

## **Undergraduate Judicial Board Procedures**

### *I. Reporting an alleged violation*

- A. Faculty members: Honor Code violations must be reported by filing a violation report with the Associate Dean, Undergraduate Program, and notifying the accused student.
- B. Students: a student who witnesses an Honor Code violation is expected to report the violation to the course instructor.
  - 1. A student may report a violation by filing a violation report with the Associate Dean
    - a. Instructors will be informed immediately of incident reports filed by students.
- C. The Associate Dean will contact the student named on the violation report by email, using the student's University of Iowa email account.
  - 1. Students participating in CIMBA who do not have an active University of Iowa email account will be contacted by the Director of the CIMBA Undergraduate Campus, who will instruct the students to activate their University of Iowa email accounts if they have not already done so.
- D. This email will contain the following information:
  - 1. A copy of the violation form filed with the Associate Dean.
    - a. If the incident form was submitted by a student, the submitting student's name will be redacted to ensure confidentiality.
      - 1) The College will attempt to maintain the confidentiality of the submitting student's name to the extent reasonably practicable; however, it is possible that the student's name will be revealed during the course of investigation or a hearing concerning an incident report and alleged Honor Code violation.
  - 2. The nature of the sanction imposed by the instructor.

3. The appeal process and deadline.
- E. After receiving official notification from the Associate Dean, the student may:
1. Accept responsibility for the Honor Code violation and the instructor's sanction.
    - a. Final notation will be added on the incident report detailing the sanction.
    - b. For students enrolled in the Tippie College of Business, the incident report will be placed in the student's file.
      - 1) For students participating in CIMBA but not enrolled in the Tippie College of Business, all relevant forms and documents will be available to appropriate officials at the student's home university.
    - c. For students enrolled in the Tippie College of Business, a record of the Honor Code violation will be kept for five years or until the student graduates, whichever comes first.
      - 1) Students participating in CIMBA who are not enrolled in the Tippie College of Business will need to confirm with their home university how long this record will be kept.
  2. Accept responsibility for the Honor Code violation but appeal the instructor's sanction to the Judicial Board.
    - a. The student must submit an appeal form to the Undergraduate Program Office within 10 business days of receiving the email notification of the incident from the Associate Dean.
  3. Deny responsibility for the Honor Code violation and appeal the instructor's sanction to the Judicial Board.

- a. The student must submit an appeal form to the Undergraduate Program Office within 10 business days of receiving the email notification of the incident from the Associate Dean.

## *II. Appeals of alleged violations*

- A. Upon receipt of a student appeal, members of the Judicial Board and all relevant parties will be notified via email sent to their University of Iowa email account.
  1. Students participating in CIMBA who do not have an active University of Iowa email account will be contacted by the Director of the CIMBA Undergraduate Campus, who will instruct the students to activate their University of Iowa email accounts if they have not already done so.
- B. Prior to adjudication by the Judicial Board, the student may withdraw the appeal and accept responsibility for the Honor Code violation and the sanction issued by the instructor.
- C. When two or more students are accused of the same incident of academic misconduct, they may have the option of having their appeals reviewed jointly or separately.
- D. When the appeal is filed by a student who is a current Judicial Board member, the entire Judicial Board will be notified of the appeal and queried to determine whether or not the Judicial Board will review the appeal. If it is determined that the Judicial Board cannot review the appeal (e.g., not enough unbiased members can be selected for the investigation team or hearing panel), the Judicial Board will recommend the appeal be decided by the Associate Dean of the Undergraduate Program.

## *III. Investigation*

- A. After reviewing the incident report and the student's appeal form, two (2) Judicial Board members will conduct an investigation of the alleged Honor Code violation.
  - 1. The Judicial Board investigation team will contact the principal parties (i.e., the instructor and student) requesting an interview to obtain further evidence. If the student appealing the charge does not respond within five (5) business days, their appeal will be dropped.
- B. The investigative process may include, but is not limited to, the following:
  - 1. Interviewing all necessary people (e.g., instructor, students, staff, or witnesses identified by students or instructor).
    - a) Obtaining evidence such as written statements, syllabi, assignments, and exams.
- C. Prior to submitting the investigation report, the investigation team will share the individual interview report with the appropriate instructor(s) or student(s). The involved parties will have two (2) business days to make changes to the report.
  - 1. Each person will have the opportunity to review the information in their individual interview report with the investigators to ensure the accuracy of their statements.
- D. After all parties have reviewed their respective interview reports and the Judicial Board investigation team has made appropriate edits, the investigation report will be submitted to the Associate Dean. After submission to the Associate Dean, the investigation report will be made available to the instructor and accused student.
- E. The timelines established for the investigation of Honor Code charges may be extended by the Associate Dean. Such extensions will, however, only be granted by the Associate Dean for extenuating circumstances.

