

Preparing for Hearing Panel Guide for Faculty

This information is provided to help you prepare for an Undergraduate Honor System hearing panel. This guide is supplemental to the Undergraduate Honor Code Manual that details the Undergraduate Honor System hearing panel process. This guide does not replace information located in the Undergraduate Honor Code manual, nor does this document represent policy. This document is rather tips for preparing for an Undergraduate Honor Code hearing panel. Thus, you are encouraged to read the Undergraduate Honor Code manual thoroughly. If you have questions or concerns not addressed in this guide, you are encouraged to schedule a meeting with a member of the Office of Undergraduate Academic Integrity (OUAI) staff.

When a student is referred to the Honor System for an alleged violation of the Undergraduate Honor Code, the referred student has the right to contest the allegations of academic misconduct and request a hearing panel. The hearing panel is an educational proceeding, not a court of law. The process is designed to be non-adversarial and to elicit as much information as possible. The purpose of the Undergraduate Honor Code hearing panel is to determine the facts of the case, to use the preponderance of evidence to determine if a violation of the Undergraduate Honor Code did or did not occur, and, if a violation did occur, to determine an appropriate sanction that will facilitate learning and hopefully prevent subsequent violations. The University's recommended sanction for academic misconduct is an F* sanction as a student's final course grade. More severe or lesser penalties may be imposed if the circumstances warrant. A hearing panel only deviates from the University's standard sanction for rare extenuating circumstances. This may be more severe than what was recommended by the you.

If a student chooses to attend a hearing panel, receiving a greater or lesser sanction than the instructor recommended is not grounds for an appeal.

Hearing Tips:

1. If the alleged violation occurs when grades are due at the end of the semester, you should grade the assignment as if "no misconduct" occurred, and assign the student the grade they earned in the course.
2. Neither you nor anyone acting on your behalf should have any contact with a panel member, witnesses or others involved in the case regarding the alleged Honor Code violation.
3. Cases only appear before an Undergraduate Honor System hearing panel after all other options have been considered and exhausted. These cases are commonly difficult and contain complex information. Hence, faculty should keep an open mind throughout the process.
4. Your role is that of an expert witness. Please speak with confidence regarding what you observed, and what led you to report the student for an alleged honor code violation. It is then the hearing panel's responsibility to make a determination of whether or not a violation occurred.
5. Undergraduate Honor System faculty and student personnel must remain unbiased and make their determination based solely on the facts and evidence presented by the student and reporting faculty member.
6. The chairperson and/or a member of the OUAI staff will be present to ensure that the hearing panel proceedings follow the appropriate guidelines, to answer procedural questions, to provide

background information when needed, to ensure that the hearing panel deliberations are free of bias, and to assist participants of the hearing panel. These individuals do not have a vote nor do they make a determination of whether or not the student is responsible for academic misconduct and/or the appropriate sanction.

7. Undergraduate Honor Code hearing panels are confidential and all materials from the hearing panel will be collected to preserve confidentiality.

Preparation:

1. You are encouraged to schedule a meeting with a member of the OUI to address any concerns or questions you may have. Please call the OUI at 540-231-9876 or send an email to honorsys@vt.edu.
2. You will have the opportunity to inspect and review the case file. This information will be provided to you at least (2) business days prior to the hearing panel.
3. Please provide any relevant documents that you would like included in your file to the OUI at least (2) business days prior to the hearing panel.
 - a. Documents that may be useful during a hearing panel include the following;
 - i. Course syllabi, instructions for assignment/ exam in question and copies of materials in question.
 - ii. If a student is accused of plagiarism, we recommend you highlight/ underline copies of the student's work and the work that has been allegedly plagiarized.
 - iii. If the student is accused of cheating on an examination, it might be helpful to have copies of the material or other evidence that supports the allegations of cheating if you have that information. If you observed the student allegedly cheating, it may be useful to simply write the actions that you observed and submit them to the OUI prior to the hearing panel.
 - iv. Sometimes, seeing how other students responded to questions on an assignment/ examination might be useful in determining the "preponderance" of evidence that cheating has occurred. You may consider being prepared to discuss how other students in your class responded to a particular question.
 - v. When discussing this with the hearing panel, be confident in what you observed.
4. Many cases require information and verbal clarification from you. In these situations, your verbal account may be one of the most important pieces of information at the hearing panel. You should use your discussion with the hearing panel to support the material that you have provided. Your discussion may reiterate much of what you have stated on your narrative or on the violation report form, but will also give you an opportunity to clarify information.
5. You should have an idea of how the student was performing in the class. Hearing panel members may deem the student's performance in the course relevant to determine an appropriate outcome.
6. You should know that students who are reported to the Undergraduate Honor System have the right to know the name of the person who reported the alleged act of academic misconduct and may also view any and all information contained in their student case file. Some cases can be adjudicated without the accused student knowing the name of the person who has reported them. If a case cannot be adjudicated without the name of the person who has reported the

student being known, we will notify you and the student who discovered the alleged academic misconduct.

7. In cases in which the only piece of evidence for the violation was witnessed by another person or reported to you, it is best if the witness can attend the hearing panel to provide a statement.
8. The Undergraduate Honor System hearing panel consists of student and faculty panel members, with students carrying the majority vote. These hearing panels typically last about an hour and a half, but can last up to two hours.
9. The standard of evidence used in UHS hearing panels is the preponderance of evidence. This standard means it is more likely than not the student committed an act of academic misconduct.
10. A Faculty member may have one advisor who is a member of the University community who possesses a valid Hokie Passport present at the hearing. The advisor may not participate in the proceedings. The advisor's role is specifically limited to conferring with his or her advisee.

Order of Hearing:

1. The chairperson will read the charges.
2. The chairperson will ask the accused student to make a plea in response to the charges. The student may plead responsible, not responsible, or no plea.
3. The chairperson will ask the hearing panel members to introduce themselves.
4. The chairperson will ask the course instructor who is leveling the charge to give a brief overview of the events that led him/her to report the student for an alleged Honor Code violation.
5. Information will be presented against the accused, which may include a statement from witnesses and supporting information on the charges. The accused may ask questions of the witnesses or question the information presented.
6. The hearing panel members may also ask questions of the course instructor and/or witnesses.
7. The accused may present a response that may include the statement by witnesses and supporting information.
8. All witnesses will be called separately and may not hear each other's statement.
9. Examination and questioning by members of the hearing panel may follow any witness statement or information presented.
10. The hearing panel members may ask the course instructor and/or student questions during this phase.
11. The course instructor will be asked by the chairperson if they have any additional information or comments that they would like to present to the hearing panel.
12. The student will be given the final word prior to deliberation by being asked by the chairperson if they have any additional information and/or comments that they would like to present to the hearing panel.
13. The hearing panel will go into a closed session to determine if the student is responsible for a violation of the Undergraduate Honor Code. If the student is responsible, the hearing panel must then determine the appropriate sanction. These deliberations will be closed to all but the members of the hearing panel, non-voting chairperson and non-voting members of the OUAJ.
14. The decision regarding whether a student is responsible or not responsible is made using the standard of "more likely than not" that a violation of the Honor Code has occurred.

15. The OUI will inform the accused student and reporting faculty member in writing of the hearing panel's decision within two business days.