

I. Grade Appeals -

This sub-policy like all the other sub-policies needs to be implemented in accordance with the concepts, principles, and definitions shown in the Preamble and the General Procedures and Definitions sections from the beginning of this policy. Anyone who thinks that the policy procedures are not being followed should also read the Procedural Appeals Sub-Policy.

Faculty members shall adhere to University-approved classroom policies and procedures and shall establish fair and reasonable standards in such matters as attendance, submission of assigned work, seating arrangements, class decorum, regular and makeup examinations and grading. Faculty members shall make their standards known to each class at the earliest opportunity. Grievances against these standards and alleged violations of University-approved classroom policies should not be brought to the Academic Integrity and Grievance Committee. They may be brought to the attention of the faculty member and department chair head, and, if necessary, the dean of the college or school in that administrative order so that a continuing effort may be made to ameliorate problems.

A student has the opportunity to appeal a grade if he or she feels the grade was inequitably awarded in that it violated a faculty member's own specified grading standards or the standards of the department if these exist. The student cannot challenge the subjective assessment of the faculty member. Students and faculty members are urged to make all attempts possible to resolve a grievance before initiating formal appeal.

Steps Toward Redress for Grade Appeals

The student must approach the faculty member in question to discuss the grade and attempt to resolve any differences. The request should be in a form that serves as documentation that it has been made, for example, email, text, if faculty member has provided a cell phone, or a note given to an administrative assistant in the department. The request for a meeting should be specific that it is to discuss the grade received by the student. The request must be made within 20 class days after a final course grade is awarded. There are certain professional courses within the University for which the final grade is awarded upon completion of a designated number of weeks. The student will need to review the time frame for awarding the grade with the department chairperson. No faculty member shall be allowed to delay the resolution of a grievance by failing to hold a consultation with a student within the designated time, unless *bona fide* reasons such as illness, personal emergency, or campus absences for professional reasons make this time limit unreasonable. [current policy language] If the student receives no response from the faculty member within 5 class days of the request, the student should ask for assistance from the Dean of Students or the dean's designee. If the faculty member who assigned the grade is not reachable, for example, the faculty member is no longer employed by the university and is non-responsive to the student's request for a meeting or is otherwise unavailable and non-responsive, the faculty member's department chair will confer with the faculty in the department and appoint a faculty member who is knowledgeable of the subject matter to act in the stead of the unavailable, non-responsive faculty member. This substitute should be a full time faculty member, not an adjunct, if at all possible. If the student is appealing a grade for an online course and does not live within a reasonable driving distance of the main campus, he or she may conduct the required conferences via telephone or other voice transmission

technologies. The student's grade may be changed in Step 1 of this procedure by written consent of the instructor. The Dean of Students shall assist the student in identifying an advocate to assist the student regarding the complaint at any time during the Steps Toward Redress for Grade Appeals. The advocate will listen to the complaint, counsel the student as to the merits of the case, review the steps as outlined in the formal procedures for grade appeals, assist the student in writing the appeal, and may attend the hearing upon the request of the student as a non-participating representative.

2. If unable to resolve the difference with the faculty member, the student shall take the grievance within five class days of this discussion to the department chairperson (or dean, if the faculty member involved is the department chairperson). The chairperson shall attempt to resolve the dispute within 10 class days by meeting with the student and the faculty member. The student's grade may be changed at Step 2 of this procedure by the written consent of the faculty member. At this meeting the chairperson (or dean) will have the student and the faculty member complete and sign the Grade Appeal Form and give a copy to the student. The department chairperson maintains the original. If the student took the course online and does not live within a reasonable driving distance of the main campus, the grade appeal form may be sent electronically, but it must include scanned or electronic signatures.

3 As a last resort and only after Steps 1 and 2 have been carried out, the student may file a formal complaint in writing within three (3) class days to the Associate Vice Chancellor for Academic Affairs. In this event, the department chairperson or dean shall send the original grade appeal form noted in 2 above to the associate vice chancellor for academic affairs. If the student wishes to file a formal appeal, he or she must meet with associate vice chancellor for academic affairs and bring to the meeting the appeal which must include a written statement which clearly explains the basis of the appeal ~~and the Grade Appeal Form~~. The purpose of this meeting is to: a) confirm that prior steps in the appeal process have been followed properly (if not, the appeal shall be redirected back to the appropriate lower level); b) review the relevant grounds for a grade appeal with the student; and, c) inform the student of the next step in the appeals process. Following the conference, if the student decides to proceed with the formal appeal, the associate vice chancellor academic affairs will immediately consult with the Academic Integrity and Grievance Committee chairperson. The associate vice chancellor for academic affairs will notify the student in writing that the grade appeal will be referred to the Academic Integrity and Grievance Committee for a hearing ~~or to the vice chancellor/provost if the case does not fall within the purview of the Academic Integrity and Grievance Committee.~~

Procedures for Formal Grade Appeals Handled by the Academic Integrity and Grievance Committee

This committee is a Faculty Senate committee. Its makeup and purpose are governed by the Constitution of the University Assembly of the University of Arkansas at Little Rock, Article III. It provides the members of hearing panels.

The Academic Integrity and Grievance Committee (AIGC) shall handle all aspects of the formal appeal except a claim of discrimination that is forwarded to Human Resources. The AIGC shall following the procedures in Appendix B for conducting grade appeal hearings. ~~promulgate rules governing its proceedings, which shall be consistent with the following hearing procedures set forth in the 1967 Joint Statement on Rights and Freedoms of Students.~~ The rules shall be distributed to all members of the committee by the associate vice chancellor for academic affairs.

1. The student and the faculty member will be notified in writing, if at all possible, at least 10 class days before the date set for the hearing, of the nature of the appeal and of the date, time, and place the case is to be heard. They shall also be notified that, should either party choose not to appear, the hearing will proceed as scheduled. For the purposes of this section, the day after the date the letter of

notification is mailed or emailed shall be the first day of the 10-day period. The committee must hear the case within 15 class days of the time the appeal was filed, if at all possible. The determination of the date, time, and place of the hearing will include consideration of the student's and the faculty member's schedules and of their convenience, but in the interest of fairness, reasonable speed shall be the watchword.

