

Academic Integrity Hearing Board Processes & Procedures

STUDENT APPEALS	2
ACADEMIC INTEGRITY HEARING BOARD (“HEARING BOARD”): INITIAL REVIEW-APPEAL	2
TIMELINE FOR APPEAL.....	2
ATTENDANCE FOR APPEAL	2
HEARING PROCEDURES FOR APPEAL.....	3
FINDINGS FOR APPEAL	4
NOTIFICATION FOR APPEAL	4
DISABILITY-RELATED ACCOMMODATIONS FOR APPEAL.....	5
REFERRALS FOR REPEAT OR EGREGIOUS INCIDENTS	6
ACADEMIC INTEGRITY HEARING BOARD (“HEARING BOARD”): REFERRAL.....	6
TIMELINE FOR REFERRAL	6
ATTENDANCE FOR REFERRAL	6
HEARING PROCEDURES FOR REFERRAL	7
FINDINGS FOR REREFERRAL.....	8
NOTIFICATION FOR REFERRAL	8
DISABILITY-RELATED ACCOMMODATIONS FOR REFERRAL	8

Student Appeals

Academic Integrity Hearing Board (“Hearing Board”): Initial Review-Appeal

If the unit's decision is appealed, the Hearing Board will be charged by the Vice Provost for Academic Operations (VPAO) to:

1. review the evidence and confirm by majority vote that it is sufficient for an alteration in the sanction, and/or the student meets the “Grounds for Appeal/Burden of Proof” outlined in the [Academic Integrity Policy](#). They will then recommend to the VPAO that a hearing should be held. See “Hearing Procedures” in this document for detailed processes.
2. review the evidence and confirm by majority vote that it is insufficient for an alteration in the sanction and/or the student does not meet the “Grounds for Appeal/Burden of Proof” outlined in the [Academic Integrity Policy](#). They will then recommend that the VPAO upholds the prior decision. In which case, the appeal process will end, the findings will be sustained and sanctions will be enforced, and the VPAO will communicate to all parties to ensure proper recording.

Timeline for Appeal

Barring extreme or unavoidable scheduling conflicts, the Hearing Board shall convene no more than fifteen (15) business days after notification of the VPAO decision to hold a hearing. The VPAO's Office will schedule and coordinate the meeting, as well as notify all parties. The notice shall be provided to all parties no later than five (5) business days prior to the hearing. The notice shall include the date, time, and location of the hearing, as well as a list of the Hearing Board members who will serve on the panel. If a grade for the student in the course must be submitted before a case can be decided, the faculty member shall record a grade of incomplete, pending a decision by the Hearing Board.

Attendance for Appeal

1. Those present at the hearing shall be:
 - a. The student, who has the right to present witnesses and be accompanied by an advisor.
 - i. If an advisor is present, they may consult with the student throughout the hearing but may not speak on behalf of the student.
 - b. The faculty member, who has the right to present witnesses and be accompanied by an advisor.
 - i. If an advisor is present, they may consult with the faculty member throughout the hearing but may not speak on behalf of the faculty member.
 - c. The department director/chair.
 - d. The Hearing Board chairperson (“chairperson”).
 - e. A panel of one or two students and three faculty members drawn from the constituent groups serving on the University Academic Integrity Hearing Board:
 - i. Of the three faculty members, one will be from the student’s home college, but not from their specific department/program. The other two will be from outside the student’s home college.
 - ii. Of the two students, one will be from student’s home college, but not from their specific department/program. The other will be from outside the student’s home college.

- a. It is recommended that at least one of the students be selected from ASNAU (for undergraduates) or the GSG (for graduate students).
 - iii. If a chairperson must recruit additional faculty or students to complete a panel, the VPAO's Office will confirm that each participant has completed FERPA training and certification, as well as Hearing Board training.
 - f. Any other relevant or necessary person, called by the chairperson.
 - g. An official record keeper as identified by the chairperson.
2. A student may challenge the participation of any member of the Hearing Board on the grounds of real or perceived conflict or bias by submitting a written statement to the VPAO's Office setting forth the basis for the challenge no later than three (3) business days prior to the hearing. The chairperson will determine whether to sustain or deny the challenge. If the challenge is sustained, a replacement member will be appointed to serve on the Hearing Board. If a challenge is filed against the chairperson, the VPAO will make the determination and, if necessary, replace the chairperson.
3. Should the student or faculty member fail to attend the hearing without proper or compelling notice to the chairperson, the Board shall have full authority to proceed in their absence basing their final decision on the evidence and materials submitted in previous stages of the academic integrity process. Should the student or faculty member demonstrate to the chairperson good cause for failing to appear, it is within the chairperson's authority to reschedule the hearing and notify members of the change.

Hearing Procedures for Appeal

1. Board members shall hear all cases before them *de novo* (from the beginning), hearing all available parties to the dispute and examining all the evidence presented.
2. The Board may solicit outside advice at the discretion of the chairperson.
3. In the case of non-attendance, the Board may hear a case without the student or unit representative present.
4. The chairperson shall preside over the hearing to ensure that no party threatens, intimidates, or coerces any of the participants.
5. The chairperson shall answer to/resolve any procedural issues that may arise during the hearing.
6. The hearings will be closed to the public.
7. All information presented at the hearing must be maintained in confidence.

