

Harpur College Procedures for Academic Honesty Hearing Board Hearings

Introduction

A first minor violation of the Student Academic Honesty Code can be handled by a faculty member by requesting that a student sign an Admission of Dishonesty Form agreeing that the student violated the Student Academic Honesty Code. In some cases, a student may not be eligible to sign an Admission of Dishonesty Form for an academic honesty offense, either because they have admitted dishonesty in a previous instance or because of the severity of the charge. In other cases, a faculty member might choose not to extend the opportunity for a student to sign an Admission of Dishonesty.

Academic honesty charges may be submitted by instructors, staff or students to the Academic Honesty Committee. The Chair convenes a hearing upon receipt of signed written charges and supporting evidence submitted by the instructor or staff member, 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 will be scheduled if a student refuses to sign the Admission of Dishonesty form or in the case of a second violation of the Student Academic Honesty Code. Some cases are handled with an administrative hearing; others are handled with a hearing before a Hearing Board. The Academic Honesty Committee of the Harpur College Council oversees both processes.

A first offense may proceed through the administrative hearing process if the charge is brought by an instructor or staff member and if one of the following is true:

- a) the evidence is largely physical evidence (e.g., a student's paper with the accompanying sources alleged to have been plagiarized; emails; a forged document; a student's exam and the exam answer key)

OR

- b) the student admits guilt

All other cases will proceed through the hearing board process.

The Associate Dean appointed by the Dean to be in charge of Academic Honesty makes the final ruling on all cases.

Hearing Board Hearings

A Hearing Board consists of four Harpur College faculty members and two Harpur students. The Honesty Board Chair and Secretary are selected by the Associate Dean and approved by the Honesty Committee, the body for overseeing honesty policy. The Chair may vote only to make or break a tie. The Secretary serves as a non-voting member.

The hearing boards are overseen by the Harpur College Academic Honesty Committee. In most cases, the chair of the Academic Honesty Committee conducts these hearings.

Prior to the hearing, the Committee Chair will gather information from the faculty member or other person bringing the charge and any others related to the case, to determine if the charges have merit and/or if they can be handled through the administrative hearing process. The Chair will notify the student of the charge(s) in writing in advance of the hearing.

Hearing boards are closed. The student(s) accused, the instructor(s) and the committee are generally present. If the charge is brought by someone other than the instructor, that person is also generally present. Students may at their choosing have a Binghamton University student, faculty or staff member attend the hearing in an advisory capacity. However, only the student that is charged may speak at the hearing.

At least two faculty members and one student representative must be present for a hearing to proceed. In cases where a graduate student has been accused of misconduct, a graduate student representative must be present as a voting member.

Notification to the Student and Actions Prior to the Proceedings

The Chair or the Chair's designee informs the student or students in writing that they are being charged with academic dishonesty. 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 as well as a copy of these procedures. Cases will proceed when students do not appear if it may be reasonably assumed a student received notification of the hearing.

Hearings are closed. However, students may at their choosing have a Binghamton University student, faculty or staff member attend the hearing in an advisory capacity. In addition to the members of the hearing board only the principals, that is, the person(s) bringing the case and the student(s) charged, may speak at the hearing.

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.

Students may submit a statement in writing for distribution to the Hearing Board no later than two days prior to the hearing.

Hearings may be held remotely if circumstances merit. Individual participants may also attend remotely if necessary. Such hearings are likewise closed, and are not to be recorded or shared. 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.

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.

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 the Associate Dean.

1. The person bringing the case to the attention of the Board may discuss the circumstances and the evidence. This presentation may be supplemented by any person involved in discovering the academic dishonesty. The accused student(s) follow(s) this presentation of the charges with their testimony.
2. The Board asks questions or seeks clarification from both parties. 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 review the statements made during the hearing and discuss the evidence, and to render a recommendation. In order to allow a candid discussion, and because its conclusions are strictly advisory in nature, the summary of the closed session are released neither to the person bringing the charge nor to the student. However, both receive a copy of the summary 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. 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.

Recommendations

The Hearing Board may recommend the following findings and penalties to the Associate Dean:

1. There is not sufficient evidence to determine that the student has violated the Student Academic Honesty Code; no penalty is assigned.
2. A student has violated the Student Academic Honesty Code and is placed on honesty probation. The Honesty Committee may recommend that a note be placed on the transcript regarding the honesty violation. The Hearing Board will recommend when the transcript notation should start

and its duration, not to exceed two years. After that period, the student must notify the university for removal of the transcript notation.

3. A student has violated the Student Academic Honesty Code and may be suspended and denied course registration for a specified period of time dependent on the seriousness of the violation. Graduating students who are suspended will have their degree conferral delayed for a specified period. Students will be permitted to finish any courses they are registered for at the time they receive their decision letter. Suspensions are noted on the student's transcript as soon as the decision is made. Students are suspended through the end of the main (Fall or Spring) semesters, and may not register for classes during any intervening period, such as Winter or Summer Session. The Hearing Board will recommend a length of time for the transcript notation, not to exceed two years. After that period, the student must notify the university for removal of the transcript notation.
4. A student has violated the Student Academic Honesty Code and may be expelled and have no opportunity to return to Binghamton. Students will be permitted to finish any courses they are registered for at the time they receive their decision letter. Expulsions are noted on the student's transcript as soon as the decision is made. The student must contact the University for removal of the transcript notation two years after the date of the decision letter.
5. Additional actions may be imposed, 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 notifies the student whether or not a violation has occurred and, if a violation occurred, the Associate Dean assigns a penalty. The Associate Dean's decision must be sent to the student within six weeks of the hearing. Students may appeal this decision and any penalty by appealing in writing to the Dean of the College within 14 calendar days of the decision. Appeals are submitted to the Associate Dean, who forwards them with the case file to the Dean.

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 Honesty Committee. Students are notified that a record of honesty violations is kept on file, and that further violations of the Student Academic Honesty Code may result in a more severe penalty. Students are also informed that this information will be released to other institutions should the student submit a written authorization for release of disciplinary information to law schools, medical schools, state bar committees, other professional licensing entities, etc. If the penalty includes a note on the transcript, the student will be provided with the earliest date by which the student may request to have the transcript note removed. 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.