

**The Montclair Kimberley Academy, 6 Lloyd Road, Montclair, NJ 07042
Academic Honor Code & Council¹**

ARTICLE I

INTRODUCTION

This Honor Constitution is the culmination of a yearlong evaluation of The Montclair Kimberley Academy's Code of Honor. Ideally, this constitution is a living document that will change with the needs of the community.

Honor is a core value of The Montclair Kimberley Academy. The purpose of this Honor Code is to instill a sense of honor and an atmosphere of trust among all members of the community.

Honor can be difficult to define because it manifests itself in deeds more often than it does in words. We all desire a community in which trust, security, happiness, and respect are prevalent for their own sake and are practiced as second nature. To be an honorable member of MKA is to employ respect, truthfulness, and civility. While we all come from different backgrounds, religions, and systems of morality, it is our responsibility as a community to preserve the ideals that we deem necessary to maintain a beneficial learning environment.

ARTICLE II

THE HONOR PLEDGE

We at The Montclair Kimberley Academy cultivate an environment in which respect, honor, learning, and honesty are expected, practiced, and valued. As a student at MKA, I respect the right of the school to maintain this vision by creating rules that promote a respectful, trusting, and an honorable school environment. I understand that academic dishonesty, personal dishonesty, or cruelty to others is destructive to our community and hinders my personal growth. More specifically, I pledge:

- To neither give nor receive help on a test or graded assignment (before, during, and after) unless given permission by my teacher.
- To cite any outside sources and receive credit only for my own work.
- To respect others as well as their personal property and myself.
- Not to be cruel to others.

If I, as a member of this community, witness an infraction or have knowledge of a breach of the Honor Code, it is my responsibility to notify the student him/herself and encourage him or her to act accordingly or notify a faculty member/administrator. If I witness an infraction of the Code and do not report it in any way, I realize that I am in violation of the Code myself.

By upholding these provisions, I will not only maintain the respect of peers, teachers, and administrators, but also contribute to the positive atmosphere of a moral and trusting community.

Definition of Terms as used in this pledge:

Academic Dishonesty includes but is not limited to cheating on an assessment (assignment/examination), plagiarizing, or submitting someone else's work as my own.

Personal Dishonesty includes, but is not limited to, stealing, vandalism, or lying.

Responsibility means that I can inform a teacher, administrator, or the student him/herself that there has been a violation of the Honor Code.

Acting Accordingly means that a person will turn him/herself in to a teacher or administrator for a violation of the Honor Code.

¹ <http://www.montclairkimberley.org/home/about/honorcode>

ARTICLE III

THE COMMITTEE STRUCTURE OF THE HONOR SYSTEM

The Honor Council

The Honor Council has a dual responsibility to the community of The Montclair Kimberley Academy. Firstly, the Honor Council must promote the value of Honor through proactive approaches to education. Honor takes numerous forms, and the Council is encouraged to challenge itself and the school community in thinking about and acting on Honor in a variety of ways. The goal of the Honor Council is to continually promote the community's commitment to acting honorably. Secondly, the Honor Council is responsible for deciding specific cases in which Honor may have been violated. The Honor Council will:

1. Listen to each case brought before it.
2. Decide whether or not the Honor Code has been violated.
3. Decide on a consequence for the individual who violated the Code if the Honor Code has been violated.

The Honor Council will consist of the following individuals:

- 4 Seniors (including Senior Chair)
- 3 Juniors
- 3 Sophomores
- 2 Freshmen
- 2 Faculty
- 1 Administrator (non-voting)

The Honor Council will meet on a case-by-case basis. Additional meetings may be scheduled if necessary. The Honor Council must convene after elections in May to elect the Senior Chair and orient new members with committee procedures.

One of the four seniors serving on the Honor Council will be designated the Senior Chair. The method of selecting this individual is left to the discretion of the Honor Council. The primary responsibilities of the Senior Chair are to provide effective student leadership to the Honor Council and to conduct the case meetings of the Honor Council.

A quorum will consist of at least nine members (including the Senior Chair).

An MKA student is entitled to a hearing before any major disciplinary action is taken. The student and parent(s) will be notified of the Honor Council hearing, including the charges, in advance, by the Senior Chair, Dean of Students, and/or one faculty representative of the Honor Council. It is a student's obligation to cooperate with the Honor Council. Failure to cooperate or testify honestly, under the Honor Code, will be considered a separate offence. Being dishonest with the Honor Council is an extremely serious matter that can lead to expulsion. The Council will hear the facts of the case from such variety of sources as it deems appropriate, which may include both students and faculty. The student may be represented by his or her faculty advisor or an agreed upon designee, but parents are also welcome to attend. The Council will then meet in closed session to reach its determination. If a student is found guilty, the Honor Council may recommend a variety of consequences. The Council will forward a disciplinary recommendation to the Head of Campus. The final decision is made by the Head of Campus. An appeal of the final decision may be made to the Headmaster.

