

HARPUR COLLEGE ACADEMIC HONESTY HEARING PROCEDURES

Academic honesty charges may be submitted by either faculty or students to the Academic Honesty Hearing Board. The Chair convenes a Hearing Board upon receipt of signed written charges and supporting evidence submitted by faculty or teaching graduate assistants; by students who believe they have been unjustly accused of academic dishonesty, or by students who believe they have witnessed instances of academic dishonesty and who wish to bring this to the attention of the Board.

A Hearing Board consists of four Harpur College faculty and two Harpur students. The Honesty Board Chair and Secretary are selected by the Associate Dean and approved by the Honesty Committee, the policy-making body for honesty policy. The Chair may vote only to make or break a tie. The Secretary does not vote at Hearing Boards.

The following steps occur when a case goes to the Hearing Board.

NOTIFICATION TO THE STUDENT AND ACTIONS PRIOR TO THE PROCEEDINGS

The Chair or the Chair's designee informs those charged in writing of the charge. This notification is sent in sufficient time and with sufficient information to allow the student adequate time to prepare for the hearing. The notification includes the case information and evidence and the date, time and location of the hearing. All cases will be addressed by the Board. Cases will proceed when students do not appear if it may be reasonably assumed a student received notification of the hearing.

1. Only the principals, that is, the person(s) bringing the case and the student(s) charged, may speak at the hearing. However, students may at their choosing have a Binghamton University student, faculty or staff member attend the hearing in an advisory capacity. This person may not address the Board.
2. Students have the right to request that all persons involved in the case be present at the hearing. Students have the right to question witnesses.
3. In unusual circumstances where the student or the faculty member is not on campus for an extended period of time, the Board may convene a hearing with the submission of written statements from both sides, with parties participating via teleconference or videoconference. The procedure selected shall be at the discretion of the Chair, who will take into consideration the circumstances of the parties and the particulars of the case.
4. Students may challenge the impartiality of Hearing Board members and Hearing Board members may recuse themselves from cases where they determine they cannot render an impartial decision.
5. Students are advised of the honesty procedures and policies as outlined here in an information packet sent prior to the hearing.

PROCEEDINGS OF THE HEARING BOARD

The Chair asks the student if he or she has received all the relevant case information and the information on honesty policies and whether he or she has any questions about this before the discussion begins. Following the student's response, the proceedings consist of three parts. During the first two parts of the proceedings, the secretary shall keep a record with sufficient particularity to allow for review by the student and Associate Dean.

1. The person bringing the case discusses the circumstances and the evidence. This presentation may be supplemented by any person involved in discovering the academic dishonesty. The accused student(s) follow this presentation of the charges with their testimony.
2. The Board asks questions of both sides. The person bringing the case and the charged student may also question each other and exchange comments.

The full hearing is concluded with the student having an opportunity to make a final statement. The principals are then excused.

3. The Board continues in a closed discussion to discuss the testimony and the evidence, and to render a recommendation. In order to allow a candid discussion, and because its conclusions are strictly advisory in nature, the minutes of the closed session are released neither to the person bringing the charge nor to the student. However, both receive a copy of the minutes of the open session of the hearing. The Board's recommendation is based on a majority vote of those present. This recommendation is based on the preponderance of evidence in the case. However, other factors, such as an earlier record of dishonesty or any mitigating circumstances, may be considered when recommending a penalty. Board members who differ with the majority vote may submit a minority opinion, which becomes a part of the record. The Board's recommendation, along with the record of the open section of the hearing, is sent to the Associate Dean. The Associate Dean sends a copy of the open session of the meeting with her decision to the student and to the person who initiated the case.

The Hearing Board may recommend the following to the Associate Dean:

1. A student is not guilty no penalty is assigned.
2. A student is guilty and placed on honesty probation.
3. A student may be suspended and denied course registration for a specified period of time dependent on the seriousness of the violation. Graduating students may have their degree conferral delayed for a specified period.
4. A student may be expelled and have no opportunity to return to Binghamton.
5. Additional actions, based on the circumstances in the case and the severity of the infraction.

DISPOSITION OF THE CASE

Upon receipt and review of the case materials and the Board recommendation, the Associate Dean either renders a decision of guilty and assigns a penalty, or renders a decision of not guilty. The Associate Dean sends a letter of the disposition of the case to the student, the person who brought the charge and the Chair of the Board. Students may appeal this decision and any penalty by appealing in writing to the Dean of the College within 30 days of the decision. Appeals are submitted to the Associate Dean, who forwards them with the case file to the Dean.

Students are notified that a record of honesty violations is kept on file, and that a guilty finding may be used to determine a more severe punishment if they are found guilty of another honesty violation. They are also informed that this information will be released to other institutions should the student submit a written authorization for release disciplinary information to law schools, medical schools, state bar committees, and other professional licensing entities. Records are kept in a confidential file for six years following a student's absence from the University whether as a graduate or not. Expulsion records are kept indefinitely.