may consider the Wofford College Policies as a supplement to the code.

II. Conduct of Wofford Students While on Other College Campuses

It is foreseeable that Wofford students might violate regulations on other college campuses. Since such infractions may not violate civil law and since other colleges have no jurisdiction to punish Wofford students, the Judicial Commission is given discretion to determine jurisdiction over such violations.

III. Educational Rights and Responsibilities

A. Right of Inquiry

Students and student organizations are free to examine, to discuss and to express opinions or questions of interest to them. Furthermore, in order to bring to the campus a wide range of viewpoints on various subjects, the Wofford College community believes that no speaker invited by a campus organization should be denied free access to the campus.

A campus organization wishing to bring an outside speaker to the campus should notify the dean of students and make necessary arrangements for proper scheduling of facilities and preparation for the event. It should be realized by all persons that sponsorship of outside speakers by the Wofford College community does not imply approval or endorsement by Wofford College of the views expressed. In addition, all speakers must agree to be available for questions and answers. Wofford College, of course, cannot shield from state or federal prosecution any speaker whose utterances at Wofford allegedly violate valid laws relating to treason, sedition, obscenity or the like.

B. Right of Expression

In the interest of academic freedom and the right of peaceable assembly, Wofford College students are allowed in any public area of Wofford College, including corridors and other places set aside for public meetings, to support or protest any cause of interest to them. All student gatherings or demonstrations must be orderly and must not interfere with the legitimate pursuits of other members or guests of Wofford College. The students of Wofford College are encouraged to voice their opinions, but they should realize that they speak only for themselves and not for the student body or the Wofford College community as a whole. Participation of students in demonstrations and protests off the campus is left to their own discretion, subject only to the article above. The Wofford College name, however, is retained for official, recognized organizations and activities and may not

otherwise be used without special permission.

The publications of Wofford College, both oral and written, shall conform to journalistic ethics and to good practices of that profession. This includes the avoidance of libel and slander, indecency, undocumented allegations, attacks on personal integrity and the techniques of harassment and innuendo. With these standards, the publications of Wofford College will be free of censorship, prior restraint or advance approval of copy. The individual editors will employ their own discretion concerning editorial and news policy and will not be subject to arbitrary suspension or expulsion from Wofford College because of editorial or news policy.

C. Freedom of Association

As part of the academic freedom sought by Wofford College, students may organize themselves into any groups they wish for whatever purpose they wish. All students in an organization shall be subject individually to the rules of Wofford College and the community.

Any student has the right to associate freely with off-campus organizations without being punished or in any way harassed for this membership or association.

A student organization may apply for recognition by Wofford College by meeting the requirements for application set up by Wofford College. (Refer to Business Policies.)

1. The name of the organization, its stated purposes and the names of its principal officers must be on file in the office of the dean of students.
2. Recognized Wofford organizations shall not practice racial, sexual or religious discrimination, except as authorized by Title IX, Section 901 of the United States Code.

Recognition may be granted or denied by the Student Affairs Committee of the faculty.

Recognized organizations have Campus Post Office privileges and priority over unrecognized student organizations in the use of campus facilities for meetings and social functions. Though recognition does not entitle an organization to appropriation from college funds, only recognized organizations may apply.

IV. Social Responsibilities

A. Conduct Affecting the Person, Property or Rights of Others

Wofford students shall not lie, cheat or steal. It is the responsibility of the students to respect the persons, property and rights of others. Therefore, students will not engage in any form of activity that results in or that might naturally result in any of the following:

1. Injury to person.
2. Damage to property.
3. Interference with the normal activities of Wofford College.
4. Interference with the rights of other members of the Wofford community.

B. Alcohol Policy

Possession or use of alcoholic beverages is governed by local ordinances and state law. In addition, on-campus conduct of students and their guests relating to the possession or use of alcoholic beverages is a matter of special concern and is subject to policies and procedures set forth in a statement adopted by the Wofford Board of Trustees and appended to this code. The administration will assume jurisdiction in these cases. (The complete policy is detailed in the College Policies section of this handbook.)

C. Drug Policy

Possession or use of narcotic, mind-altering or other illicit drugs, except on prescription of a licensed physician, is prohibited by local ordinances and by state and federal laws. In addition, possession or use of these substances by Wofford College students and their guests is a matter of special concern and is subject to the college's policies. The administration will assume jurisdiction in these cases. (The complete policy is detailed in the College Policies section of this handbook.)

D. Sexual and Gender-Based Misconduct

All students have the right to work and study in an environment free from all forms of adverse discrimination. This includes any form of sexual harassment or sexual misconduct. These terms are specifically defined and explained in the Sexual and Gender-Based Misconduct Policy in this handbook.

E. Discrimination and Harassment

Wofford will not tolerate any conduct (verbal or physical) that constitutes harassment by any administrator, faculty member, staff member, vendor or student. The bias reporting form is found at connect.wofford.edu/mywofford/campuslife/biasIncident.aspx.

F. Civil Law

Students are expected to abide by civil law.

G. Gambling

Gambling on campus is not permitted.

H. Hazing

Hazing is not permitted on or off campus. Hazing is defined as any action taken or situation created by any organization or persons that would produce or result in mental or physical discomfort, embarrassment, harassment or ridicule.

I. Firearms

The possession and/or use of firearms (except where specifically allowed by state law for members of the Department of Military Science training with U.S. military weapons, rifle team members or members of the Department of Campus Safety), weapons and other propelling devices as well as explosives, such as fireworks, ammunition or chemicals that are explosive in nature, is prohibited on campus by college policy and/or S.C. law. Unauthorized use, possession or storage of any weapon on campus constitutes a violation of the code and college policy. All weapons are strictly prohibited in students' rooms and elsewhere on campus to include student and employee vehicles.

A weapon is defined as any object or substance designed to cause reasonable apprehension of physical harm to any person, inflict a wound, cause injury, incapacitate or damage personal property. Weapons include, but are not limited to, all firearms, guns, Airsoft guns, BB guns, potato guns, paint guns, pellet guns, stun guns, axes, saws, slingshots, nunchakus and knives.

Note: Wofford College reserves the right to confiscate anything it deems hazardous or dangerous.

J. Fireworks and Other Weapons

Use of fireworks and explosives is prohibited.