2. The student and faculty member will be notified that each can bring witnesses ~~in~~ on his or her behalf, that each will have a reasonable opportunity for confronting witnesses appearing against him or her, that each has the right to be present during all phases of the hearing, and that each may bring to the hearing two non-participating representatives. The right to legal counsel at ~~a~~ grade appeal cases is prohibited. Members of the hearing panel may not meet separately with either the student or the faculty member.

3. At least five class days before the committee is convened, the student and the faculty member must submit to the associate vice chancellor for academic affairs all the information that each feels is pertinent to the appeal. This information must be in writing and supported in detail, and it should specify what additional evidence and witnesses the student or faculty member will bring to the scheduled meeting. Copies of this information will be distributed to all involved parties. Students appealing grades are reminded that the burden of proof is on the student; i.e., the student must be able to support his or her assertion.

4. The chairperson shall serve as the chairperson of all grade appeals hearing panels. The chairperson may designate a provisional hearing panel chair in those instances when the committee chairperson is not available.

5. A quorum to hear grade appeals consists of the chairperson (or designated provisional chairperson), two faculty members, and two students; on all grade appeals involving graduate or professional degree curricular matters, at least one graduate faculty member and one graduate student shall be included on the hearing panel. Of this number, all must be present.

6. The committee will not make any decision on a specific appeal until it has been determined that all pertinent written documents, oral testimony from the student and the faculty member, oral testimony from witnesses or affidavits from witnesses and official records from the student's college or school dean and from the Office of Admissions and Records have been submitted and reviewed.

7. Both the student and the faculty member have the right to a closed hearing. The hearing may only be open if both parties agree it shall be open. In the case of a closed hearing, the only persons present at meetings of this committee shall be committee members, designated observers, ~~Student Government Association president/designee upon request by the student,~~ parties to the action being considered by the committee and their non-participating representatives, and witnesses actually testifying before the committee. In the case of a student appealing an online course who does not live within a reasonable driving distance of the main campus, he or she may participate via conference telephone or some other voice transmission technology. All proceedings shall be recorded.

8. Written statements by witnesses in lieu of personal appearance should not be allowed except in rare instances such as illness or inability to travel to the hearing site. All written statements by witnesses must be sworn statements in the form of affidavits.

9. During the process of making a decision on a case, the committee shall consider only that information which (a) has been presented during the hearing and (b) is relevant to the charge. The committee is restricted to making grade changes only if "the grade was inequitably awarded in that it violated a faculty member's own specified grading standards" or the grading standards of the department, if any. The committee cannot substitute their subjective assessment of the student's work for that of the faculty member. No other basis can be used to change a grade. In the case where the faculty member has violated the standards of the department, the hearing panel shall base its grade change on the recommendation of the chair of the department or the dean upon written verification of the chair that department policies or standards have indeed been violated.

10. A decision to change or direct changes in students' course grades requires a majority vote of the committee hearing an appeal; in case of a tie, the grade assigned by the faculty member shall

stand. Only members of the committee who have been present during all of the meetings and who have heard all testimony relating to the alleged grievance may vote on the case.

11. Upon conclusion of the appeals hearing, the committee will make a decision in writing and sign appropriate appeal documents. The chairperson of the committee will return the master file and the tape of the hearing, and prepare a summary of the findings, decision, and recommendations for the associate vice chancellor for academic affairs within three class days of the hearing. The chairperson of the committee shall send a letter explaining the findings and the decision within 10 class days of such decision to the student, faculty member, department head, college dean, and in case of a grade change, to the Office of Records and Registration. Either party may appeal the panel's decision in writing to the vice chancellor/provost with a copy to the chairperson and the non-appealing party, within 10 class days after receipt of the decision.

12. The vice chancellor/provost shall review the decision of the committee on appeal within ten class days of receipt of either party's appeal of that decision. Reasonable deviations from the time frame or procedures will not invalidate a decision unless the deviations cause significant prejudice to the student.

13. The vice chancellor/provost shall have the authority to:

- a) Approve the recommendation of the AIGC panel.
- b) Remand the case to the original hearing panel for rehearing
- c) Remand the case to a different hearing committee for rehearing
- d) Reverse the decision of the hearing panel.

14. The vice chancellor/provost shall notify the appealing party and the non-appealing party of his/her decision within ten class days of receipt of the appeal. The vice chancellor/provost shall return the records to the associate vice chancellor for academic affairs for filing and for appropriate action. The vice chancellor/provost's decision shall be final.

II. Academic Integrity Sub-Policy

This sub-policy like all the other sub-policies needs to be implemented in accordance with the concepts, principles, and definitions shown in the Preamble and the General Procedures and Definitions sections from the beginning of this policy. Anyone who thinks that the policy procedures are not being followed should also read the Procedural Appeals Sub-Policy.

General Information

Academic Integrity and Discipline

The University has developed certain regulations to make possible an orderly academic environment where all members of the community have the freedom to develop to the fullest extent.

Academic dishonesty cannot be condoned or tolerated in the University community. Such behavior is considered a student conduct violation, and students found guilty of committing an academic offense on the campus, or in connection with an institution-oriented or sponsored activity, or while representing the University or academic department, will be disciplined by the University.

Students may not gain undue advantage over their classmates by deceptive or dishonest means. Throughout their education students should be impressed with the facts that cheating, duplicity, unauthorized reproduction of classroom materials, and plagiarism are morally degrading and that such practices seriously interfere with learning and intellectual development. It is a responsibility of faculty members to make every effort to prevent dishonesty, protect honest students, and take appropriate action in instances of dishonesty. It is the responsibility of the student not only to abstain from cheating, but in addition, to avoid the appearance of cheating and to guard against making it possible for others to cheat. Courtesy and honesty require that any ideas or materials borrowed from another must be fully

acknowledged. It is the obligation of each student to report all alleged violations of academic integrity to the faculty member, as well as the responsibility of all faculty to report all alleged violations of academic integrity to the dean of students.

Students may not reproduce, in whole or in part, classroom lectures or study materials presented by a professor without specific approval in advance by the professor. Publication of any such material shall only be with the express consent of the professor.

The determination that a student's work was the result of dishonest action can be considered in the faculty member's evaluation of that work and in the determination of the course grade. In addition, disciplinary action will be taken by the appropriate University official (dean of students) or by the Academic Integrity and Grievance Committee.

