Student Guide to Presenting Honor Code Violations Full-Hearing

General information
- You will be contacted via email by the Office of Academic Integrity with the date and time of the hearing. Hearings are scheduled around the student’s academic schedule provided by Banner.
- Hearings are held in room 4100 of SUB I unless otherwise specified. Please check your letter to confirm the location of your hearing.
- Full Honor Code hearings are heard by 4 members of the Honor Committee.
- Full Hearings typically last about an hour and half, but they can last longer if the case involves several students, has several witnesses, or contains complex evidence.
- The hearings are formal in nature, but they are not legal proceedings.
- All hearings are audio recorded. Deliberations are not recorded.
- Results of the hearing will be presented within the hearing. All parties must wait in the Office of Academic Integrity until the deliberation is over and the Honor Committee calls both parties back into the hearing room to read the outcome of the case. Sanctions from the hearing are not imposed until the appeal process is complete.

Role of Honor Committee advisor in the hearings:
- The role of the Honor Committee advisor (typically the Director of Academic Integrity) is to ensure that the hearing proceedings follow the stated guidelines, to answer procedural questions, to provide Honor Committee members with background information when necessary, to ensure the proceedings and deliberations are free of bias, and to assist the Honor Committee members in thinking through the evidence of the case when needed.
- The advisor does not have a voice or vote.
- The advisor does not offer an opinion with regard to students’ responsibility for the charges.

Standard of Evidence in Honor Committee Hearings:
- There is no presumption of guilt on the part of the referred student(s).
- The responsibility of “proving” the student committed the violation rests with the Faculty/Staff (referring party) – to be accomplished through providing sufficient evidence to meet the standard of evidence.
- The responsibility of “proving” the student did not commit the violation rests with the student(s).
- The standard of evidence used in HC hearings is “clear and convincing.”
  - “Clear and convincing” is a higher standard than preponderance of the evidence (i.e., more likely than not) but a lower standard than beyond a reasonable doubt.
  - The Honor Committee members will ask themselves, “Are the facts clear?” “Is the evidence strong?” “Am I convinced?”
- This standard allows for some ambiguity to be present and for Honor Committee members to make determinations about credibility of the evidence presented if there is contradictory information.
- Four out of the five Honor Committee members must agree that a student committed the violation for the student to be found In Violation of the Honor Code.

Types of Evidence
- Documentary evidence
  - Faculty/Staff (referring party) likely submitted all of the documents that support the referral when the referral packet was submitted. However, additional evidence may be presented during the hearing that came to light after the Fact and Testimony form was filed. The Office of Academic Integrity will make every effort to make sure the referred student receives any new evidence prior to the hearing. As the referred student, you will have the right to review this evidence prior to the hearing. Additionally, if you have

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information you will like to add to the evidence, you must submit it to us at oai@emu.edu
a two days in advance to allow the faculty member to have access to the new evidence.

- Documents that may be useful to you in a hearing:
  - Notes that you have used during the class
  - Study notes you have used for the exam/quiz/assignment
  - Instructions for the assignment/exam in question
  - Time stamp evidence for assignments if available
  - Email printouts of discussions with others that support your assertions

- Verbal Testimony
  - Each party will be given 15-20 minutes to present his/her case. You will need to be
    prepared before the hearing as you will not have time to “find” your supporting facts.
  - Many cases can be determined by the documentary evidence alone, but some cases are less
    clear or contain complex and technical information. In these cases, your verbal testimony
    may be the most important piece of evidence at the hearing.
  - The Honor Committee members will have reviewed all documents that have been
    submitted by both parties, but your testimony will bring that evidence to life. It is very
    important that you use your testimony to “connect the dots” for the committee members.
  - Your testimony also is your opportunity to convince the committee members that you are
    not in violation.

- Witness Testimony
  - In cases in which the violation was witnessed by another person or reported to you, it is
    best if the witness can attend the hearing to provide testimony to provide an opportunity for
    Honor Committee members and other parties involved in the hearing to ask clarifying
    questions.
  - If a witness cannot be present, you should submit a written statement to be reviewed by the
    Honor Committee members and both parties as part of the hearing process.
  - If witnesses insist on remaining anonymous, the witness account can be heard by the
    Honor Committee members, but it may not be given much weight during the deliberation
    process.

Order of the Hearing
1. Introductory remarks by the Hearing Chairperson
2. Signing of the Honesty Statement by all parties
3. Referring party presents case (15-20 minutes)
4. Questions are asked of the referring party (by the referred student and Honor Committee members)
5. Witnesses for the referring party present testimony and are questioned
6. Referred student presents case (if more than one referred student, each student will present
   separately) (15-20 minutes)
7. Questions are asked of the referred student by referring party and Honor Committee members
8. Witnesses for the referred student present testimony and are questioned
9. Closing remarks/responses to student testimony are given by the referring party
10. Closing remarks are given by the student
11. Deliberation by the Honor Committee members (all parties leave the hearing room)
12. The decision is announced by the Honor Committee Members

- Notice of the result of the hearing is typically sent within one week of the hearing date.
- Students have the right to appeal the decision and sanctions, within seven (7) business days.
- All grade-related sanctions are recommendations to the course professor.
All suspension and expulsion sanction recommendations must be approved by the Dean of Students.