K. Commercial Solicitation

No soliciting, canvassing or peddling is permitted by anyone on campus without specific written permission from the dean of students or his/her designee.

L. Responsibility to Campus Safety Officers

Campus safety officers protect the college and its occupants from vandalism, theft and other harmful conduct. They are to be treated with courtesy and respect by all members of the community. It is the responsibility of students and others to comply immediately with a request to show identification cards to any campus safety officer.

V. Honor Code

Preamble

Wofford College is committed to the moral as well as the intellectual growth of its students and staff. Freedom and responsibility in such a community demand that its members embrace unambiguous principles of good conduct. Thus, the Wofford College Code of Student Rights and Responsibilities emphasizes personal integrity as its highest value, and members of the community are expected to be honest, trustworthy, responsible and honorable.

Dishonesty (lying, cheating, defrauding and/or stealing) is especially destructive of the academic process. Integrity being necessary in research, discovery and expression of ideas, Wofford College has an honor code to express its intolerance for academic dishonesty. The Honor Code requires faculty, staff and students to be honest in their own work and their use of ideas and to encourage others to do the same. The code demands a high standard of personal honor. It requires students to pledge honesty in their academic work, and it sets forth appropriate responses to those who violate that pledge.

A. Academic Dishonesty

The Honor Code at Wofford College governs academic dishonesty. Academic dishonesty is a general term referring here to any cheating, misrepresentation and/or stealing in academic or intellectual work submitted by a student of Wofford College in courses or projects or for college publications. It also applies to dishonesty in academic activities in which students may represent Wofford College (college bowl or mathematics competitions, internships or research projects, for example), even if these activities occur when classes are not in session.

It is impossible to list all acts of academic dishonesty, but acts of academic dishonesty include:

1. Any conduct that involves the unauthorized use of information obtained by any means.
2. Unauthorized receiving, buying, selling or theft of any assignment, examination or quiz prior to its administration.
3. Unauthorized use of any electronic or mechanical device during any academic course.
4. Unauthorized collaboration on any test, assignment or project.
5. Plagiarism, which is defined as:
 - a. Verbatim repetition, without acknowledgement, of the writings of another author.
 - b. Borrowing or using information developed by another without acknowledging the source.
 - c. Paraphrasing or translating the work or thought of another writer without acknowledgment.
 - d. Allowing any other person or organization to prepare work that one then submits as his/her own.
6. Preparing any assignment for another to submit as his/her own.
7. Misrepresenting personal circumstances (such as conflicting responsibilities, personal illness or illness or death of loved ones) in an effort to avoid an assignment or deadline or as an excuse for not meeting academic responsibilities in a course.
8. Submitting for credit in a course any work previously submitted for credit in this course or in another course.
9. Any other incident of lying, cheating or stealing in the preparation or presentation of academic work.
10. Lying to members of the faculty, administration or Honor Council who are conducting an investigation or a hearing of academic dishonesty.
11. Misrepresenting personal or academic circumstances in order to gain advantage in registration for classes or to secure a course override.

B. Honor Pledge

A condition of matriculation at Wofford College is the signing of the Honor Pledge, in which students promise the faculty and fellow students they will not engage in any act of academic dishonesty. The pledge reads as follows:

I understand that Wofford College seeks to develop the character as well as the intellect of its students. I understand that Wofford students are expected to be honest, trustworthy, and honorable. Further, I understand that behavior contrary to these expectations threatens the values of the college and destroys trust among members of our campus community.

I have read and understand the provisions of the Wofford College Honor Code governing academic dishonesty. I understand that academic dishonesty reflects poor judgment and character, undermines the integrity of the academic program, and diminishes the value of the credentials of the graduates of the college.

As a sign of my membership in the Wofford College community and of my allegiance to its principle of honor, I promise the faculty and my fellow students that I will never engage in an act of dishonesty in my academic work.

As a reinforcement of the promise, students will sign work submitted in a course with the word “pledged” and their signature.

C. Honor Council

The Honor Council, a component of the student government at Wofford College, administers the provisions of the Honor Code. The council is composed of 12 students. The Honor Council is required to meet once every other week. Members of the Honor Council are selected each spring for the following year. At the beginning of the spring semester, the chair of the Honor Council will solicit the student body for applicants for membership on the council. Candidates will submit an application letter and two recommendations, one from a student and one from a faculty or staff member. The applicants are screened by the Electoral Board, which consists of the outgoing chair of the Judicial Commission, the four outgoing officers of the Campus Union, the six outgoing senior delegates of the Campus Union, the dean of students, the outgoing chair of the Honor Council, and two members of the faculty. The board will pass the names of those applicants it approves to the outgoing senior members of the Honor Council, who will elect from those approved by the board members of the Honor Council for the upcoming year. In making its selection of new members of the Honor Council, the board and the seniors on the council give primary consideration to a candidate’s moral character and commitment to the promotion of academic honesty.

The newly elected members of the Honor Council are eligible to assume their council responsibilities effective the beginning of spring semester academic holidays. The Honor Council elects its chair, vice chair and secretary. If for any reason a member of the Honor Council vacates a position, the seniors on the council will name a replacement.

The chair of the Honor Council presides at hearings of accusations of academic dishonesty. For each case, the chair appoints a member of the council to serve as prosecutor for that case. The chair also appoints a student requested by the accused student to serve as student advocate. If the accused student has no request, the chair will appoint a student advocate from the council. If for any reason the chair is unavailable, the vice chair will act in his/her place. The secretary is responsible for all records and communications from the council. The Academic Integrity Committee will appoint at least one of its faculty members to observe each meeting and hearing of the council and to give advice and guidance to the council in performing its duties. The faculty member will not vote, nor will he/she attempt to persuade the council in its verdict or sanction.

1. Reporting Procedures

While failure to report an act of academic dishonesty is not an infraction of the code, all persons in the Wofford College community are to uphold the values of the Honor Code, and they should not tolerate academic dishonesty by others.

When anyone in the Wofford College community has reason to believe that a student has committed an act of academic dishonesty, it is appropriate and right to report the matter in writing to the provost and the chair of the Academic Integrity Committee or to the faculty member involved. If the report goes to the faculty member, he/she will notify the provost and the chair of the Academic Integrity Committee. Upon receiving a report, the chair of the Academic Integrity Committee will notify the chair of the Honor Council (and the faculty member, if the report did not originate with the faculty member in question) and begin the process of adjudicating the case as described below.