Academic Offenses

Definition of Academic Offenses

The following list of offenses, which is by no means all-inclusive, identifies categories that are subject to grade penalty and disciplinary action.

Cheating on an examination or quiz: To give or receive, to offer or solicit information on any quiz or examination. This includes the following classes of dishonesty: (a) copying from another student's paper; (b) use during the examination of prepared materials, notes, or text other than those specifically permitted by the professor; (c) collaboration with another student during the examination; (d) buying, selling, stealing, soliciting, or transmitting an examination, or any material purported to be the unreleased content of a coming examination, or the use of such material; (e) substituting for another person during an examination or allowing such substitution for oneself; (f) bribery of any person to obtain examination information.

Plagiarism: To adopt and reproduce as one's own, to appropriate to one's own use and incorporate in one's own work without acknowledgment, the ideas of others or passages from their writings and works.

Collusion: To obtain from another party, without specific approval in advance by the professor, assistance in the production of work offered for credit to the extent that the work reflects the ideas or skills of the party consulted rather than those of the person in whose name the work is submitted.

Duplicity: To offer for credit identical or substantially unchanged work in two or more courses, without specific advance approval of the professors involved.

Academic Integrity and Grievance Committee

This committee is a Faculty Senate committee. To see its makeup and purpose, see the Constitution of the University Assembly of the University of Arkansas at Little Rock, Article III. It provides the members of hearing panels.

~~The Academic Integrity and Grievance Committee hears specific grade appeals and hears, on appeal and referral, cases involving certain alleged academic offenses. The Academic Integrity and Grievance Committee comprises 15 faculty and 3 faculty alternates to be appointed annually in the spring by the Committee on Committees and 15 students and 3 alternates to be appointed no later than the beginning of the fall semester by the Student Government Association. The term of office begins with the fall semester and continues for twelve months.—~~

~~————The purpose of the committee is twofold: (1) it affords the student an opportunity to appeal a grade if he or she feels the grade was inequitably awarded in that it violated a faculty member's own specified grading standards, and (2) it affords a student a hearing in cases where disputes over alleged cheating, plagiarism, collusion, and the like cannot be resolved (where the student does not admit that he/she violated an academic offense standard or that the student admits that he/she did violate an academic offense standard and the dean of students/designee refers the case for sanctioning). Students and~~

~~faculty members are urged, however, to make all attempts possible to resolve a grievance before initiating formal appeal. The administrative officer shall assign two faculty members and two students to hear academic offenses by rotation according to alphabet if possible.~~

Student Rights and Privileges Regarding Academic Offenses

The student has the right to the following:

1. Receive a written charge statement to include the nature and the specific charge(s) at least 10 class days before the hearing.
2. Be present at the hearing and have an opportunity to speak in own defense and to present evidence.
3. Receive names of witnesses and persons testifying against him or her.
4. Present witnesses, question University witnesses and persons testifying against him or her, and to review statements submitted.
5. Have an opportunity to review the information to be submitted at the hearing in advance to prepare a defense.
6. Present a version of the facts through personal and written statements including statements of witnesses or persons testifying.
7. Appear alone at the hearing or bring two non-participating representatives of his or her choice (faculty, staff, student, legal counsel, etc.) to advise the student but not to question. The committee may retain University legal counsel to furnish advice in such cases.
8. Have a determination of the facts of the case based solely on information at the hearing by the authority that holds the hearing.
9. Be informed in writing of the findings and the determination of the case, and the reason(s) for the decision and any sanctions imposed.
10. Receive a copy of the summary of the hearing and have a copy of the hearing tape made at his or her own expense.

11. Petition for appeal. If anyone thinks that the policy or procedures are being violated, he or she may follow the procedures in the Procedural Appeals Sub-Policy. To appeal the decision of the hearing panel follow the procedures in the Appeal procedures and Instruction for University Judicial Appeals Committee Sub-Policy and in the Appeals to the Chancellor of Findings of the University Judicial Appeals Committee Sub-Policy.

Steps Toward Redress for Academic Offenses

There are two types of procedures: one for students enrolled in a course and one for students who are not enrolled in a course.

A. Academic Dishonesty Procedures for Students Enrolled in a Course

These procedures are applicable when a student is enrolled in a course, and a faculty member suspects the student of cheating, plagiarism, collusion, or similar activity, *and when the suspicion is supported by substantial fact(s) or evidence.*

The faculty member is responsible for notifying the student in writing of the specific charge within five class days of identifying the offense, (using the Allegation of Academic Offense Form), delivering this form by mail or in person; also, the faculty member is responsible for retaining a copy

of the form, and for forwarding one copy each to the relevant department chairperson and to the dean of students.

Upon receipt of the notice form, the student is responsible for contacting the faculty member within 5 class days for the purpose of arranging a conference; both parties are then responsible for cooperating as necessary to *conduct the conference within three class days of the student's receipt of the notice.*

The purposes of this conference are:

- to ensure that the student is aware and understands the specific charge and the substantiating evidence; and,
- to ensure that the student has ample opportunity to present to the faculty member his or her position, explanation, and existing evidence of innocence.

Regardless of the outcome of this conference, the faculty member is responsible for immediately notifying the dean of students of the results.

If the faculty member and student reach agreement that the student is guilty, a grade penalty may not be imposed until and unless the student has failed to file a formal appeal by the official deadline for filing, or has signed an informed-decision waiver of the right to appeal, after conference with the dean of students or designee. If no formal appeal or waiver has been filed by the student at the expiration time of the allowable period, the faculty member may immediately impose a grade penalty.

A grade penalty may be imposed only by the faculty member. It is recommended that if a student is found guilty or admits guilt, the faculty member will consider the individual circumstances, nature or severity of the offense, similar class violations, etc., before assessing the grade penalty. Grade penalties for consideration for academic offenses are:

- a) a grade of *F* in the course
- b) a grade of *F* on the examination, project, etc.
- c) a grade adjustment
- d) no credit for material presented

If the conference's outcome is that the faculty member continues to believe with objective cause that the student is guilty of an academic offense, and yet the student maintains a position of non-guilt, then grade penalty may not be imposed until one of the two following conditions has been met:

- Either 10 class days have passed since the student's receipt of the Allegation Form, and no official appeal or waiver of rights to a hearing (Disciplinary Alternative Form) has been filed by the student; or
- the student has filed an appeal within the prescribed 10 class days, and has pursued the University's judicial appeals procedures to the maximum possible extent desired, and has been ultimately adjudged through and by those means to be guilty of the offense.

