

Commission on Undergraduate Studies and Policies
Resolution to Allow Administrative Resolution of First Time Honor Code Cases
CUSP 2022-23B

Draft Notice Sent to University Council Cabinet	11/28/2022
First Reading by Commission on Undergraduate Studies and Policies	
First Reading by Senate	
Faculty Senate Comment	
Staff Senate Comment	
Administrative and Professional Faculty Senate Comment	
Graduate and Professional Student Senate Comment	
Undergraduate Student Senate Comment	
Approval by Commission on Undergraduate Studies and Policies	
Approval by Senate	
First Reading, University Council	
Approved, University Council	
Approved, President	
Approved, Board of Visitors	
Effective Date	Fall 2023

WHEREAS, University Policy 6000 and the Honor Code Manual establish the procedures for enforcement of the Virginia Tech Undergraduate Honor Code; and

WHEREAS, those procedures currently allow only for two resolution processes: faculty/student resolution and hearing panel resolution; and

WHEREAS, the vast majority of honor code cases are resolved through hearing panels with sharp increases in the number of required hearing panels since 2020; and

WHEREAS, hearing panel take much time to convene and schedule and combined with the number of cases heard in this manner has resulted in long delays for case resolution in recent years; and

WHEREAS, these delays in timely resolution have created unnecessary student anxiety and other mental health repercussions and have postponed the ability of students and departments to account for the academic consequences of sanctions, disrupting student academic planning; and

WHEREAS, these delays also create pressure for students to accept sanctions that they are uncomfortable with rather than wait an extended and unknown period for a hearing panel; and

WHEREAS, the administrators in the Office of Undergraduate Academic Integrity have the experience and greater scheduling flexibility to hear cases in a swifter timeline; and

WHEREAS, the Office of Undergraduate Academic Integrity has proposed administrative review as a faster option to hearing panels; and

WHEREAS, Section 4.0 of Policy 6000 indicates that revisions of the Undergraduate Honor Code Policy should originate from the Honor Council to the Commission on Undergraduate Student Policies for consideration;

NOW, THEREFORE, BE IT RESOLVED that the following amendments, allowing the option for Administrative Resolution of honor code referrals, be adopted to Policy 6000 and the Honor Code Manual.

PROPOSED CHANGE TO POLICY 6000

Current text of Policy 6000, Section 3.2:

3.2 Resolution of Alleged Academic Misconduct Cases

Specific details related to the procedures for handling of alleged cases of academic misconduct are specified in the Undergraduate Honor Code Manual. Some core principles of this document include:

- a. All persons in the Virginia Tech academic community (students, faculty, staff, and administration) shall be responsible for reporting alleged incidents of academic misconduct that come to their knowledge.
- b. The recommended sanction for academic misconduct shall be an “F*” sanction as the student’s final course grade. More severe penalties or lesser penalties may be imposed if the circumstances warrant. Examples of other sanctions that may be applied by a faculty member include: lowered final course grade, reduction of points on an individual assignment, zero on the assignment, and the Academic Integrity Education Program. Note that the assignment of the Academic Integrity Education Program may be required in addition to either of the previous sanctions or in lieu of any other sanctions.
- c. The Undergraduate Honor System shall have the authority to adjudicate cases when cases are brought to the system and to assign the aforementioned sanctions for those found responsible for violations of the Undergraduate Honor Code. The Undergraduate Honor System may also assign suspension and/or expulsion from the university as sanctions.
- d. A student receiving an “F*” sanction may petition the Director of the Office of Undergraduate Academic Integrity to have the * removed from the transcript following the completion of the Academic Integrity Education Program.
- e. The sanction for a second offense of academic misconduct committed by a student shall normally be expulsion from the university. Under rare extenuating circumstances, the Undergraduate Honor System may assign a sanction less than expulsion for a student who has a second academic misconduct offense if the circumstances warrant. If a sanction less than expulsion is assigned by the Undergraduate Honor System, a written explanation of the hearing panel’s decision must be provided to the parties involved, including the reporting faculty member, the faculty member’s department head, the student’s department head, the student’s dean, the University Registrar, and the Executive Vice President and Provost.
- f. The Board of Visitors has the authority to revoke the degree of a former student if a finding of academic misconduct is determined after the student has graduated, and if the sanction assigned for the misconduct would have caused the student to be ineligible to receive the degree at that time.
- g. Individual faculty may resolve cases of alleged academic misconduct through the Faculty-Student Resolution Process that is outlined in the Undergraduate Honor Code Manual if the following criteria are met: the University Honor System authorizes the faculty member to meet with the student; it is a first-time offense for the student; the misconduct is not anticipated to require a sanction greater than an “F*” in the course; and the student does not request referral to the Undergraduate Honor System. Faculty who resolve cases of academic misconduct through the Faculty-Student Resolution Process shall report the outcome to the Undergraduate Honor System.
- h. Students may appeal a faculty member’s decision to the Undergraduate Honor System within the time limits specified in the Undergraduate Honor Code Manual.
- i. Cases not resolved between the faculty member and student or not resolved in consultation with personnel from the Undergraduate Honor System shall be adjudicated by a hearing panel provided by the Undergraduate Honor System. Hearing panels shall consist of representation from students and faculty, where students are in the voting majority. Hearing panels shall also be chaired by one non-voting chairperson who shall be a student.