Members of the Wofford College community must use their best judgment in determining whether or not acts are covered by the definitions of this code and therefore constitute academic dishonesty. Instructors who suspect that an instance of academic dishonesty has occurred will report the circumstances to the provost and the chair of the Academic Integrity Committee.

2. Adjudication

Upon receiving a report that an act of academic dishonesty may have occurred, the chair of the Academic Integrity Committee will determine whether the accused student previously has violated the code, and then will proceed as follows:

If the alleged infraction would be a first offense:

If the professor in question deems the matter warrants a sanction of suspension, he/she may choose to remand the case to the council without a preliminary meeting.

Otherwise, the chair of the Academic Integrity Committee will call for an adjudication meeting, to be attended by the professor, the accused student, a member of the Academic Integrity Committee and an advocate for the accused. The representative of the Academic Integrity Committee will chair the meeting. The advocate for the

accused must be a current student at Wofford College. The chair of the Honor Council will nominate a member of the Honor Council to serve in this role, but the accused student may at his/her discretion choose a different person to act as his/her advocate.

At the adjudication meeting, the professor in question will present the evidence of an offense, and the accused student can offer a defense. The student is not obligated to offer a defense if he/she does not wish.

If the accused student admits that he/she did commit a violation, either knowingly or unknowingly, the meeting attendees will discuss an appropriate sanction. The ultimate decision on the sanction rests with the professor in question (in consultation with the attending member of the Academic Integrity Committee); however, the sanction can be no stronger than assigning a grade of WF (non-replaceable) for the course.

If the accused student does not admit to a violation of the code or chooses not to accept the sanction selected by the professor, the case is remanded to the council for a hearing, and a recording of the adjudication meeting will be made available to the council. If all parties agree to the selected sanction, the member of the Academic Integrity Committee in attendance will file a report with the chair of the Academic Integrity Committee and the Provost's Office (and, in the case of a sanction of WF, with the Office of the Registrar), briefly outlining the facts of the case and the agreed-upon sanction.

If the alleged infraction would not be a first offense or if the preliminary hearing did not result in an agreement:

The case is remanded to the Honor Council. The faculty adviser to the Honor Council, a member of the Academic Integrity Committee designated by the chair and the prosecutor for the case will confer to decide whether there is probable cause for a charge. If two of the three agree that evidence is sufficient, the faculty adviser to the Honor Council will notify the chair of the Honor Council, who formally will charge the student and convene a court to hear the case.

If the adviser, designated member of the committee and prosecutor do not find sufficient evidence to make a charge, the chair of the Academic Integrity Committee will inform the accuser that the claim has been investigated and that no charge is being made. The matter is not recorded in the file of the accused student, and the faculty member must not consider the alleged violation in determining the student's grade in the course. Any written records pertaining to the case will be destroyed.

Unless one already was selected, the chair of the Honor Council will nominate a member of the council to serve as advocate for the accused student. The student may accept that nomination or select a different student to serve in that role.

During the academic year, the chair of the Honor Council will convene six members of the council to conduct a hearing. During vacation periods, including summer terms, the chair has the option to convene a panel with as few as three members of the council to conduct a hearing. During such periods, if the accused student wishes to wait until a full court can be convened, he/she may do so with the knowledge that the hearing may be delayed as necessary until the college is in session. The Honor Council members so appointed will be the hearing court for the case. That number shall include the council chair, but not include the prosecutor or the student advocate. Any member who has kinship or a close personal relationship with the accused student will be expected to recuse himself/herself from the case. The student will be found responsible for a violation if at least four of the six members of the council (or a 2/3 majority during vacation periods) find that a preponderance of evidence indicates the violation occurred. Otherwise, the accused student will be found not responsible.

If the process leads to the student being found responsible, the attending member of the Academic Integrity Committee will inform the hearing court of any previous conviction the offender may have for academic dishonesty, after which the court will set the sanction. At least four of the six members of the court (or a 2/3 majority during vacation periods) must concur with the sanction. If there is no agreement, the least severe punishment under consideration will be administered. The verdict and the sanction will be announced by the court to the convicted student, the prosecutor and the student advocate immediately after the court completes deliberation and makes a decision, and the chair of the council will give the student a written notice of the council's decision and sanction.

A student accused of academic dishonesty may elect to admit responsibility before or at the beginning of the hearing. In that case, the court will meet only to determine a sanction. The student may attend the meeting to make a statement or may choose to be absent, but must be present for the announcement of the sanction immediately after the court completes deliberation and makes a decision.

If the accused student is found not responsible, the verdict will be announced to the accused student, the prosecutor and the student advocate immediately after the decision is made. All materials relating to the case will be destroyed. The faculty member must not consider the alleged violation in determining the student's grade in the course.

Meetings of a hearing of academic dishonesty are closed, attended only by the members of the court, other members of the council as observers, at least one member of the Academic Integrity Committee, the accused student and the student advocate and persons invited by the court to give information or testimony. In addition, the provost may aid the prosecution, and the dean of students or an appointed representative may aid the defense. The reporting faculty member may attend the hearing at his/her discretion, but may be in the room only while he/she is giving testimony or answering questions from the council. The proceedings of the court will be audio recorded for purposes of reference. The recordings of hearings will be maintained in the Office of the Provost for two years.

D. Sanctions

Students found responsible by the Honor Council for a violation of the code that occurs in the context of a course will be subject to the following sanction or sanction

1. Grading Sanction

Mandatory withdrawal of a student from the course, resulting in the professor's assignment of a grade of WF (or F if the determination is made after the course has been completed). The council may assign one of two grading sanctions:

1. **Replaceable WF** – The student may retake the course to replace the WF in his/her Wofford GPA. Both the WF and the retake grade will be noted on the transcript.
2. **Non-Replaceable WF** – The student may retake the course; however, both the WF and the retake grade will be used to determine Wofford GPA. Both the WF and the retake grade will be noted on the transcript.

2. Suspension

Separation of a student from Wofford College for a fixed period of time determined by the court, usually from the time remaining in the academic term to an academic year in length. Wofford will not accept for credit any work undertaken at other institutions by a student during his/her suspension from Wofford College.