~~Upon receipt of notice that the faculty member/student conference has been completed,~~
The student is responsible for initiating a conference with the dean of students or designee shall schedule a meeting with the dean of students or designee after meeting with the faculty member. Subsequently both the student and the dean or designee are responsible for cooperating as necessary to *conduct the conference no later than six class days from the date the student received the Allegation Form.* This meeting shall be held within two class days of the completion of the meeting with the faculty member. (Timeliness is emphasized because this conference would be a prerequisite step in the event the student wishes to file a formal appeal, and the appeal deadline is 10 class days from the student's receipt of the Allegation Form.)

The purposes of this conference will differ, as will responsibilities pertinent to it, depending upon whether the student maintains a position of guilt or innocence regarding the academic offense.

Therefore, two categories follow:

a) In a case wherein the student has admitted guilt to the faculty member and also maintains that guilty plea after conference with the dean of students or designee, and the offense warrants a severe penalty such as expulsion or suspension, the dean or designee will, within three class days, refer the case to the chairperson of the Academic Integrity and Grievance Committee.

If the offense does not warrant a severe penalty such as suspension or expulsion, the dean of students or designee will elect one of two options:

- 1) the dean of students or designee, with agreement of the student, may opt to directly impose disciplinary sanction, provided due process conditions have been met in the student's interest; or
- 2) the case may be referred to the Academic Integrity and Grievance Committee Chairperson for disposition.

b) In a case wherein the outcome of the faculty member/student conference is that the faculty member maintains the student is guilty but the student maintains a position of innocence, the dean of students or designee will review the following information with the student: the specific charge and evidence, student's rights and privileges, appeal procedures, operating policies of the Academic Integrity and Grievance Committee, disciplinary proceedings, etc.

After this review the dean of students or designee may ask the student whether he or she wishes to continue to maintain the plea of not guilty. If the student elects to change the plea to guilty, the dean or designee will immediately notify the faculty member and the relevant department chairperson.

If the student elects to maintain the plea of not guilty, the dean or designee will offer to assist the student in writing a statement of appeal; this formal written statement of appeal, when it is delivered to the chairperson of the Academic Integrity and Grievance Committee, constitutes the student's initiation of the University's judicial appeals procedures. The student is responsible for delivering the appeal statement to the Academic Integrity and Grievance Committee chairperson or designee. This delivery must take place no later than 10 class days from the date of the student's initial receipt of the Allegation Form.

Regardless of the outcome of the conference between the dean/designee and the student, the dean/designee is responsible for immediately notifying its results to the faculty member and to the relevant department chairperson.

The student's conferences with the faculty member and with the dean of students or designee are mandatory steps prerequisite to the filing of an official appeal. The intent of this guideline is to ensure that all reasonable efforts have been made to resolve the outcome of the academic offense allegation before the matter is brought to the Academic Integrity and Grievance Committee.

The Academic Integrity and Grievance Committee chairperson or designee is responsible for immediately notifying the following persons, upon receipt of a student's appeal in regard to allegation of academic offense: (1) the relevant faculty member, (2) department chairperson, and (3) the dean of students.

The student has the right to attend classes until the appeal is resolved. The student may not withdraw from a course while an allegation of academic dishonesty in that course is being adjudicated. If the student withdraws from a course after receiving notification of an allegation of academic dishonesty, the student will be reinstated, pending final adjudication of the allegation.

At the conclusion of the adjudication process:

- If academic dishonesty is found and a grade of "F" in the course is assigned, then the failing grade will be recorded and remain on the student's transcript.
- If academic dishonesty is found and a penalty less than a grade of "F" for the course is assigned, then the student may continue in the course or withdraw from the course at that time.
- If academic dishonesty is not found, the student may continue in the course or withdraw from the course at that time.

If the adjudication process is not completed before the end of a semester, a temporary grade not affecting the student's GPA will be submitted until the adjudication process is completed.

The student may re-take a course in which a grade of "F" is assigned as a penalty for academic dishonesty. However, in such cases, the original grade of "F" will not be replaced but instead be included in the calculation of the student's cumulative GPA along with the subsequent grade received.

B. Academic Dishonesty Procedures for Students Not Enrolled in a Course and Students Representing an Academic Department or the University in a University-Oriented or Sponsored Activity On or Off Campus

When a faculty member on his or her knowledge or on information given by a student believes that a student has behaved dishonestly, he or she should immediately notify the dean of students of the suspicion of cheating, plagiarism, collusion, or the like. Likewise, if a suspicion of academic dishonesty is brought by other means to the university, the matter shall be referred to the dean of students. On receiving the notification of the alleged academic violation, the dean of students shall investigate, consult the involved faculty member(s), and summon the student(s) for a conference within five class days. No action shall be taken until the student has been informed of the charge, has been given an opportunity to present his or her defense, and has been notified of his or her right to appeal the case or have a hearing before the Academic Integrity and Grievance Committee. In a case of academic dishonesty in which the student admits guilt and the offense does not warrant suspension or a severe sanction, the matter may be handled by the dean of students, and a lesser disciplinary action (sanction) imposed.

In such cases, the fundamentals of due process shall ~~will~~ be followed. This administrative route may be taken when all of the following hold:

- 1) guilt is admitted by the student(s) involved;
- 2) accused student(s) request this administrative route;
- 3) the student is made aware of the disciplinary action that will be imposed; and
- 4) the dean of students can deal with the case objectively.

In a case of academic dishonesty where the student may be suspended, a severe sanction is warranted, or the student does not admit guilt, the case will be referred within three class days to the chairperson of the Academic Integrity and Grievance Committee.

Procedures for Academic Offenses Referred to the Academic Integrity and Grievance Committee

1. The chairperson, on receiving a written appeal or referral from the dean of students, will convene the committee within 15 class days to determine the guilt or innocence of the student or the appropriate disciplinary action (sanction).