The hearing shall proceed as follows:

1. The chairperson will introduce the board members and ask for introductions from all other attendees.
2. The student shall present their case and address the charges or the evidence. The student's advisor may assist the student in the presentation, but may not speak on behalf of the student.
3. The faculty member shall present their case and address the charges or the evidence. The faculty's advisor may assist the student in the presentation, but may not speak on behalf of the faculty member.
4. The Hearing Board members will then be allowed to ask questions of both the student and the faculty member.
5. The chairperson may allow both parties to make any final statements.
6. After questioning and closing statements, the student, faculty member, and any advisors will be dismissed to allow the members of the Hearing Board to deliberate.

7. The Hearing Board will then discuss the information presented and the reasonable inferences to be drawn from this information prior to reaching their decision. Only the members of the hearing board may be present during these deliberations.
8. Of those present, a simple majority shall decide the issue. Should a case arise where there is a tie, the chairperson shall be the tie-breaking vote.
9. In the event the Hearing Board agrees to amend a sanction, it is suggested that the Hearing Board vote on each possible sanction (as outlined in the [Academic Integrity Policy](#)) to identify a majority rule for the recommended sanction.
10. Of those present, a simple majority shall decide the sanction.

Findings for Appeal

The Hearing Board may recommend to the VPAO a modification or overturning of any sanction imposed in a prior hearing or meeting if it is found that:

1. the student is not in violation of the academic integrity policy;
2. the faculty, department, school, or other academic unit deviated substantially from accepted and specified standards as established by the policies for the University, academic unit, or syllabus;
3. the standards of the [Academic Integrity Policy](#) were not fairly or equitably applied to a student; or
4. there was a substantial deviation from the procedures required by the [Academic Integrity Policy](#).

If Hearing Board finds the student is in violation of the [Academic Integrity Policy](#), they may recommend to the VPAO:

1. an affirmation of the sanction imposed by the faculty member.
2. a modification of the sanction (increased or reduced) imposed by the faculty member. The Hearing Board shall do this in rare circumstances in order to maintain consistency across the university and must articulate the reasoning behind their alteration.
3. to implement any of the sanctions afforded the Hearing Board listed under the “Jurisdiction” section of the [Academic Integrity Policy](#).

If the Hearing Board finds the student was not afforded adequate due process, they may recommend to the VPAO that the case begin again at a previous point in the academic integrity process to ensure adequate due process.

Notification for Appeal

The chairperson of the Hearing Board will prepare meeting notes and a memo to the VPAO and submit to academicintegrity@nau.edu. The memo will briefly outline the violations brought forth to the hearing and the recommendation of the Hearing Board. Any recommendation from the Hearing Board regarding alleged violations by students should include a finding as to whether it is more likely or not that the student violated the policy and the materials facts on which the Hearing Board based its finding. The VPAO will then make a final determination, communicate any final actions to the proper academic and administrative units, notify the student of such actions, and ensure proper recording of the outcomes.

Disability-related Accommodations for Appeal

If anyone requires disability-related accommodations to participate in a meeting or any stage of the academic integrity process, the party is to ensure that their records are current with Disability Resources and notify the Vice Provost for Academic Operations of the approved accommodations as soon as possible and no later than (3) business days prior to the hearing.

Referrals for Repeat or Egregious Incidents

Academic Integrity Hearing Board (“Hearing Board”): Referral

If an associate dean or unit leader discovers repeat offenses, an egregious offense, or other offense recommending unit, college, or university sanctions, the Hearing Board will be charged by the Vice Provost for Academic Operations (VPAO) to hear the case.

Timeline for Referral

Barring extreme or unavoidable scheduling conflicts, the Hearing Board shall convene no more than fifteen (15) business days after notification of the VPAA decision to hold a hearing. The VPAO's Office will schedule and coordinate the meeting, as well as notify all parties. The notice shall be provided to all parties no later than five (5) business days prior to the hearing. The notice shall include the date, time, and location of the hearing, as well as a list of the Hearing Board members who will serve on the panel. If a grade for the student in the course must be submitted before a case can be decided, the faculty member shall record a grade of incomplete, pending a decision by the Hearing Board.

Attendance for Referral

1. Those present at the hearing shall be:
 - a. The student, who has the right to present witnesses and be accompanied by an advisor.
 - i. If an advisor is present, they may consult with the student throughout the hearing but may not speak on behalf of the student.
 - b. The associate dean or unit leader of the student's program.
 - c. The Hearing Board chairperson (“chairperson”).
 - d. A panel of one or two students and three faculty members drawn from the constituent groups serving on the University Academic Integrity Hearing Board:
 - i. Of the three faculty members, one will be from the student's home college, but not from their specific department/program. The other two will be from outside the student's home college.
 - ii. Of the two students, one will be from student's home college, but not from their specific department/program. The other will be from outside the student's home college.
 - a. It is recommended that at least one of the students be selected from ASNAU (for undergraduates) or the GSG (for graduate students).
 - iii. If a chairperson must recruit additional faculty or students to complete a panel, the VPAO's Office will confirm that each participant has completed FERPA training and certification, as well as the Hearing Board training.
 - e. Any other relevant or necessary person, called by the chairperson.
 - f. An official record keeper as identified by the chairperson.
2. A student may challenge the participation of any member of the Hearing Board on the grounds of real or perceived conflict or bias by submitting a written statement to the VPAO Office setting forth the basis for the challenge no later than three (3) business days prior to the hearing. The chairperson will determine whether to sustain or deny the challenge. If the challenge is sustained,

a replacement member will be appointed to serve on the Hearing Board. If a challenge is filed against the chairperson, the VPAO will make the determination and, if necessary, replace the chairperson.