3. Expulsion

Permanent termination of student status. The court may allow the student to complete the current term.

4. Workshop

The court may recommend that the student complete one or both workshops listed below within 30 academic days (exclusive of exams) following delivery of sanction. The recommendation will be recorded with the sanction, and the student's completion of the workshop within the given time frame will be noted in Honor Council records.

1. **A research workshop** directed by the reference librarian on proper use of references in research and proper citation of materials used.
2. **A time management workshop.** Options for completing this workshop will be presented to the student at time of sanctioning.

Students found responsible for a violation of the Honor Code outside of the context of a course will be subject to the sanctions outlined in Article VI of the Code of Student Rights and Responsibilities.

1. First Offense

For a first offense that occurs within the context of a course, the court has the discretion to impose one of two sanctions:

(1) a grading sanction or (2) both the grading sanction and suspension from Wofford College. On the motion of the provost, a student may be expelled from Wofford College for a first offense that is flagrant or egregious. In cases where the court believes a workshop may provide the student with important skills to aid in avoiding further infractions, the court also may require the completion of one or both workshops. For an offense outside the context of a course, the court may impose any of the sanctions outlined in Article VI of the Code of Student Rights and Responsibilities except expulsion, which may only be considered upon the motion of the provost.

2. Subsequent Offense

If a subsequent offense occurs within the context of a course, the sanction is (1) both the grading sanction and suspension as outlined above or (2) both a grading sanction and expulsion from Wofford College. The court

also may require the completion of one or both workshops to demonstrate readiness for re-entry. If a subsequent offense occurs outside the context of a course, the sanction will be suspension or expulsion.

All sanctions take effect at the expiration of the 48-hour appeal period or as soon as the ruling on an appeal is made, except that if the infraction occurs late in a semester, the court may delay the beginning of a suspension or expulsion until the next term or semester. In the case of a suspension or expulsion with immediate effect, grades for the other courses in which the student is enrolled will be WF or WP as assigned by the professor, depending on whether the student is passing or failing at the time.

Students who have been suspended must apply to the registrar for re-admission at least 30 days before the date they seek to return. Wofford will not accept for credit any work undertaken at other institutions by a student during his/her suspension from Wofford under this code.

E. Communications

Prior to the resolution of a charge, all parties shall hold the names of students suspected of acts of academic dishonesty in confidence. Once each semester, the secretary of the council, with input from the chair of the Academic Integrity Committee, will provide the student body, faculty and administration with a report on the number of cases resolved and the sanctions imposed. The names of persons involved will be withheld.

When a student is found responsible for an act of academic dishonesty, all records of the adjudication meeting and/or the court, including copies of all correspondence, will be maintained in the Office of the Provost.

Formal charges of academic dishonesty will be communicated by the court to the accused student, the provost, the dean of students and the faculty or staff member teaching the course or sponsoring the academic activity. In addition to the announcement immediately after the court's decision, the results of hearings, including the verdict and the sanctions, will be communicated in writing by the court to the accused student, the provost, the dean of students, the adviser to the Honor Council, the chair of the Academic Integrity Committee and the faculty or staff member teaching the course or sponsoring the academic activity. The attending representative of the Academic Integrity Committee will notify the registrar of sanctions and, in a case involving a student-athlete, will notify the director of athletics of the results of the hearing.

Formal charges of academic dishonesty, verdicts and sanctions will be communicated by the dean of students to parents or guardians of a student unless the student is independent as determined by college officials according to the Family Educational Rights and Privacy Act (FERPA), which protects the privacy of educational records.

F. Safeguards

When a case is sent to the Honor Council for a hearing, the accused student is guaranteed the following procedural safeguards.

1. The student must be informed in writing of any charge or charges at least 72 hours before the case is heard.
2. The student must be informed orally or in writing of the procedural rights set forth in these numbered paragraphs below.
3. The student has the option of being excused from any tests or examinations for a period of 48 hours before and after the scheduled hearing.
4. The student will be represented by a member of the Honor Council, who is appointed by the chair as the student's advocate or, at the request of the charged student, the chair may appoint a Wofford student who is not on the council.
5. The student has the right to ask the court to invite persons to testify on his/her behalf regarding the facts of the case, and the court will invite such persons.
6. The student has the right to remain silent, and such silence does not constitute evidence of responsibility.
7. The student and his/her student advocate and the Honor Court prosecutor are required to exchange all evidence and materials for use in the proceeding at least 48 hours prior to the hearing.
8. The student may (and should) continue to participate in all course activities until the case and any appeals are fully resolved.

G. Appeals

The student has the right of appeal as outlined in the Honor Code. Any person found responsible for a violation of the Honor Code may appeal the verdict or sanction. The appeal must be submitted to the chair of the Academic Integrity Committee within 48 hours (excluding holidays and weekends) after the student has been notified orally by the court at the end of the hearing of the verdict or sanction. Appeals must be submitted in writing and must rest on appropriate grounds (which are exclusively those listed in section VIII.D.4 of the Student Code of Rights and Responsibilities). The Academic Integrity Committee, whose decision is final, will

consider the appeal, giving the decision in writing within one week to the appellant and to the chair of the Honor Council. The actions of the Academic Integrity Committee are limited to: upholding or reversing the verdict, imposing a lesser sanction from those listed in the Honor Code, or, in the case of new evidence, remanding the case back to the council for further discussion. In the case of a sanction of suspension for more than one term, the Academic Integrity Committee may refer the appeal to the provost, who may uphold or reverse the verdict, impose a lesser sanction from those listed in the Honor Code, or, in the case of new evidence, remand the case back to the council for further discussion.

H. Revision

The Academic Integrity Committee is charged to review the code and its workings annually and to make revisions as needed. Revisions that only correct errors of spelling, grammar or punctuation may be made by the Academic Integrity Committee. All other revisions must be approved by the faculty and by the student body at large (as determined by a campus-wide referendum distributed electronically; if voter turnout is under 40 percent, any changes approved by the faculty will be enforced without student approval).

