

### An Educational Process, Not a Legal One

The Undergraduate Honor Code process is less formal than a criminal proceeding. The Office of Undergraduate Academic Integrity provides a supportive and welcoming atmosphere for students, faculty and parents of students reported. Students should know the more serious charges tend to be accompanied by more formal processes. All members of the University community should know that the decision making process involved in alleged Honor Code violations is that of a hearing and not a trial. The expectation is that this will create a supportive and non-adversarial environment for which a decision can be made based on the details and facts of the case.

- The Undergraduate Honor System process is designed to be educational and not punitive. We strive to help our students better understand the impact of his or her actions and how to avoid any subsequent violations of the Virginia Tech Undergraduate Honor Code. Instances of academic misconduct represent behavior that is of an especially serious nature. Sanctions assigned in instances of academic misconduct should convey the message that this behavior serves as a destructive force within the academic community. However, a wide range of sanctions can be employed in order to strike an appropriate balance between sending a message of accountability and enhancing a student's moral and cognitive development.
- Attendance at Virginia Tech is not a right; it is a privilege. As such, removal of a student from campus through a sanction of suspension or permanent dismissal is a possibility in certain instances in which a student has jeopardized the academic integrity of their self, the University community, and/or engaged in repeated violations of the Undergraduate Honor Code.
- A finding of responsible in the hearing panel process will not result in any criminal record. Additionally, findings of "guilty" or "not guilty" in the criminal system usually have no bearing on the outcome of campus judicial proceedings.
- The standard of evidence in determining an Honor Code violation is not as high as that of the criminal process. Virginia Tech's Undergraduate Honor System uses the standard of "preponderance of evidence," as opposed to "beyond a reasonable doubt." This translates to "is it more likely than not that a violation of the Honor Code did or did not occur."
- Legal rules of evidence, i.e. whether something is "admissible," do not apply in Honor System cases. The University will gather, request and utilize any information that is relevant to the case.
- Undergraduate Honor System cases are confidential, in compliance with the Family Educational Rights and Privacy Act (FERPA), which is a federal law. Students with Honor System records must sign a consent form before this information can be released to other individuals deemed not to have an educational interest.
- While students are entitled to an advisor, (someone who holds a current Virginia Tech Hokie Passport) that advisor may not represent that student. Students are expected to speak for themselves at all times during the process and any advisors disregarding these rules will be asked to leave any meeting or hearing panel.

\*Parts adapted from the ASJA publication, THE STUDENT CONDUCT PROCESS: A GUIDE FOR PARENTS, copyright 2006