Under certain circumstances the Head of Campus or designee may offer a waiver of an Honor Council hearing. These circumstances include, but are not limited to:

- Cases involving sensitive issues that are inappropriate to share with a jury of students and faculty,
- Times when it is impractical to convene the Honor Council.

A waiver may be recommended by the Dean of Students or designee and granted by the Head of Campus or designee. A waiver may be offered in writing, signed by parents, with clear identification of who has granted the waiver. The Head of Campus or designee determines the disciplinary consequences in a waiver case.

The designee of the Dean of Students is the administrator directly responsible for overseeing the activities of the Honor Council. Any communication home to parents will be written by the Senior Chair of the Honor Council and co-signed by the Dean of Students or designee. Any disciplinary recommendations made by the Honor Council will be forwarded to the Head of the Upper School for a final decision.

ARTICLE IV THE ELECTION PROCESS OF THE HONOR COUNCIL

Section A - Nomination Forms

Students and faculty interested in serving on the Honor Council will nominate themselves for election. They will pick up a nomination form from the Upper School Office that will be made available during the first week of April. The form will include the following:

1. The student's name and grade level or the faculty member's name
2. Questions (Answer both questions: one page, typed, maximum for both questions.)
 - *Why do you want to be on the Honor Council?
 - *In your opinion, what does Honor mean in The Montclair Kimberley Academy's School Community?

Beyond the self-nomination form there will be no campaigning (e.g., posters, slogans, speeches etc.). The nomination forms will be due back around April 15th. Student nomination forms will be due to the Honor Council and faculty nomination forms will be due to the Head of the Upper School. Approximately one week later, the student candidates for Honor Council will be presented to the student body, and voting will take place during the last week of April with the Student Action Committee elections. The faculty candidates will be selected by the current administration during the last week of April. Election results will be effective immediately.

Section B - Restrictions

A student may not run for a position on the Honor Council if:

1. He or she is already on a formal "status" at school (honor, academic, or discipline).
2. He or she is already elected to serve on the Student Council, as a class officer, or the Executive Committee. The time commitment required for these positions would compromise the integrity of the Student Council, the class officer positions, the Executive Committee and the Honor Council.

Section C - Voting Procedures

Voting will be a two-stage process where the Honor Council votes on which student candidates will continue onto the second round, based on the applications. This will narrow the pool of candidates to a reasonable number by the review of the Honor Council. Ideally, the preliminary vote will offer twice

the number of candidates for the positions (e.g., six candidates for three positions). All students will then need to speak in front of their entire grade at a Class Meeting. The second stage will proceed as follows:

1. Freshmen candidates will be voted on at the beginning of November so that freshmen have time to adjust to Upper School life. The freshmen will serve the remainder of the year and the following year. They will not vote on cases until the second semester of their freshman year. Voters will include the present freshman class.
2. The sophomore candidate will be voted on before May 1st of his or her freshman year. He or she will serve a one-year term. Voters will include the rising sophomore class.
3. Junior candidates will be voted on before May 1st of their sophomore year. They will serve two-year terms. Voters will include the rising junior class.
4. The senior candidate will be voted on before May 1st of his or her junior year. He or she will serve a one-year term. Voters will include the rising senior class. The Senior Chair must have served at least one year on the Council and will be selected by the current Honor Council members at the first Honor Council meeting in early May.
5. The faculty candidates will be selected by the administration based upon faculty applicants.

ARTICLE V

DEFINING HONOR VIOLATIONS

Section A - General Guidelines

All violations of the Honor Code are violations, no matter the situation or the degree. The judgment as to whether an incident is an Honor Violation or not will be based on the Honor Pledge. Ignorance is not an excuse for violating the Honor Code. On the other hand, consequences might vary and should reflect the severity of the offense.

Section B – Departmental Guidelines

For its students, every academic department will prepare guidelines that describe as clearly as possible how the Honor Code pertains to the specific department. These guidelines should also clarify what “authorized” and “unauthorized” help is in regard to major projects, essays, papers, tests, quizzes, lab reports, and the like. Teachers will discuss these guidelines with their students throughout the year. If serious inconsistencies arise between differing departmental guidelines, then these should be brought to the Academic Dean for discussion.

All course syllabi and guidelines should also include a section on the Honor Code. This section should outline the departmental guidelines and clarify the role of the Honor Code in each particular class.