(Revised May 2016)

VI. Sanctions

Students convicted, pursuant to due process, of violation of this code are subject to one or more of the following sanctions:

A. Fines

The maximum fine levied by any hearing board will not exceed \$1,000. Fines must be paid within 30 days of sanctioning or before the end of the academic term, whichever comes first. The amount of the fine will be determined by the hearing board in consideration of the seriousness of the infraction.

B. Referral

A student may be referred to counseling or to other appropriate resources in the community.

C. Apology

A written or oral apology to an individual(s) or an organization whose rights the student has violated.

D. Warning

A written notice that states that the continuation of conduct in violation of the code will result in more severe disciplinary sanctions.

E. Community Restitution

Hours of work to a department or office of Wofford to be performed on campus as a hearing board deems appropriate. The specified number of hours of community restitution must be coordinated through the Office of Student Affairs.

F. Loss of Housing

A student may be evicted from college housing in the event that his/her conduct creates a hazard to him/herself or is a nuisance to others.

G. Financial Restitution

Reimbursement in the form of money and/or labor for damage to or misappropriation of property.

H. Suspension

Exclusion from classes and other privileges or activities as set forth in the notice of suspension for a defined period of time. A person appealing the suspension sanction must submit a statement of such intent to the chair of the Judicial Commission within 24 hours after the verdict of suspension has been imposed. When a student has been given the sanction of suspension and has appealed this decision, the student may participate only in academic activities. He/she cannot take part in clubs, musical groups, athletics teams and other student organizations during this time period. When a student is suspended, he/she should leave the Wofford College campus within 24 hours after the final verdict of the judicial system has been determined. A suspended student is not allowed to return to campus without the written permission of the dean of students.

I. Expulsion

Termination of student status for an indefinite period of time. The conditions of readmission, if any are permitted, shall be stated in the order of expulsion. A person wishing to appeal the sanction of expulsion must make it known within 24 hours after the verdict of expulsion is reached by submitting a statement of such desire to the chair of the Judicial Commission. He/she will be permitted to remain enrolled in Wofford College. Until a response to an appeal is reached, the student may participate only in academic activities. He/she cannot take part in clubs, musical groups, athletics teams or other student organizations. When a student is expelled, he/she should leave the Wofford College campus within 24 hours after the final verdict of the judicial system has been determined. An expelled student is not allowed to return to campus without the written permission of the dean of students.

J. Suspended Sentence

In addition to the above sanctions, hearing boards have the power to suspend any or all of the sanctions upon the fulfillment of certain conditions as determined and set forth in the sanction statement of the respective hearing.

K. Records

The Judicial Commission will make public all sanctions imposed by the judicial system. The publication will include listing of any violation and accompanying sanction in a publication distributed to all students at the beginning of the semester following the sanction. In addition, persons requesting information concerning rulings may request such information, absent names, from the chair of the Judicial Commission.

L. Notification of Parents and Guardians

All sanctions will be communicated to parents or guardians unless the student is independent as determined by college officials according to the Family Educational Rights and Privacy Act (FERPA).

M. Disciplinary Probation

Exclusion from participation in activities in which one represents Wofford College or any college-recognized organization as set forth in the notice of probation for a specified period of time.

N. Other Sanctions as Deemed Appropriate

O. Failure to Comply with Sanctions

Failure to comply with the sanctions imposed upon a student will result in harsher sanctions, including suspension.

VII. Procedural Safeguards

A. Searches of Residence Hall Rooms/Apartments or Houses Leased by Greek Letter Organizations

Searches of student rooms/apartments or fraternity houses by civil authorities are governed by local, state or federal law. Searches by campus authorities may be conducted only under the following circumstances:

1. Hot Pursuit

Campus safety officers, perceiving what they reasonably believe to be a violation of this code or civil law, may pursue suspected offenders. Residence hall rooms and/or apartments (or similar areas) may be entered by campus safety officers in fresh pursuit and subjected to reasonable searches for implements or fruits of the suspected offense.

2. Warrant

In any case where there are reasonable grounds to believe that the search of a residence hall room or other campus facility will disclose the actual violation of this code or civil law or the implements or fruits of such a violation, said room or facility may be searched by warrant. A search warrant may be issued by the president of the college, the provost, the dean of students, the senior vice president for institutional advancement or the chief financial officer. It must identify specifically the area to be searched, the nature of the material for which the search is being conducted and the nature of the suspected violation. Such warrant shall be served by a campus safety officer or by a college official who did not issue the warrant, and it shall be served, if possible, in the presence of one or more occupants of the room or vehicle being searched. If the occupants are not present, the room may be searched by means of a pass key, by a member of the Department of Campus Safety and/or

residence life staff and/or college official.

3. Custodial Inspection

At reasonable intervals and on advance notice, residence hall rooms, apartments or Greek Village houses may be inspected for maintenance, repair, health or safety purposes.

4. Emergency Situations

When a college official has reason to suspect that there is an emergency, the official may enter the premises after proper identification.

5. College Official

When a college official enters a room pursuant to any legitimate purpose as provided under this section, if the official observes any code violation in plain sight, the official may charge the student with a code violation.

B. Due Process of Law

A student who is charged with violating the code is guaranteed the following procedural safeguards:

1. The student must be informed in writing of any charge or charges at least 72 hours before the hearing is held. This formal statement of charges must state the nature, time and place of the violation charges. The date, time and place of the hearing must be disclosed.
2. The student must be informed orally or in writing of the procedural rights set forth in these numbered paragraphs.
3. The student has the option of being excused from any tests or examinations for a period of 48 hours after charges are presented, for a period of 48 hours prior to the scheduled hearing and for a period of 48 hours after the scheduled hearing.
4. The student has the right to be represented by a student advocate or any other full-time Wofford student of his/her choice. (Current judicial commissioners cannot serve in this role.)
5. The student has the right in a hearing to call witnesses to testify on his/her behalf and has the power to subpoena any member of the college community.
6. The student has the right to confront his/her accuser, to cross-examine any witness and to challenge any written reports.
7. The student has the right to remain silent, and such silence does not constitute evidence of guilt.
8. The hearing shall exclude the following evidence:
 - a. Confessions obtained by coercion or deceit.
 - b. Objects or documents obtained as the result of illegal searches.
9. Records of prior criminal, social or academic infractions may be considered by the judicial system only after the finding of responsibility has been reached, when appropriate sanctions are being determined.
10. The student has the right to an open or closed hearing in an Administrative Hearing, Judicial Hearing and Appeals Hearing, at his/her own discretion.
11. The student and his/her student advocate are required to exchange lists of witnesses, discovery of evidence and retention of statements for use in the judicial proceeding with the college advocate and/or the dean of students no later than 24 hours prior to the hearing.
12. The burden of proof rests on the college advocate and/or the dean of students, and the standard of proof shall be the preponderance of the evidence.