2. The student and the faculty member will be notified in writing at least 10 class days before the date set for the hearing of the nature of the complaint and of the date, time, and place the case is to be heard. They shall also be notified that, should either party choose not to appear, the hearing will proceed as scheduled. For the purpose of this section, the day after the date of mailing of the letter of notification shall be the first day of the 10-day delay period. The committee must hear the case within 15 class days of the time the appeal or referral was filed. The determination of the date, time and place of the hearing will include consideration of the student's and faculty member's schedules and of their convenience, but in the interest of fairness, reasonable speed shall be the watchword.

3. The student and the faculty member will be notified that each can bring witnesses in his or her behalf, that each will have a reasonable opportunity for confronting witnesses appearing against

him or her, that each has the right to be present during all phases of the hearing, and that each may bring to the hearing two non-participating representatives.

4. At least five class days before the committee is convened, the student and the faculty member must submit to the administrative officer all the information that each feels is pertinent to the appeal or referral. This information must be in writing and supported in detail, and it should specify what additional evidence, witnesses and/or legal counsel the student or faculty member will bring to the scheduled meeting. Copies of this information will be distributed to all involved parties.

5. A quorum to hear alleged academic offenses consists of the chairperson and three members; of this number, one must be a faculty member and one must be a voting student member.

6. The student has the right to a closed hearing, which will be the normal status. Hearings will be closed unless the student requests an open hearing. Unless the hearing is declared to be open, the only persons present at meetings of this committee shall be members, designated observers, parties to the action being considered by the committee and their non-participating representatives, and witnesses actually testifying before the committee.

7. If written statements by witnesses in lieu of personal appearance ~~should not be allowed except in rare instances~~ is allowed these statements shall be made through submission of affidavits from the witnesses. Summaries of statements taken by someone else shall not be admissible.

8. During the process of making a determination of guilt or innocence or in determining the appropriate disciplinary action (sanction), the committee shall consider only that information which (a) has been presented during the hearing and (b) is relevant to the charge.

9. Details specifying how hearings will be conducted are found in Appendix A.

10. A decision shall be reached by a majority of those present.

11. If the committee finds the student guilty of the charge, the faculty member will determine the appropriate grade penalty, and the committee will determine the appropriate disciplinary sanction. In such case, the chair may request the dean of students to open the student's file to see if there is a prior disciplinary record. If the committee finds the student innocent, the faculty member will treat the student accordingly; in any case, no disciplinary sanction or grade penalty shall be imposed until the appeal deadline has expired. The administrative officer will maintain all records during the appeal delay period and on the expiration date will forward all records to the dean of students for filing and appropriate administrative action and notify the faculty member to impose the penalty.

12. The administrative officer shall notify in writing and deliver within five class days of the hearing to the appropriate persons (the student, the faculty member, and the dean of students) the decision and determination of the case, the disciplinary sanction imposed, and the right of the student, the faculty member, or the dean of students to petition for appeal. The Appeal Procedures and Instructions shall accompany the letter. A grade penalty cannot be appealed.

13. If the disciplinary sanction imposed was suspension or expulsion, the administrative officer shall notify ~~the vice chancellor for student affairs~~ the executive vice chancellor/provost, and the chancellor in writing of the committee's decision and the determination of the case, reasons for the decision, sanction imposed, and verify that all involved parties have been notified of their right to petition for appeal in accordance with the University's Procedures and Instructions.

Sanctions Imposed by the Academic Integrity and Grievance Committee

Sanctions which may be imposed by the Academic Integrity and Grievance Committee for violations and infractions of specified academic integrity dishonesty violations include but are not limited to the following:

- Administrative Class Withdrawal
- Counseling Disciplinary Probation
- Disciplinary Warning
- Expulsion
- Reprimand

Restitution

Suspension

Descriptions of sanctions are found in the *Student Handbook*.

Administration of Conduct Records

Academic records and conduct records are kept separate to minimize the risk of improper disclosure.

Disciplinary suspension shall not result in a notation on a student's permanent record. Temporary notice that a student is on suspension and ineligible to return to the University until a certain date shall be attached to the student's official record, i.e. transcript, on the ledger in the Registrar's Office, and in the student's personnel file in the Office of the Dean of Students. This action shall be taken to notify other schools or prospective employers that the student is not presently in good standing with the University. Once the student has reestablished his or her eligibility to return to the University, the temporary note shall be removed.

Conduct record information is released only in these circumstances: (1) receipt of written release from the student; (2) demonstrated need to know on the part of University personnel; or (3) receipt of a court order from legal authorities.

III. Classroom Disruptions Sub-Policy

This sub-policy like all the other sub-policies needs to be implemented in accordance with the concepts, principles, and definitions shown in the Preamble and the General Procedures and Definitions sections from the beginning of this policy. Anyone who thinks that the policy procedures are not being followed should also read the Procedural Appeals Sub-Policy.

Students may not disturb normal classroom procedures by distracting or disruptive behavior. A faculty member may, at his or her discretion, eject a disruptive student from the classroom for the balance of the class period. Students are strongly urged, following an ejection, to meet with the faculty member to resolve the problem.

Steps Toward Redress of Classroom Disruptions

In certain circumstances it may be necessary for the faculty member to report misconduct to the Office of the Dean of Students. (Refer to *Interim Suspension* and *Reporting Misconduct* in the *UALR Student Handbook*.) If a student has been ejected two or more times, the faculty member should follow these steps:

1. After the second ejection due to classroom disruption, the faculty member shall notify the Dean of Students. The Dean of Students shall work with the faculty member, department chair and student to develop a plan to address the repetitive disruption. As appropriate, the Disability Services may be included in this process of developing a plan addressing repetitive disruption.
2. Notify the student in writing that he or she is in violation of University behavioral standards as listed in the Code in Student Rights, Responsibilities, and Behavior (Classroom Disruptions). Upon receiving such notification, the student must approach the faculty member within three class days to attempt to resolve the problem. No action or penalty shall be imposed until the student has been informed in writing of the charge, given an opportunity to present his or her defense, and been informed of his or her right to appeal the case to the Behavioral Standards Committee.

He or she has the right to remain in class until action has been taken. An interim suspension is the only exception considered in a student's right to remain in class until action has been taken.