- j. A student found responsible for academic misconduct may request an appeal hearing. The request for an appeal hearing must be made in writing to the Director of the Office of Undergraduate Academic Integrity within the time limits specified in the Undergraduate Honor Code Manual. If the appeal hearing is granted, an appeal hearing is conducted by the Honor Council. The members of the Honor Council who serve on the appeal hearing panel shall be different from the members of the original hearing panel. Students are limited to one appeal per case. The decision reached by the Honor Council in the appeal hearing is final.

Proposed Change to Policy 6000, Section 3.2 (impacts items i and higher):

- i. Students referred to the Undergraduate Honor System and meeting both criteria listed below may opt to have their case resolved at a panel hearing or by an administrator from the Office of Undergraduate Academic Integrity:
 - a. students referred to the Undergraduate Honor System for the first-time;
 - b. students who are accepting responsibility for the violation but are disputing the sanction recommended by the faculty.Requests for Administrative Resolution must be approved by the Director of the Office of Undergraduate Academic Integrity.
- j. *Administrative resolution:* The cases for students electing to participate in administrative resolutions will be heard by an Assistant Director or other designated administrator from the Office of Undergraduate Academic Integrity. Students will retain the right to appeal an administrative decision on the basis of sanctions that are not commensurate with the violation.
- k. *Panel resolution:* ~~Cases not resolved between the faculty member and student or not resolved in consultation with personnel from the Undergraduate Honor System shall be adjudicated by a hearing panel provided by the Undergraduate Honor System.~~ Hearing panels shall consist of representation from students and faculty, where students are in the voting majority. Hearing panels shall also be chaired by one non-voting chairperson who shall be a student.
- l. A student found responsible for academic misconduct may request an appeal hearing. The request for an appeal hearing must be made in writing to the Director of the Office of Undergraduate Academic Integrity within the time limits specified in the Undergraduate Honor Code Manual. If the appeal hearing is granted, an appeal hearing is conducted by the Honor Council. The members of the Honor Council who serve on the appeal hearing panel shall be different from the members of the original hearing panel. Students are limited to one appeal per case. The decision reached by the Honor Council in the appeal hearing is final.

For reference, the full Policy 6000 can be found at: <https://policies.vt.edu/assets/6000.pdf>.

PROPOSED CHANGE TO HONOR CODE MANUAL

Proposed new Section IV.D:

IV. D. ADMINISTRATIVE RESOLUTION

Students referred to the Undergraduate Honor System and meeting both criteria listed below may choose to have their case resolved at a panel hearing or by an administrator from the Office of Undergraduate Academic Integrity:

- a. students referred to the Undergraduate Honor System for the first-time;
- b. students who are accepting responsibility for the violation but are disputing the sanction recommended by the faculty.

Requests for Administrative Resolution must be approved by the Director of the Office of Undergraduate Academic Integrity. All cases where expulsion is being considered will still be required to be heard by a panel. The administrator(s) hearing these cases will be an Assistant Director or other designated administrator from the Office of Undergraduate Academic Integrity.

During the administrative resolution process, the administrator makes a final sanction decision after listening to input from the faculty member and student.

IV.D.1. Scheduling

The student will have the opportunity to schedule an administrative hearing that works with their schedule. A formal notice will be sent to the student confirming their appointment time. If the student misses the meeting due to a documented, unanticipated emergency, the student will be given an opportunity to reschedule. For all other circumstances, prior notice of at least 48 hours must be provided if a student cannot make their scheduled day and time. Should the student miss their meeting, they will not be given the opportunity to reschedule, and a decision will be made in their absence.

IV.D.2. Faculty Engagement

The faculty member(s) who initiated the academic referral will be notified that the student has selected an Administrative Hearing. The faculty member will be provided an opportunity to appear in person at the meeting or to submit a written statement.

IV.D.3. Right for a Support Person

A student may have one advisor who is a member of the University community present at the Administrative Hearing. The advisor may not participate in the proceedings. The advisor's role is specifically limited to conferring with their advisee.

IV.D.4. Recording of the Administrative Hearing

To maintain consistency, the Administrative Hearing will be audio recorded and the recording will be uploaded to Maxient.

IV.D.5. Appeal

Students retain a right to appeal and Administrative Hearing decision under IV.E.4. "Sanction(s) not commensurate with the violation."

For reference, the full Honor Code Manual is accessible at:
https://honorsystem.vt.edu/honor_code_policy_test.html.