VIII. The Judicial System

Preamble

The Wofford College judicial system is established as the forum whereby students and chartered organizations charged with violations of the Code of Student Rights and Responsibilities have alleged charges adjudicated. Members of the judicial system must be held above reproach, bestowing the utmost respect to the system they serve and the code they uphold. The protection of students' rights shall be ensured by the integrity of the process and the safeguards set forth in the code. The system shall seek to ascertain truth and rectify harms, so that Wofford College can provide a safe and free environment for students to pursue a liberal arts education.

A. Judicial Commission

1. Purposes and Duties

- To supervise all judicial processes and decide original jurisdiction in all violations of the student code.
- To serve as members, upon appointment, to a Judicial Hearing Board.
- To serve as members, upon appointment, to an Appeals Hearing Board.
- The Judicial Commission chair shall be elected by the Judicial Commission from the six elected commissioners and five appointed commissioners at the first meeting of the commission. The chair shall be the non-voting director of the judicial system, except in the case of a tie in which he/she will cast a vote. The chair will work with the Dean of Students or her designee to confirm the appointment of commissioners to each hearing. He/she will chair Judicial Hearing Board and Appeals Hearing Boards and will be responsible for leading the meetings of the Judicial Commission.
- To decide on the procedures to be followed in the appeals proceedings.
- To decide college interest concerning student violations of civil law or codes of other colleges or universities.
- To read statements of intent to appeal and to determine whether grounds are sufficient to warrant an appeal to the Appeals Hearing Board and to notify students via email of their decisions within 48 hours of the next weekly Judicial Commission's meeting, excluding student holidays or weekends.
- To meet every other week to dispose of all matters pending and for commissioners to receive hearing appointments.
- These meetings, as well as all non-administrative hearing boards, should fall on a set day of the week. The chair or adviser may call additional meetings as needed.

2. Composition

- There shall be 11 members. Six members are elected as follows: three at large from the student body and one member each from the rising senior, junior and sophomore classes. Five members are appointed by the senior or the graduating members of the Judicial Commission and the outgoing officers of the Campus Union during the month of February, following an application and interview as follows: two at large from the student body and one member from each of the rising senior, junior and sophomore classes.
- The Judicial Commission chair shall be elected by the Judicial Commission from the five elected commissioners and four appointed commissioners at the first meeting of the commission. The chair shall be the non-voting director of the judicial system, except in the case of a tie in which he/she will cast a vote. He/she will be responsible for appointments of commissioners to each case, including ensuring that all commissioners serve on 30 percent of the Judicial Court and Appeals Court hearings. He/she also will sit on each case and will be responsible for leading the meetings of the Judicial Commission.
- The Judicial Commission, upon its first meeting following elections and appointments, shall choose the vice chair from among its members. The vice chair shall serve as chair in the absence of the chair.
- The Judicial Commission, upon its first meeting following elections and appointments, also shall choose a clerk from among its members.
- All candidates for the Judicial Commission must have not been found responsible for any violation of the Code of Student Rights and Responsibilities other than an alcohol education option or parking citations.
- The members of the Judicial Commission shall not be elected members of the Campus Union, nor shall they be appointed members of the Honor Council. In the event someone becomes a dual office holder, he/she will have one week to make a choice and resign from one of the offices.

1. Removal

- Grounds of removal of a commissioner shall be negligence of duties or malfeasance in office.
- Upon petition signed by three members of the Judicial Commission, the Appeals Hearing Board must consider the merit of such a petition of impeachment and rule thereon. The three petitioners and the impeached commissioner shall not sit on the Appeals Hearing Board during the hearing for removal. If the chair of the Judicial Commission is a petitioner of the impeached, the Appeals Hearing Board shall choose an acting chair. In these hearings and in any case in which more than four members of the commission are involved, the seats of the petitioners will be taken by the president of the Campus Union and the chair of the

Honor Council. The burden of proof shall rest on the petitioners. At least a two-thirds vote of the Appeals Hearing Board shall be required to remove the impeached commissioner.

- Upon removal of a commissioner, the Campus Union Assembly shall provide for an election in the case of an elected commissioner, or for an electoral board appointment in the case of an appointed commissioner, to fill the vacancy as set forth in its constitution and bylaws unless the vacancy occurs after fall semester midterm grades are posted.

B. Judicial Hearing Board

1. Purposes and Duties

- To try all alleged violations of the Code of Student Rights and Responsibilities over which it has jurisdiction.
- To have the power to subpoena any member of the Wofford College community for the purpose of gaining information in the exercise of its duty.
- To have the power to hold any student in contempt who does not comply with a subpoena issued by the hearing board.
- Students so convicted of contempt by a hearing board will be liable to the sanctions as outlined in Article VI of the Code of Student Rights and Responsibilities. Any student convicted of perjury before the Judicial Hearing Board will be subject to the sanctions of Article VI of the code.
- To refer to the administration for further action any member of the faculty or staff who refuses to cooperate with the hearing board.
- To report all decisions to all members of the Judicial Commission, the college advocate, the student advocates and the dean of students unless covered by federal regulations.

2. Composition

- All members of the Judicial Commission.
- One administrator and an alternate appointed by the president of the college.
- Six faculty members elected by the faculty.
- Three voting commissioners, one faculty member, one administrator and the chair of the Judicial Commission shall be present to conduct a hearing.