3. If the student is unable to resolve differences with the faculty member, the student shall take the grievance within three class days following the discussion with the faculty member, to the department chairperson (or dean if the faculty member involved is department chairperson). The department chairperson (or dean) shall attempt to resolve the grievance within three class days by meeting with the student and faculty member.
4. As a last resort and only after the above procedures have been carried out, the student may, upon notification to the faculty member and department chairperson, file an appeal in writing within three class days to the chairperson of the Behavioral Standards Committee.

If the student does not wish to appeal the case, the faculty member shall immediately initiate the administrative class withdrawal process by notifying the dean of students. The dean of students shall notify the student within three class days of the pending action and schedule a conference with the student. Following the conference, the dean of students will administratively withdraw the student from the class in which he or she was enrolled.

IV. Appeal Procedures and Instruction for University Judicial Appeals Committee Sub-Policy

This sub-policy like all the other sub-policies needs to be implemented in accordance with the concepts, principles, and definitions shown in the Preamble and the General Procedures and Definitions sections from the beginning of this policy. Anyone who thinks that the policy procedures are not being followed should also read the Procedural Appeals Sub-Policy.

The University Judicial Appeals Committee hears student appeals from the Behavioral Standards Committee, the Academic Integrity and Grievance Committee (except for grade appeals), the judicial boards of the Greek governing Bodies for organizational offenses, the dean of students or his/her designee.

Appeals Procedures and Instructions (*Not Applicable to Grade Appeals*)

1. The University Judicial Appeals Committee is empowered to review the conclusions, sanctions, and procedures used to adjudicate the case and limit its consideration of the appeal to the record of the previous hearing on the following grounds: (a) original decision contrary to the facts or based on insufficient evidence, (b) availability of new information (remand the case to the original judicial hearing committee), (c) procedural violation, or (d) excessive severity of the disciplinary sanction. The committee shall not exceed the purview of the original hearing committee.

2. The student can appeal any decision to the chancellor. See V. Appeals to the Chancellor of Findings of the University Judicial Appeals Committee Sub-Policy.

3. The student, the faculty member, or the dean of students/designee may appeal the findings and sanctions of the original judicial hearing committee, within five class days of the service of the decision. The appeal must be submitted in writing, describe the grounds for the appeal, and be addressed to the chairperson of the University Judicial Appeals Committee. The appealing party shall send copies of the appeal to the chairperson of the original hearing committee, the non-appealing party, and the dean of students. Appealing students have a right by state law, Act 1194, to

active legal representation on appeal where the punishment could be a 10-day or more suspension or expulsion.

4. Upon receipt of an appeal, the chairperson shall request that the records from the previous hearing be forwarded for review. At the discretion of the committee, and if clarification is needed, the committee may invite the appealing party, the non-appealing party, or the chairperson of the original hearing committee to meet with the committee. The committee does not conduct a hearing. The appeal shall be reviewed and a decision rendered in writing to all interested parties, including the reasons for the decision, no later than five class days upon receipt of the appeal. Reasonable deviations from the time frame or procedures will not invalidate a decision unless the deviations cause significant prejudice to the student.

5. The University Judicial Appeals Committee shall have the authority to:

- approve the recommendation of the original hearing committee or the board;
- remand the case to the original hearing committee or the board for rehearing;
- reverse the decision of the committee orders;
- modify the sanction, but impose none more severe than originally imposed.

6. In the case of a remand the chairperson will return the records to the chairperson of the original hearing committee. The committee, if possible, should rehear the case within 10 class days upon receipt of the notification. If the case is not remanded, the chairperson of the University Judicial Appeals Committee shall maintain the records until the deadline for an appeal to the chancellor has expired. If there is no appeal, the chairperson shall return the records to the dean of students for filing and appropriate action.

V. Appeals to the Chancellor of Findings of the University Judicial Appeals Committee Sub-Policy (*Not Applicable to Grade Appeals*)

This sub-policy like all the other sub-policies needs to be implemented in accordance with the concepts, principles, and definitions shown in the Preamble and the General Procedures and Definitions sections from the beginning of this policy. Anyone who thinks that the policy procedures are not being followed should also read the Procedural Appeals Sub-Policy.

1. After showing good cause as outlined in Grounds for Appeals, the student, the dean of students/ designee, or the faculty member may appeal the findings of the University Judicial Appeals Committee to the chancellor within three class days of the decision. The appealing party may appeal to the chancellor only after all other University appeals have been exhausted. Such appeal must be in writing, describing the grounds for the appeal, and be addressed to the chancellor. The appealing party shall send copies of the appeal to the chairperson of the University Judicial Appeals Committee, chairperson of the original hearing committee, non-appealing party, and the dean of students.

2. The chancellor is empowered to review the conclusions, sanctions, and procedures used to adjudicate the case and limits his/her consideration of the appeal to the record of the original committee hearing, review by the University Judicial Appeals Committee, and grounds for appeal.

3. Upon receipt of an appeal, the chancellor shall request the records from the chairperson of the University Judicial Appeals Committee. At the discretion of the chancellor and if clarification is needed, the chancellor may invite the appealing party, the non-appealing party, and the chairpersons of the original hearing committee and the University Judicial Appeals Committee to meet with him/her.

4. The chancellor shall review the appeal and render a decision in writing to all interested parties, including the reasons for the decisions, no later than five class days upon receipt of the appeal. Reasonable deviations from the time frame or procedures will not invalidate a decision unless significant prejudice to a student may result.

5. The chancellor shall have the authority to:

- a) approve the recommendation of the University Judicial Appeals Committee;
- b) remand the case to the original hearing committee for rehearing;

- c) reverse the decision of the University Judicial Appeals Committee;
 - d) modify the sanction, but impose none more severe than originally imposed.
6. The chancellor shall return the records to the dean of students for filing and for appropriate action.

Appendix A – General Operating Policies of the Academic Integrity and Grievance Committee

The Committee shall meet as soon as possible after it is formed and elect a chairperson from among the faculty members on the committee.

The Dean of Students shall work with the committee to ensure that all members understand the judicial sub-policies under the responsibility of the committee. The Dean of Students shall be responsibility for providing access to the Judicial Policy to all members.

