

# Academic Violations Resolution Process

Violations of the Student Academic Honor Code that are reported by faculty members to the Dean of Student Services or other administrators are settled through the University resolution process. The process is designed to (a) provide prompt resolution of cases, (b) help the student understand both the charge and the penalty, and (c) allow the student to discuss what happened and/or contest the charge or the proposed penalty. At all stages of the process, the focus is on education, and open and frank discussion is encouraged.

This settlement process gives faculty members and students a chance to discuss why academic integrity and ethical behavior are so important to the Sofia University community.

In the process of initially considering a charge, the instructor may discuss their suspicions with the student. Once the instructor is confident that the offense took place, a formal charge must be made by contacting the Dean of Student Services who will provide a copy of the necessary paperwork to be filed. In cases of cheating on exams or other forms of academic dishonesty, it may be appropriate for faculty to approach the student during the exam or immediately afterwards; however, even in cases when the student admits to the violation verbally, the instructor is required to contact the Dean of Student Services and file the applicable paperwork.

The process for charging a student with a violation of the Student Academic Honor Code is described in a separate publication, *The Student Handbook*. The following provides only a brief description of the full process:

- When an instructor becomes aware of a possible violation of the Student Academic Honor Code, the instructor should move quickly (within ten days) to investigate the violation, including discussing the matter with the student. If suspected violations occur at the end of the quarter, the instructor may assign a grade of Incomplete and arrange to confer with the student at the start of the following quarter.
- The instructor informs the student that the purported violation is being communicated to the Dean of Student Services, who is responsible for notifying the student of the formal complaint. The student has ten business days to respond to the charge, either by assenting to the charge and proposed penalty by signing the Resolution Form, or by requesting a hearing before the Standing Ethics Committee.
- If a student charged with a violation does not respond in the specified time, the matter is immediately turned over to the Standing Ethics Committee (SEC) for a hearing. Once the SEC has determined a course of action and forwarded the Resolution Form to the Dean of Student Services, the student is provided a copy. The Resolution Form is added to the student file. (If the student is in a clinical program, the Resolution Form is also filed with the Clinical Mentor or Director of Clinical Training, whichever applies.)
- Once a student has been charged with a violation of the Honor Code, the student may not withdraw from the course in question. A hold is placed on the student's transcript until the charge has been settled.

## The Standing Ethics Committee (SEC) Hearing:

The Standing Ethics Committee (SEC) consists of a pool of nine volunteers representing three University constituencies: three faculty, three students, and three staff members. The term for membership is two years. Only three committee members, one from each constituency, is empaneled by the Dean of Student Services to hear and review a particular incident or charge. The Dean of Student Services observes and records the hearing but does not participate in SEC deliberations.

## Reporting Violations of the Student Honor Code:

Any faculty of the Sofia community may file a violation of the Student Honor Code by completing the Academic Dishonesty/Ethically Inappropriate Behavior Resolution Form (referred to as the Resolution Form), which is available in the Office of the Dean of Student Services. If a hearing before the SEC is necessary, either because the charge or penalty is disputed or because this is a second offense by the student, the Dean of Student Services will convene the SEC at the time when the participants (one member from each constituency) can attend. The three committee members will be provided copies of the case documentation submitted by the instructor and a copy of the Resolution Form.

## Nature of the Hearing:

A hearing of the SEC is intended to be an orderly, fair inquiry into the facts bearing on the case. It is not intended to be a trial concerned with technical formalities. If the accused student fails to appear after proper notice of the hearing date (within three business days prior to the hearing date), the hearing proceeds, and the committee may reach its conclusion on responsibility and the appropriate penalty based on the evidence presented at the hearing.

## Confidentiality:

Hearing proceedings are confidential. SEC members, advisors, and witnesses are enjoined from mentioning names of those involved or details that might reveal the identity of the student or faculty member, and from discussing presentations or committee deliberations, outside of the hearing.

## Presentation and Burden of Proof:

When the Committee is convened to hear a disputed charge or penalty, the faculty member referring the case presents the evidence of the offense to the SEC. The student may present counterevidence if desired. During the case hearing, either party may have a faculty, staff, or student advisor, and each party has the right to call and question witnesses. The burden of proof is on the faculty member who must establish the responsibility of the student for the violation by the evidence. (In matters of academic integrity, the evidence does not have to constitute overwhelming, irrefutable proof of responsibility, but only has to convince the SEC that the violation took place.) Faculty members may refer cases based on the testimony of other students; in doing so, however, the faculty member should make sure either that the students who provided testimony are willing to appear as witnesses at the hearing or that there is corroborating evidence that substantiates the charge. Other procedures for due process shall be followed, and records (including a recording of the hearing) shall be kept. Records of any form will be destroyed after five years.

## Standing Ethics Committee Penalties:

The SEC imposes penalties according to the nature of the violation. SEC penalties may include a letter of warning, course grade of No Pass, or University dismissal. If the SEC finds that there has been no violation, or if the SEC does not find substantial evidence that a violation has taken place, the student may be considered exonerated. Penalties may consider whether the violation is a first or repeated offense.

# Appeals Process:

Either the instructor or the student may appeal the decision of the SEC. Appeals must be made in writing to the Provost within ten business days of receiving the written notification of the SEC's decision. Appeals are considered only if they are based on one or more of the following criteria:

- New evidence not reasonably available at the time of the original hearing
- Procedural error that can be shown to have affected the outcome of the hearing
- Appropriateness of sanction (only in cases of suspension or dismissal)

The Provost decides whether there is a basis for the appeal and may revise the decision or the penalty. The decision of the Provost is final. If the Provost must recuse herself for any reason, the President is the final arbitrator.