3. Hearing Procedures

- Judicial Hearing Boards will follow Wofford College hearing board procedures.
- It is the responsibility of the accused student to contact any witnesses whom he/she desires to be at the hearing. The accused student has the right to petition the chair to subpoena any member of the Wofford community.
- All proceedings of the Judicial Hearing Board are audio taped.
- The chair presides and controls the hearing by making all rulings concerning practice and procedure during the hearing. The Judicial Hearing Board has the power to adopt certain rules for the hearings by majority. However, these rules may not be in conflict with the general rules of a hearing. The accused student must appear in person. He/she may either choose a student advocate or any full-time Wofford student to assist him/her. This individual will be able to assist the accused student in preparing for the hearing and understanding the judicial procedures.
- During the hearing, a request for a recess may be made at any time by the accused student or any member of the hearing board. If the chair grants the request, no proceedings shall continue for more than one hour without a recess unless both the accused student and the members of the hearing board agree upon the absence of a recess.
- The members of the hearing board will meet after the hearing is adjourned in closed session to determine whether the student is responsible and to determine sanctions (if appropriate). A majority is necessary for all rulings made by the hearing board.
- The standard of proof will be the preponderance of the evidence.

C. Administrative Hearing Board

1. Purpose

- To try all alleged violations of the Code of Student Rights and Responsibilities over which it has jurisdiction.
- To serve as the hearing board of original jurisdiction for alleged violations of Wofford College's Beverage Alcohol and Drug Abuse Policy.
- To hear infractions of this code that occur during summer sessions, between terms or during the week of final exams when it is not feasible to wait for the convening of the normal hearing board.

2. Composition

- Fifteen members of the Wofford College administrative staff will be appointed by the president of the college in October.

- Members will serve a term of one year, with vacancies to be filled immediately by presidential appointment.
- Administrative hearing boards will be conducted with either one of the 15 administrative members and two student commissioners or two administrative members and three of the student commissioners.

D. Appeals Hearing Board

1. Purposes and Duties

- To serve as an Appeals Hearing Board for all non-academic violations.
- To have the power to hold in contempt any student who does not comply with a subpoena issued by the Appeals Hearing Board. Students so convicted of contempt by the Appeals Hearing Board will be liable to the sanctions as outlined in Article VI of the code.
- To have the power to subpoena any member of the Wofford College community for the purpose of gaining information in the exercise of its duty.
- Any student convicted of perjury before the Appeals Hearing Board will be subject to the sanctions of Article VI of the code.
- If any member of the faculty or staff refuses to cooperate with the Appeals Hearing Board, he/she will be referred to the administration for further action.
- To report all decisions consistent with applicable laws and regulations to all members of the Judicial Commission and the dean of students.

2. Composition

- The entire Judicial Commission.
- One administrator and an alternate appointed by the president of the college.
- Six faculty members elected by the faculty.
- Three members of the Judicial Commission, two faculty members and the alternate administrator, and the chair of the Judicial Commission must be present to conduct a proceeding.

3. Appeal Process

- Any person found responsible may appeal the verdict or sanction by submitting a statement of such intent to the chair of the Judicial Commission and the dean of students within 24 hours after he/she has been notified of the verdict or sanction.
- Any member of the campus community has the right to appeal a sanction. Only the accused person has the right to appeal a finding of responsibility. The Judicial Commission must notify the student of its decision to accept or deny the request for an appeal hearing within 48 hours of the Judicial Commission's meeting via email or campus mail, excluding student holidays and/or weekends.
- A community member who wishes to make an appeal to the president of the college must submit a written request to the dean of students. The president will convene an administrative committee of the provost, the dean of students and the faculty chair of the Student Affairs Committee. This committee will make the final decision on the matter.

4. Grounds for an Appeal

- Procedural errors by the administration, which are very serious and prevented the student from receiving a fair hearing.
- Discrimination in the hearing on the basis of race, gender, age, religion, sexual orientation, handicap or national origin, which caused an unjust hearing.
- Lack of direct evidence to support the decision of a hearing board or the dean of students. In an academic dishonesty case, lack of evidence beyond a reasonable doubt must exist.
- New material evidence of which the student was not aware at the time of the hearing and which is essential to the case.
- Inappropriate sanction, including an excessively severe sanction. The statement of such intent must include stated grounds for making an appeal. If the commission (excluding those members who heard the original case) finds the grounds insufficient, it may refuse the appeal and must inform the appellant in writing.
- Due Process: Any student who has evidence that policies and procedures were not followed by a hearing board that is part of the judicial system may submit a written request to the Appeals Hearing Board to consider the verdict and/or the sanctions determined by that hearing board based on procedural safeguards in Article VII, Section B not being followed.

5. Hearing Procedures

- When the Judicial Commission grants an appeal, the chair sets the date, time and place of the hearing. He/she informs the appellant, the members of the Appeals Hearing Board and the dean of students. Notice to the appellant is sent via campus email and the date of the hearing is at least 72 hours from

the date of the letter.

- It is the responsibility of the appellant to contact any witnesses whom he/she desires to be at the hearing.
- All proceedings in the appeals hearing are audio taped.
- When the appellant is present, the chair of the Judicial Commission presides and controls the hearing by making all rulings concerning practice and procedure during the hearing. The Appeals Hearing Board has the power to adopt certain rules for the hearings by majority. However, these rules may not be in conflict with the general rules of the hearing.

If the appellant appears in person at the hearing or is represented by a student advocate, the hearing will proceed as outlined:

1. The appellant presents his/her case, which includes direct examination of the witnesses, cross-examination of the witnesses and redirect examination of witnesses.
2. The respondent presents the case, which includes direct examination of witnesses, cross-examination of witnesses and redirect examination of witnesses.
3. The appellant presents his/her rebuttal argument.
4. The respondent presents his/her redirect argument.
5. Questions are taken from the members of the hearing board only to the appellant and respondent.
6. Adjournment of the hearing.
7. Deliberations of the hearing board.
8. The chair of the Appeals Hearing Board may notify the appellant orally at the conclusion of the hearing, or he/she may defer notice for two days. However, a written statement of responsibility and/or sanctions imposed must be given by college email to the appellant within three days.

When the appellant is not present, the chair of the Judicial Commission presides and controls the hearing by making all rulings concerning practice and procedure during the hearing. The Appeals Hearing Board has the power to adopt certain rules for the hearings by majority. However, these rules may not be in conflict with the general rules of the hearing. If the appellant is not present or not represented by a student advocate, it must be confirmed that the appellant was duly notified of the hearing. If it is decided that notice was given, the hearing follows this procedure:

1. The respondent (dean of students or college advocate) reads the statement of charges.
2. The respondent presents witnesses and evidence to support the claim.
3. The respondent makes a closing statement.
4. The hearing board is adjourned and the members of the Appeals Hearing Board determine whether there was a violation of the code by the appellant. If so, they determine the appropriate sanctions.
5. The chair of the Appeals Hearing Board may notify the appellant orally at the conclusion of the hearing, or he/she may defer notice for two days. However, a written statement of sanctions imposed must be given by college email to the appellant within three days.