1. The associate vice chancellor for academic affairs shall be the administrative officer of the committee but shall not serve as a member of the committee. His or her duties shall include:

a) consulting with the Academic Integrity and Grievance Committee chairperson in making a determination of which appeal procedure is appropriate (i.e., that of Academic Integrity and Grievance Committee for grade appeals or, if not overriding the student's right of appeal or forcing a faculty member to change a grade, that of the vice-chancellor/provost for administration action) and notifying the student of the decision;

b) assigning faculty members and students on a rotating basis and according to the alphabet when possible;

c) arranging the appropriate times, dates, and places of committee meetings and hearings;

d) informing in writing the parties to the appeal, their non-participating representatives, designated witnesses, ~~and members of the hearing panel, and the president of the Student Government Association~~ of the times and places of committee hearings which they are requested to attend and supplying them with a statement of alleged grievances or offenses (Allegation of Academic Offense Report Form or Grade Appeal Complaint Form) and coordinating with the dean of students if the offense alleged is a violation of academic integrity;

e) securing and distributing to the committee written material appropriate to its consideration;

f) supplying and distributing to the committee and involved parties all relevant and required documents and written materials appropriate to its consideration within the designated time frames for the meeting/hearing, (e.g., statement of charges, alleged grievances, incident/allegation reports, information to be presented at hearing, list of witnesses, etc.);

g) arranging for a ~~tape~~-recording of committee proceedings;

h) conveying in writing to the appropriate persons in grade appeals the decisions and the reasons for the decisions of the committee, within reasonable bounds of confidentiality, and to the accused student in academic offense cases the disciplinary action;

i) maintaining committee records of grade appeals for a period of two years and; and forwarding academic offense records to the dean of students' office after the appeal deadline has expired;

j) providing secretarial assistance for the committee.

The associate vice chancellor for academic affairs shall have the right to request copies of records pertaining to the proceeding from the dean of students' office.

It must be clearly understood that the office of the associate vice chancellor for academic affairs has no subpoena power and that its duties with regard to witnesses shall end with the transmittal of a letter, within two working days of the party's written request, notifying the witness of the time, place, and date scheduled for the hearing. Any further responsibility shall be that of the party calling the witness.

2. Committee Membership

a) Any member of the committee may at any time disqualify himself or herself from consideration of any given case or cases because of personal bias.

b) Should a committee member be unable to hear a particular case, for any reason, an alternate shall be appointed by the chairperson to serve for the course of the particular grievance.

c) Should the committee be involved in a specific case at the time of the return of an absent member, the replacement member shall continue as a member of the committee in all sessions dealing with that specific case until it is concluded. The returning members shall resume membership on the committee in any new cases brought before the committee.

d) Should any member of the committee be unable, for any reason, to complete a term for which he or she has been appointed, one of the alternates shall fill the balance of the term. Resignations shall be submitted in writing to the Dean of Students, associate vice chancellor for academic affairs and the chairperson of the committee. The Dean of Students and associate vice chancellor for academic affairs shall then immediately inform the president of the Faculty Senate/ Assembly in the case of the faculty member resignation, or the Student Government Association president or the Graduate Student Association president in the case of a student resignation or a vacancy, request the appointment of one of the alternates to fill the position, and request the appointment of a second alternate to fill the vacant alternate position until the next term.

e) If the committee is involved in any specific case at the time of the expiration of the term of any member, that member shall continue to function as a member of the committee only in its dealings with that specific case until such time as the case is concluded. No newly elected member shall participate as a member of the committee in relation to any case that began before his or her term. He or she shall, however, serve as a member of the committee for all other matters, beginning with the first day of his or her designated term of service.

f) Either party to a hearing may ask the associate vice chancellor for academic affairs the name of committee members assigned to hear the case. Either party may request in writing to the associate vice chancellor for academic affairs and the chairperson that any member or members of the committee be excluded from the consideration of the case. Such a request must be for cause and be brought to the attention of the associate vice chancellor for academic affairs and chairperson within two class days upon receipt of notice of hearing. If a member of the panel is challenged, an alternate must be selected, have received all pertinent information regarding the hearing, and must be available at the hearing; if the member is disqualified by majority vote of the hearing panel from consideration of the case, the alternate will be seated.

3. The Faculty Senate/Assembly president and the Student Government Association president or the Graduate Student Association president may appoint temporary committee members during the summer months to hear cases in an emergency and only after the associate vice chancellor for academic affairs has made all attempts to contact committee members and alternates.

4. In cases involving more than one student which arise out of the same event or incident, the panel may hear such cases together; but in that event the panel shall make separate findings and determination for each student.

Appendix B – Committee Procedures for Grade Appeals

Guidelines for Grade Appeal Hearings Presentation of Arguments and the Roles of Participants

These guidelines are intended to facilitate the effective and appropriate participation of all parties to the hearing while also ensuring that the hearing panel members have enough time to consider the relevant aspects of the case before them.

The committee is restricted to making grade changes only if the grade was inequitably awarded in that it violated a faculty member's own specified grading standards or the grading standards of the department. No other basis can be used to change a grade. In the case where the faculty member has

violated the standards of the department, the hearing panel's grade change decision cannot exceed the recommendation of the department's chair.

The protocols below pertain to two conditions: 1) a hearing without witnesses and 2) a hearing with witnesses. The time allotments are maximums. Participants may choose to use less time.

Non-participating representatives may advise the party they represent during the hearing as long as it is not disruptive to the hearing. For instance, the representative may write notes or whisper to his/her party but may not engage in such activities as discussions, arguing points, or questioning witnesses. The party represented by the non-participating representative may ignore the representative's advice or incorporate it into his/her own arguments.

All material evidence must be received by the hearing panel members at least five days prior to the hearing. No new material evidence may be presented during the hearing.

The chair of any given hearing panel may suspend or alter the recommended time allotments as deemed necessary given the individual circumstances of the case.