ARTICLE VI

PROCESSING HONOR VIOLATIONS

Whether or not an allegation of an Honor Code violation comes to the full Honor Council for consideration depends upon the severity of the allegation and/or whether or not the student admits to the violation. The Academic Dean, Dean of Students, and Senior Chair will decide whether the case will come in front of the full Board. The Head of the Upper School should be kept involved and informed in the process. In the event that an Honor Code violation goes to trial, one of the two faculty members will act as secretary. In order for a trial to occur, at least nine members of the Honor Council (including Senior Chair) must be present to hear the case.

A meeting between the Dean of Students, the Academic Dean, and the Senior Chair, will determine whether a case goes before the Executive Committee or the Honor Council when a student violates both the Honor Pledge and another major code of conduct offense. Generally, the offense deemed more egregious will determine where the case is heard.

Section A – Violations of the Honor Code

If the case does not warrant the meeting of the full Honor Council, then these procedures will be followed if the student admits to the allegation:

1. Academic and Non-Academic Violation: A meeting will be held with the person accused of the violation, the person making the accusation, the Dean of Students, the Senior Chair, and an additional Honor Council member. The accused and the accuser will meet with these people separately.
2. The full Honor Council will be notified of the cases.
3. The Head of the Upper School should be involved in each case in a manner that he or she sees as appropriate.

When an allegation has been made and the student denies the allegation, or the allegation is deemed to be serious, the student will go before the full Honor Council. The Honor Council will handle a second violation of the Honor Code while a student is on Honor Probation. Violations of the Honor Code include but are not limited to:

PERSONAL DISHONESTY: Personal dishonesty is a Code of Honor violation and is essential to the preservation of trust in a community. It is considered dishonest for a student to mislead by not telling the whole truth, not stating important, relevant information, and not making all reasonable efforts to clear up misunderstandings or unclear areas.

ACADEMIC DISHONESTY: Cheating and plagiarism are violations of the Code of Honor. In addition to disciplinary action, students who are found guilty of cheating or plagiarism may receive a grade of zero for that assessment, and may be required to redo the work in question for no credit.

THEFT: The theft of school property or the property of others, or possession of stolen property is considered a violation of the Honor Code.

Section B – Pattern of Violations

A pattern of violations of the Honor Code may be cause for more severe disciplinary action, including dismissal. In addition, the Honor Council and the Executive Committee will be given a full disciplinary report on a student who comes before them. Each committee will use that information as they deem appropriate.

Section C – Recommendations of the Honor Council

Following all Honor Council meetings, the Honor Council will forward their recommendation to the Head of the Upper School, who will then make a final decision. Students may appeal Honor Council decisions to the Headmaster. Consequences may include but are not limited to:

DETENTION: the Honor Council may assign students one or more detentions. Detentions must be served from 7:00 to 7:45 on Tuesday or Thursday morning. Any student who does not serve their detention by the due date will be assigned an additional detention. Students serving detention must be on time and in dress code, and must sit at their desks in silence. No reading, talking, writing, doing homework or sleeping. Failure to comply with these rules may result in additional detentions.

SATURDAY DETENTION: Students may be assigned one or more Saturday detentions. This detention begins at 9 a.m. and ends at 11 a.m. on a rotating schedule between the Upper and Middle Schools. This detention may be fulfilled on Sunday morning if religious obligations conflict with Saturday detention. However, this may only be done with prior approval and only when requested in advance.

COMMUNITY SERVICE: Students may be assigned some form of service for the community. This may be assigned as a particular task or the Honor Council may assign it as a certain amount of time. Honor Council may assign community service it sees fit as appropriate for the violation of the Honor Code.

OPEN FILE STATUS: In certain cases, an “Open File” is created which states that if a similar offense (e.g. cheating) is committed while enrolled at MKA, regardless of Probation status, the student may be expelled.

HONOR PROBATION: Honor Probation status is notice to students and parents that the conduct of a student has placed in jeopardy his or her continuation as an MKA student. The Honor Council for a violation of the Honor Code may place a student on Honor Probation for a specified period of time.

SUSPENSION FROM SCHOOL OR SCHOOL-RELATED ACTIVITIES: A student may be suspended from school or school-related activities if a violation of the Honor Code occurs which so undermines the trust of the community that a temporary separation from the Academy or its sponsored activities may be necessary. During the period of separation, a student must meet all academic requirements. In some cases, a student may be allowed to attend school, be suspended from participation in co-curricular activities, or be restricted during free time throughout the school day.

WITHDRAWAL: In certain cases, MKA may offer to permit a student to withdraw from school rather than to go through a disciplinary process that may lead to expulsion. Under these circumstances, the withdrawal is unconditional and final.