3. Should the student or associate dean/unit leader fail to attend the hearing without proper or compelling notice to the chairperson, the Board shall have full authority to proceed in their absence basing their final decision on the evidence and materials submitted in previous stages of the academic integrity process. Should the student or associate dean/unit leader demonstrate to the chairperson good cause for failing to appear, it is within the chairperson's authority to reschedule the hearing and notify members of the change.

Hearing Procedures for Referral

1. Board members shall hear all cases for repeat offenses with deference to final decisions made for the individual incidents.
2. Board members shall hear egregious cases referred by an associate dean or unit representative *de novo* (from the beginning), hearing all available parties involved in the case and examining all the evidence presented.
3. In the case of non-attendance, the Board may hear a case without the student or unit representative present.
4. The Board may solicit outside advice at the discretion of the chairperson.
5. The chairperson shall preside over the hearing to ensure that no party threatens, intimidates, or coerces any of the participants.
6. The chairperson shall answer to/resolve any procedural issues that may arise during the hearing.
7. The hearings will be closed to the public.
8. All information presented at the hearing must be maintained in confidence.

The hearing shall proceed as follows:

1. The chairperson will introduce the board members and ask for introductions from all other attendees.
2. The student shall present their case and address the charges or the evidence. The student's advisor may assist the student in the presentation but may not speak on behalf of the student.
3. The associate dean/unit leader and department director/chair shall present their case and address the charges or the evidence. The associate dean/unit leader's advisor may assist in the presentation but may not speak on behalf of the associate dean/unit leader.
4. The Hearing Board members will then be allowed to ask questions of the student and the associate dean/unit leader and department director/chair.
5. The chairperson may allow both parties to make any final statements.
6. After questioning and closing statements, the student, associate dean/unit leader and department director/chair, and any advisors will be dismissed to allow the members of the Hearing Board to deliberate.
7. The Hearing Board will then discuss the information presented and the reasonable inferences to be drawn from this information prior to reaching their decision. Only the members of the hearing board may be present during these deliberations.
8. Of those present, a simple majority shall decide the issue. Should a case arise where there is a tie, the chairperson shall be the tie-breaking vote.
9. It is suggested that the Hearing Board vote on each possible sanction (as outlined in the [Academic Integrity Policy](#)) to identify a majority rule for the recommended sanction.

10. Of those present, a simple majority shall decide the sanction.

Findings for Rereferral

The Hearing Board may recommend to the VPAO modifications or overturning any sanction proposed if it is found that:

1. the student is not in violation of the academic integrity policy;
2. the faculty, department, school, or other academic unit deviated substantially from accepted and specified standards as established by the policies for the University, academic unit, or syllabus;
3. the standards of the [Academic Integrity Policy](#) were not fairly or equitably applied to a student; or
4. there was a substantial deviation from the procedures required by the [Academic Integrity Policy](#).

If Hearing Board finds the student is in violation of the [Academic Integrity Policy](#), they may recommend to the VPAO:

1. an affirmation of the sanction imposed by the associate dean/unit leader.
2. a modification of the sanction (increased or reduced) imposed by the associate dean/unit leader. The Hearing Board shall do this in rare circumstances in order to maintain consistency across the university and must articulate the reasoning behind their alteration.
3. to implement any of the sanctions afforded the Hearing Board listed under the “Jurisdiction” section of the [Academic Integrity Policy](#).

If the Hearing Board finds the student was not afforded adequate due process, they may recommend to the VPAO that the case begin again at a previous point in the academic integrity process to ensure adequate due process.

Notification for Referral

The chairperson of the Hearing Board will prepare meeting notes and a memo to the VPAO and submit to academicintegrity@nau.edu. The memo will briefly outline the violations brought forth to the hearing and the recommendation of the Hearing Board. Any recommendation from the Hearing Board regarding alleged violations by students should include a finding as to whether it is more likely or not that the student violated the policy and the materials facts on which the Hearing Board based its finding. The VPAO will then make a final determination, communicate any final actions to the proper academic and administrative units, notify the student of such actions, and ensure proper recording of the outcomes.

Disability-related Accommodations for Referral

If anyone requires disability-related accommodations to participate in a meeting or any stage of the academic integrity process, the party is to ensure that their records are current with Disability Resources and notify the Vice Provost for Academic Operations of the approved accommodations as soon as possible and no later than (3) business days prior to the hearing.