Hearing without Witnesses

1. Hearing Panel Chair (5 minutes) – Self introduction and review of hearing protocol (recorded)
2. Student (20 minutes) – Opening statement/presentation of case for grade change - This is meant to highlight points from the material evidence, not to re-read the information to the Panel. (recorded)
3. Instructor (20 minutes) – Opening statement/presentation of case against grade change - This is meant to highlight points from the material evidence, not to re-read the information to the Panel. (recorded)
4. Student (15 minutes)– Rebuttal/Closing statement (recorded)
5. Instructor (15 minutes)– Rebuttal/Closing statement (recorded)
6. Questions from Hearing Panel Members (no time limit) (recorded) – questions may be asked of student or faculty member during their testimony
7. Student and Instructor are excused from the hearing room along with any non-participating representatives (recorded)
8. Hearing Panel Deliberation - A decision must be submitted to the Dean of Students within 3 class days of hearing (not recorded)

Hearing with Witnesses

1. Hearing Panel Chair (5 minutes) – Self introduction and review of hearing protocol (recorded)
2. Student (20 minutes) – Opening statement/presentation of case for grade change. This is meant to highlight points from the material evidence, not to re-read the information to the Panel. (recorded)
3. Student's Witness(es) (10 minutes) – Statements of evidence - (Each Student Witness will have up to 10 minutes.) This is meant to highlight points from the material evidence, not to re-read the information to the Panel. (recorded)
4. Instructor (20 minutes) – Opening statement/presentation of case against grade change - This is meant to highlight points from the material evidence, not to re-read the information to the Panel. (recorded)
5. Instructor's Witness(es) (10 minutes) – Statements of evidence - (Each Instructor Witness will have up to 10 minutes.) This is meant to highlight points from the material evidence, not to re-read the information to the Panel. (recorded)
6. Student (no time limit) – Rebuttal/Closing statement (recorded)
7. Instructor (no time limit) – Rebuttal/Closing statement (recorded)
8. Questions from Hearing Panel Members (no time limit) – questions may be asked of student, faculty member or witnesses during their testimony
9. Student and Instructor are excused from the hearing room along with any witnesses and non-participating representatives (recorded)

10. Hearing Panel Deliberation - A decision must be submitted to the Dean of Students within 3 class days of hearing. (not recorded)

Appendix C – Conduct of Hearings Regarding Academic Offenses

The chairperson shall preside at the hearing; call the hearing to order; call the role of the committee members in attendance; ascertain the presence or absence of the student(s) charged with the violation; ascertain the presence of the dean of students or designee or accuser, the representatives of the student, and legal counsel if applicable; read the notice of hearing and charges; verify the receipt of notice of charges by the student(s); report any continuance requested or granted and any special or extraordinary procedures to be employed during the hearing; and inform the committee members and those involved in the hearing that the hearing is being recorded ~~taped~~.

1. Opening statements:

- a) The dean of students, designee, or accuser shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed;
- b) The student(s) may make a statement to the committee about the charge at this time or at the conclusion of the University's presentation. Witnesses shall be excluded from the hearing prior to the time their testimony is given. Persons who have been present during any part of the hearing may be allowed to testify only in those rare instances when the party can persuade the entire hearing panel that the need for such testimony could not reasonably have been anticipated.

2. University evidence:

- a) University witnesses or persons testifying against the accused are to be called and identified or their written affidavits summarizing their reports of evidence introduced as appropriate;
- b) The committee may question witnesses at any time;
- c) The student may examine evidence presented to the committee against him or her;
- d) The student not committee language may present witnesses and question a ny witnesses testifying against the student; and
- e) The student may consult his or her representative or legal counsel during the hearing.

3. Accused evidence:

- a) Witnesses or persons testifying on behalf of the accused are to be called and identified and written affidavits summarizing their reports of evidence introduced as appropriate;
- b) The committee may question the witnesses or person(s) testifying on behalf of the student(s) at any time;
- c) The student may examine evidence presented to the committee.

4. Rebuttal of evidence: The committee may permit the University, accuser, or the student to offer any rebuttal of the other's presentation. Any party may refuse to answer questions, and the panel may draw any inferences from such refusal.

5. Rights of committee: The committee shall have the right:

- a) In cases involving more than one student which arise out of the same transaction or occurrence to hear such cases together, but in that event shall make separate findings and determinations for each student;
- b) To permit a stipulation of facts by the dean of students or the dean of students' designee, the accuser and the student involved;
- c) To permit the incorporation in the record by a reference of any document, affidavit, or other thing produced and desired in the record by the University or the student charged;
- d) To question witnesses or other evidence introduced by either the University or the student at any time;
- e) To hear from the dean of students about dispositions made in similar cases and, when a violation is found, to request the dean of students to open the student's records concerning

the student's prior disciplinary record and any dispositions offered to the student appearing before the committee;

- f) To call additional witnesses or require additional investigation;
- g) To dismiss any action at any time or permit informal disposition as otherwise provided;
- h) To permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the committee before final determination of the case, provided that the committee shall grant to the student, dean of students, or accuser, such time as the committee may determine reasonable under the circumstances to answer or explain the additional matters;
- i) To dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the ruling of the chairperson or the committee; and
- j) To hear or not to hear such witnesses or persons testifying and evidence as it may deem relevant and fair, including, but not limited to, any information made a part of the original report.

6. Determination by committee: The committee shall then make its findings and determinations in executive sessions out of the presence of the dean of students or designee, accuser, and the student and on the sanction, if any, to be imposed. No sanction shall be imposed on the student unless a majority of the committee present is reasonably convinced by the evidence that the student has committed the violation and should be disciplined therefore. A committee member shall not vote if he or she was not present throughout the full hearing.

7. Official report of findings and determinations: The committee shall promptly consider the case, make its findings and determinations, and transmit them in writing to the dean of students or designee, the accuser, the student charged, and, in the case of suspension or expulsion, ~~the vice chancellor for education services,~~ the vice chancellor/provost, and the chancellor within three class days of the hearing.

8. If during the course of its proceedings, the committee determines that a faculty member aided the student in committing the academic offense, then that information along with the official report of findings and determinations shall be forwarded to the UALR Integrity Officer for further action.

9. Other procedural questions: Procedural questions not covered by these general rules which arise during the hearing shall be determined by the chairperson, whose ruling shall be final unless the chairperson presents the question to the committee at the request of a member of the committee. A party may appeal any procedural decisions to the Judicial Council.

10. General rules of decorum:

- a) All requests to address the committee shall be addressed to the chairperson, and the person shall identify himself or herself before speaking;
- b) the chairperson will rule on all requests and points of order, which ruling shall be final, and all participants shall abide thereby, unless the chairperson presents the question to the committee at the request of a member of the committee, in which event the ruling of the committee by majority vote shall be final;
- c) rules of common courtesy and decency shall be observed at all times; and
- d) a representative or legal counsel may request clarification of a procedural matter at any time by addressing the chairperson after recognition.