EXPULSION: There are a few offenses that if committed so undermine the trust and well being of the community that separation from the Academy will most likely occur. Violations of the Honor Code can lead to expulsion regardless of whether or not one is on Probation. The decision to expel is made by the Head of Campus, after a hearing by the Honor Council or a waiver of that process. An appeal of the final decision may be made to the Headmaster.

Section D - Confidentiality

The Honor Council will protect the privacy of each individual. However, the Honor Council reserves the right to publish trial results for educational purposes using false names and situations.

Three times each year, Honor Council will provide a written report to the MKA community addressing issues of concern.

Section E – Degrees on Honor Violations

A student will be placed on Open File status if his or her violation was deemed to be a minor violation of the Honor Code. A student will be placed on Honor Probation if his or her violation was deemed to be a major violation of the Honor Code. A student who is involved in an honor violation while on Open File or Honor Probation will likely receive a more serious penalty.

Section F – Review Process

The status of all students on Open File or Honor Probation will be reviewed at the end of each semester. At that time, the Honor Council will consider the nature of the offense, the length of term, and the student's progress during the time of sanctions. The Council will make one of the following decisions:

- the student will remain on Open File or Honor Probation for the next semester
- the student will be removed from Honor Probation but with an Open File Status
- the student will be removed from Honor Probation and/or Open File Status

ARTICLE VII

REMOVAL OF AN HONOR COUNCIL MEMBER

According to the self-nomination form for the Honor Council, it is expected that all members of the Council will behave honorably in all areas of their lives. If there is serious concern that a Council member is not living up to the expectations of his or her position, then it is the Head of the Upper School (in consultation with the Dean of Students and Senior Chair) who reserves the right to remove that person from the Council.

In the event that the Senior Chair is not living up to the expectations of his or her position, then Honor Council reserves the right to bring their concerns to the attention of the Dean of Students who will investigate the matter.

ARTICLE VIII

REVIEW OF THE CONSTITUTION

The Honor Constitution will be reviewed each year. Students and/or faculty can make proposed changes in writing to Honor Council directly on a specified date before May 1st. These students and faculty must be prepared to appear before the Council to explain their proposed changes. The Honor Council will evaluate each proposed change and put changes forth to the student body. The student body will vote on each proposed change separately. The Council will make appropriate changes to the Honor Constitution and the student body will vote to ratify both the Honor Code and the Honor Constitution. A plurality vote will determine renewal of the Honor Code and Honor Constitution, and a signing ceremony for the Honor Constitution will take place each September.

ACKNOWLEDGEMENTS

This Honor Code is the culmination of two years of hard work. The Committee began by writing out its own Honor Pledge. Once the pledge was written and approved by the students and faculty, the Committee went back to work to craft the Honor Constitution. Within the Constitution the Committee established an Honor Council, designed to try all Honor Code violations. Once the Constitution was finished, the Committee brought it to the students and faculty where it was voted on and then ratified. Throughout the entire process the Committee's goal was to keep as many people involved as possible. Through town meetings, Quaker-style morning meetings and advisor group surveys, students, faculty, and staff were given many opportunities to discuss the Code, ask questions and submit their concerns to the Committee.

Many, many people contributed to the project with their ideas, thoughts, questions, and concerns. The Committee charged with leading the project consisted of 14 students, 3 teachers and 2 parents. Special thanks to:

Denise Sarkor '04, Brendan McCaffrey '04, Alexis Tucker '04, Travis Huling, '04 Emily Goodman '04, Christopher Tortoriello '04, Cori Moscowitz '05, Nicholas David '05, Abigail Cohen '05, Joseph Lazauskas '06, William Wagner '06, Michael Giuliano '06, Ellen Dunn '07, Parry Sastry '07, Catherine Walsh (faculty), Carol Spencer (faculty), Sanford Lonsinger (faculty), Linny Andlinger (parent), and Laura Phillips (parent).

Throughout the entire process of writing the Code, the Committee used David B.L. Gould's A Handbook for Developing and Sustaining Honor Codes. This handbook acted as a template for the Committee, giving it ideas and tips on how to develop an Honor Code that would work for MKA and its students.

While the Committee did the actual writing of the Code, none of this would have been possible without the flexibility and guidance of the administration. Thank you to Dr. Peter Greer (Headmaster), Charlene Charlton (Head of Upper School), and David Flocco (Assistant Head/Dean of Students) for allowing the students to truly take control of this Honor Code and turn it into a document that we can all be proud of.

And finally, thank you to every student, faculty member and administrator who took concern over the Code and voiced those concerns to the Committee. Without the support and input of the MKA community, this Code could never have been written and would certainly not have a place at MKA.

Ratified, May 2004