During an Appeals Hearing Board, a request for a recess may be made at any time by the appellant, respondent, student advocate or any member of the Appeals Hearing Board. The chair grants the request for this break, and no proceedings shall continue for more than one hour without a recess unless both the appellant and respondent agree upon the absence of a recess.

The members of the Appeals Hearing Board will meet after the hearing is adjourned in closed session to determine the student's responsibility and/or sanctions. For all rulings made in the appeals hearing, a majority is necessary.

E. First Instance Hearing Board

1. Purposes and Duties

- Upon the request of any student accused of an infraction of the code, the dean of students, in consultation with the Judicial Commission, may accept jurisdiction in lieu of the Judicial Court, subject to appeal through the procedure outlined in Article VIII, Section D3.
- In such cases the dean of students will report all sanctions to the Judicial Commission.

F. Courts for Greek Letter Organizations

1. The Greek Letter Organizations (GLO) Hearing Board exists for the purpose of trying violations of the Code of Student Rights and Responsibilities where one of their respective member organizations is being charged with such a violation that do not involve alcohol or other drugs.
2. The composition of the GLO Hearing Board shall be governed by the bylaws of these organizations.
3. The GLO Hearing Board shall have the power to subpoena members of the Wofford community when necessary to carry out their judicial processes.

4. Cases shall arise in the GLO Hearing Board with the consultation of the advisers to these Greek governing bodies as well as the assistant dean of students and/or the dean of students.
5. The rulings of the GLO Hearing Board shall be reported to the chair of the Judicial Commission within 48 hours of reaching a finding.
6. Appeals of cases arising under the original jurisdiction of the GLO Hearing Board also shall be governed by the bylaws of these organizations.
7. The GLO Hearing Board shall have the authority to recommend charges against individual members of the organizations to the Judicial Commission, to be brought before the appropriate hearing board, so as not to exclude individuals from charges for which an organization of which they are a member also is being charged in the same incident.
8. In all cases arising, the GLO Hearing Board's original jurisdiction shall not be usurped by the other hearing boards within the Wofford College judicial system, so as not to either cause problems of jurisdiction or allow organizations to be held in double jeopardy.

G. The Office of the College Advocate and the Student Advocate

1. Selection

The student advocate/college advocate shall be appointed by the Judicial Commission and shall be a full-time student at Wofford College. The Judicial Commission may appoint more than one student advocate/college advocate.

2. Purposes and Duties: Student Advocate/College Advocate

- To notify students charged with violations of the Code of Student Rights and Responsibilities, acts of the assembly and other regulations of Wofford College as to the time of the hearing, the charges, the student's procedural rights and the procedures by which the hearing will be conducted.
 - To attend to the procurement of the prosecution in the judicial proceedings of the Administrative Hearing Boards, the Judicial Hearing Boards and the Appeals Hearing Boards. In all cases of original jurisdiction, the college advocate normally shall be the prosecutor. If the college advocate cannot serve because of academic or personal commitments, the dean of students may serve in this capacity.
 - To serve in an advisory capacity when called by the Judicial Commission.
 - To present charges against students to the Judicial Commission for decision on original jurisdiction.
 - To assist students requesting representation in the judicial proceedings of an Administrative Hearing Board, the Judicial Hearing Board or the Appeals Hearing Board. If the student advocate cannot serve because of academic or personal commitments, the dean of students may serve in this capacity at the students' request.
 - To protect the procedural rights of students charged with violations of the Code of Student Rights and Responsibilities.
 - To serve as an adviser to the Judicial Commission when called.
 - To attend meetings of the Judicial Commission when requested.
 - To represent any students charged with violations at their request. Representation is not mandatory. Students reserve the right to request their own representative or to represent themselves.
1. The student advocates may not hold a position on the Honor Council or serve as a Judicial Commissioner.
 2. The student advocates shall be trained in Judicial and Administrative Hearing Board procedures and must be familiar with the Code of Student Rights and Responsibilities.
 - To serve as an adviser to the Judicial Commission when called.
 - To attend meetings of the Judicial Commission when requested.
 - To represent any students charged with violations at their request. Representation is not mandatory. Students reserve the right to request their own representative or to represent themselves.
 3. The student advocates may not hold a position on the Honor Council or serve as a Judicial Commissioner.
 4. The student advocates shall be trained in Judicial and Administrative Hearing Board procedures and must be familiar with the Code of Student Rights and Responsibilities.

H. Office of the Clerk of the Judicial Commission

1. Selection

The clerk of the Judicial Commission shall be an elected member of the Judicial Commission.

2. Purposes and Duties

- To keep records of sanctions imposed by all hearing boards of Wofford College.
- To ensure that sanctions levied by the Judicial Commission, Judicial Hearing Boards, Administrative Hearing Boards or Appeals Hearing Boards are completed in the specified amount of time.
- To report failures to complete sanctions levied against individuals to the chair of the Judicial Commission or the dean of students.

- To assist the Judicial Commission with the drafting and serving of hearing documentation.
- To record minutes at all meetings of the Judicial Commission and be responsible for the audio recording of Appeal Hearing Boards.

IX. Administrative Authority

In any case of an extreme, disruptive emergency, the president of the college, or acting president, has full authority to preserve or restore order and protect Wofford College – even by expulsion when necessary. Such emergency actions may be appealed to the Appeals Hearing Board after order has been restored.

In situations covered by special policies of Wofford College, such as those exemplified by appended statements on alcohol and drugs, the president, deans or an administrative committee may assume jurisdiction, hear cases and impose sanctions according to procedures set forth in such policy statements.

X. Amending Procedure

The power to amend this code rests with the board of trustees of Wofford College. Any member of the Wofford College community may propose amendments. Before submission to the board of trustees, all proposed amendments must be considered by the assembly members and the administration. Any amendment concerning the judicial system must be brought to the attention of the Judicial Commission before any official proceedings are initiated.