#### *IV. Adjudication of alleged violations*

- A. The Associate Dean will forward the investigation report to an adjudication panel composed of two (2) student Judicial Board members and one (1) faculty Judicial Board member.
  1. The two (2) student members who conducted the investigation may not sit on the adjudication panel.
  2. The composition of the adjudication panel may be different if the appeal review is conducted during the winter session or during the summer session (see section VII below).
- B. After reviewing the investigation report, the adjudication panel will either:
  1. Request additional information from the student(s), instructor(s), or witness(es).
    - a. The adjudication panel will provide the Associate Dean or a member of the Undergraduate Program Office staff with their questions.
    - b. The Associate Dean or Undergraduate Program Office staff member will coordinate receiving responses from the appropriate individuals and forwarding the information to the adjudication panel.
  2. Consider the findings of the investigation team and any other information obtained from the student(s), instructor(s), or witness(es) and come to a resolution based on a majority vote. The panel may:
    - a. Affirm the Honor Code violation and original sanction imposed by the instructor prior to the appeal.
    - b. Affirm the Honor Code violation and recommend the Associate Dean review the sanction and decrease the penalty.

- c. Affirm the Honor Code violation and recommend the Associate Dean review the sanction and increase the penalty.
- d. Determine the student did not commit an Honor Code violation. In this case, a written statement will be issued recommending the Associate Dean dismisses the allegation and no record will be kept in the student's file.

#### *V. Sanctions*

- A. When a student appeals a sanction, the Judicial Board adjudication panel shall consider:
  1. If the sanction was different than what was included in the course syllabus or assignment sheet.
  2. If the sanction was consistently applied by the instructor to all students in the class charged with the same academic misconduct.
- B. The Judicial Board adjudication panel may issue any reasonable sanction, including the sanction imposed by the instructor prior to the appeal. Reasonable sanctions may include, but are not limited to:
  1. Letter of apology
  2. Community service
  3. Ethics course
  4. Paper on ethics
  5. Failure of assignment or test
  6. Failure of course
  7. Suspension
  8. Expulsion
  9. Grade reduction

- C. If the Judicial Board adjudication panel recommends an additional sanction beyond that already imposed by the instructor, the Associate Dean will determine whether or not to impose this sanction.

#### *VI. Appeal of Judicial Board Recommendation*

- A. Students have the right to appeal the Judicial Board's decision through the following steps:
  - 1. Appeal to the Associate Dean, Undergraduate Program, Tippie College of Business.
    - a. The Associate Dean may accept the recommendation of the Judicial Board, modify the recommendation, or reverse the recommendation and require a new investigation, review, or both.
  - 2. Appeal the decision of the Associate Dean, Undergraduate Program to the Senior Associate Dean, Tippie College of Business.
    - a. The Senior Associate Dean may accept the decision of the Associate Dean, modify the recommendation, or reverse the Associate Dean's decision and require a new investigation, review, or both.
  - 3. Appeal the decision of the Senior Associate Dean to the Office of the Provost, University of Iowa.
- B. Any appeal must be made in writing and include a clear description of the basis for the appeal.
- C. Questions about the different steps of this appeal process can be addressed to the Associate Dean, Undergraduate Program, Tippie College of Business.
- D. The reasons for appeal of the Judicial Board's decision are limited to the following:
  - 1. Violation of due process.

2. Excessive or inappropriate sanctions.
  3. New evidence that was not available at the time of the investigation and/or hearing.
  4. Procedural error that adversely affected the outcome of the hearing.
- E. Appeals may not be filed on the basis of disagreement with the factual basis or merits of the Judicial Board's decision.

*VII. Procedures during the winter session and summer session*

- A. Appeals of alleged Honor Code violations received during the winter session and summer session may be handled differently due to the availability of Judicial Board members.
1. Students appealing Honor Code violations during the winter session or summer session will be notified they have the option of having their appeal reviewed:
    - a. during the subsequent semester when a sufficient number of Judicial Board members have returned to campus; or
    - b. as soon as possible. In this case, the Associate Dean will assemble an ad hoc Judicial Board comprised of:
      - 1) Available student Judicial Board members
      - 2) Available faculty Judicial Board members
      - 3) Available students, faculty, and staff

*VIII. Undergraduate Judicial Board Membership*

The Judicial Board consists of a minimum of seven undergraduate business students and two faculty members. Student members are selected for one year, renewable terms.

- A. Current Judicial Board members will review the applications and recommend students to interview for positions on the board.

- B. Faculty and Undergraduate Program Office staff may attend interviews but do not have a role in the selection process.
- C. The Board is not limited, however, to fill only the vacated positions. Membership on the Judicial Board may be offered to all qualified candidates who interview for positions on the board.
- D. Should it be necessary for a student member to resign from the board, the vacancy will be filled during the next recruiting period.
- E. The Associate Dean and/or the Associate Director responsible for advising the Board reserve the right to dismiss a Judicial Board member for failing to perform duties and expectations.

#### *IX. Recording*

The Judicial Board shall have the discretion to record any aspect of an investigation or hearing. If the Judicial Board chooses to record an interview with a witness as part of an investigation, the party will be notified before the interview begins.

#### *X. Revision of Honor Code*

The Honor Code is subject to revision and amendment. The Judicial Board will evaluate proposed changes to the provisions of the Honor Code. Changes in the provisions of the Honor Code must be approved by the undergraduate Tippie Senate and the Elected Faculty Council. Revisions to the procedures used by the Judicial Board to investigate and adjudicate Honor Code violations may be made from time to time by the Associate Dean of the Undergraduate Program, Tippie College of Business, in consultation with the Judicial Board.