

Preparing for Hearing Panel Guide for Students

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 which 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, but rather consists of 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's (OUAI) staff.

A student who is referred to the Undergraduate Honor System for an alleged violation of the Undergraduate Honor Code may contest the allegations of academic misconduct by requesting a hearing panel. The hearing panel is an educational meeting, not a court of law or legal proceeding. The purpose of the Undergraduate Honor Code hearing panel is to determine the facts of the case, to use the preponderance of evidence standard 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 normal sanction for academic misconduct is an F* as the student's final course grade. This may be more severe than what was recommended by the instructor.

Hearing Tips:

1. You may not drop or withdraw from a course if there is a pending accusation for violating the Undergraduate Honor Code. If you have already processed the paperwork to drop or withdraw, you will be administratively re-enrolled.
2. Neither you nor anyone acting on your behalf should have any contact with a panel member, witnesses or others involved in your case regarding the alleged Honor Code violation.
3. Take the process seriously and prepare carefully. Remember that this is a professional meeting, and you should present yourself in a professional manner. Do not behave in an argumentative or disrespectful manner. If this occurs, you may be asked to leave, with a decision made in your absence.
4. **Tell the truth.** You are expected to be honest at all times. Providing false representations to the University in any form, written or verbal, is considered as a violation of University regulations and may result in a subsequent Honor Code violation.
5. Remember that INTENTION is not related to acts that are violations. Even if you did not REALIZE that your actions constituted a violation, the actions themselves are what a determination of responsibility will be made from- not your intentions. Your intentions, or lack thereof, may be considered during the sanctioning portion of the deliberation process.
6. Do not be afraid to speak up, ask questions or ask for clarification if you do not understand a question or comment.
7. 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 deliberations are free of bias, and to assist participants of the hearing. 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.

8. Take notes during the hearing panel so that you can recall specific points to which you disagree with. It is acceptable to question the information brought before the hearing panel. Discuss your side thoroughly, but avoid relating irrelevant information. Be sure your statements contain information that supports why you believe that an Honor Code violation did not occur or why a lesser sanction is warranted. The Chairperson may redirect you if you get off topic or are discussing matters that are not relevant to the discussion at hand.
9. Your last opportunity to address the hearing panel is during the "Closing Remarks." Be sincere and thank the panel members for their time. During the closing remarks, you should communicate any information that you feel you have not been given an opportunity to provide.

Preparation:

1. You will receive information from the Undergraduate Honor System as to the time, date, and location of the hearing panel.
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.
4. You are encouraged to take advantage of the pre-hearing panel meeting that is offered through the Undergraduate Honor System to address any concerns that you may have.
5. We recommend that you prepare what you intend to say prior to the hearing panel. The statement should be focused and clear, outlining information that is relevant to the incident.
6. The information that you present to the hearing panel should focus on the alleged incident, this is the only information that the hearing panel will consider.
7. 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.
8. The purpose of the hearing is not to review your alleged grievances of the process. The purpose is to evaluate the case and determine whether it is more likely than not that an honor code violation occurred.
9. You may also provide witnesses to speak on your behalf; however, the witness must be able to speak directly to the incident that occurred. Character witnesses will not be allowed.
10. A student 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 testimony of 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 testimony of witnesses and supporting information.
8. All witnesses will be called separately and may not hear each other's testimony.
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 Director of the Office of Undergraduate Academic Integrity notifies the student in writing of the hearing panel's decision and sanctions (if the student is found responsible), normally within two business days after the hearing. Notification of the hearing panel's decision is sent to all parties involved in the case, including the student, the faculty member/instructor, the student's department head, the faculty member's department head, the student's dean(s), and the University Registrar.