

UNIVERSITY OF ARKANSAS AT LITTLE ROCK

FS-2017-24a

TRANSMITTAL OF FACULTY SENATE LEGISLATION

Faculty Senate legislation is to be submitted to the chancellor to approve or disapprove within ten calendar days after the Assembly review period. The chancellor may approve or disapprove any Faculty Senate legislation within a period from the eleventh through the twenty-fifth calendar day after the Faculty Senate action has been presented to the Assembly, unless the Assembly has been petitioned to amend or rescind the Faculty Senate legislation. In the latter case, the chancellor's approval or disapproval shall be made no later than fifteen calendar days after the Assembly has voted on and failed to approve a motion to amend or rescind a legislative action of the Faculty Senate. The chancellor shall provide written reasons for disapproval to the Faculty Senate.

**To the Chancellor of the University of Arkansas at Little Rock:**

The following legislation passed the UALR Faculty Senate on 1-19-2018.

**Be it resolved** to modify Grade Appeals and Academic Offenses as follows (underline indicates addition, strikethrough indicates deletion):

**I. Appeal of Course Grades and Evaluated Program Requirements**

The purpose of this policy is to explain the conditions and procedures for the appeal of course grades and other graded program requirements (e.g., comprehensive examination, qualifying examination, thesis, dissertation, and other culminating experiences).

Throughout this policy, the term "instructor" refers to the instructor of record who is responsible for issuing the course grade. "Instructor" may also refer to the program coordinator when the program faculty issues a grade for program requirements that do not reside in a course (e.g., comprehensive examination, qualifying examination, thesis, dissertation, and other culminating experiences).

Students may appeal final course grades, results of capstone experiences, comprehensive and qualifying examinations, defenses, and other graded program requirements. The grade appeal process must be initiated by the student within 20 class days from the date the grade is awarded.

A student has the right to appeal a grade if he or she feels the grade was awarded as a result of arbitrary grading. The grade appeal process is not appropriate for a student's disagreement or dissatisfaction with an instructor's professional evaluation of coursework. Arbitrary grading is defined here as using standards that are substantially different from those announced by the instructor or described in the course syllabus or program documents.

The student may confer with the Student Government Association or Graduate Student Association president/designee regarding the complaint at any time during the Steps Toward Redress for Grade Appeals. The president/designee 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.

**Steps Toward Redress for Grade Appeals**

1. The student will contact the instructor in writing with a request to meet regarding the grade in question. 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 the 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. A grade appeal cannot be brought forward while an academic integrity matter is being resolved for that course, student, and instructor. In the event the academic integrity matter is resolved in favor of the student, the 20 class days start when the academic integrity process has completed.

No instructor 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. If the instructor is unavailable, the student may skip to Step 2.

If the issue is resolved after meeting with the instructor, the student's grade may be changed in Step 1 of this procedure by written consent of the instructor.

2. If unable to resolve the difference with the instructor, the student shall take the grievance within five class days of this discussion to the department chairperson (or dean, if the instructor involved is the department chairperson).

If the instructor who assigned the grade is unavailable, for example, the instructor is no longer employed by the university and is unresponsive to the student's request for a meeting or is otherwise unavailable and unresponsive, the department chair will confer with the faculty in the department and appoint a full-time faculty member who is knowledgeable of the subject matter to act in the stead of the unavailable instructor.

The chairperson shall attempt to resolve the dispute within 10 class days by meeting with the student and the instructor. The student's grade may be changed at Step 2 of this procedure by the written consent of the instructor. At this meeting the chairperson (or dean) will have the student and the instructor 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~~ or 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. The student 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. On the basis of this consultation, 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.

The student is responsible for demonstrating that arbitrary grading occurred and must proceed with an appeal in good faith. Abuse of the grade appeal process may result in a disciplinary referral by the AIGC to the Office of the Dean of Students for violating the university Code of Student Rights, Responsibilities, and Behavior (Policy Number 516.3).

### **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 student grade appeals except for a claim of discrimination that is forwarded to Human Resources. The AIGC shall follow these procedures 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 procedures shall be distributed to all members of the committee by the associate vice chancellor for academic affairs. Reasonable deviations from the time frame or procedures will not invalidate a decision unless the deviations cause significant prejudice to the student.

1. At least 10 class days before the date set for the hearing, the student and the instructor will be notified in writing 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 instructor's schedules and of their convenience, but in the interest of fairness, reasonable speed shall be the watchword.
2. The student and instructor 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. Legal representation at grade appeal hearings is prohibited.

3. At least five class days before the committee is convened, the student and the instructor 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 instructor 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. All submitted materials must be directly related to the conditions for arbitrary grading as defined in this policy.
4. A hearing panel will be selected from the AIGC to consider the appeal. A panel chair will be chosen from among the faculty members present at the hearing panel. ~~The chairperson shall serve as the chairperson of all appeals hearing panels. The chairperson may designate a provisional hearing panel chair in those instances when the committee chairperson is not available.~~ A quorum hearing panel for a grade appeal consists of a panel chair, two additional 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.
5. The hearing panel 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 instructor, ~~oral~~ testimony from witnesses and official records from the student's college or school dean and from the Office of Admissions and Records and Registration have been submitted and reviewed.
6. The only persons present at meetings of this committee shall be committee panel members, designated observers, Student Government Association president/designee upon request by the student, parties to the action being considered by the committee and the student and the instructor along with their non-participating representatives, and witnesses actually testifying before the committee. With prior notice to the hearing panel, any of the parties involved in the appeal, the student, the instructor, or witnesses, may appear via synchronous technology rather than in person. All proceedings shall be recorded except for panel deliberations.
7. Written statements by witnesses in lieu of personal appearance should not be allowed except in rare instances.
8. During the process of making a decision on a case, the panel shall consider only that information which (a) has been presented during the hearing and (b) is relevant to the charge grounds for a grade appeal.
9. A decision to change or direct changes in a student's course grades requires a majority vote of the committee hearing panel on appeal; in the case of a tie, the grade assigned by the instructor shall stand.
10. Upon conclusion of the appeals hearing, the committee panel will make a decision in writing and sign appropriate appeal documents. The ~~chairperson of the committee~~ panel chair will return the master file and the ~~tape~~ recording 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~~ associate vice chancellor for academic affairs shall send a letter explaining the findings and the decision within 10 class days of such decision to the student, instructor, 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.

11. The vice chancellor/provost shall review the decision of the committee on appeal within 10 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.
12. 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; *or*
  - ~~d) Reverse the decision of the hearing panel; or~~
  - e) ~~Raise the course grade.~~
13. The vice chancellor/provost shall notify the appealing party and the non-appealing party of his/*her* decision within 10 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 Offenses

### 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 responsible for ~~guilty~~ 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 instructors 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 instructor, as well as the responsibility of all instructors to report all alleged violations of academic integrity to the ~~office of the dean of students~~ Office of 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 instructor'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~~ representative from the Office of the Dean of Students) or by the Academic Integrity and Grievance Committee.

## Definition of Academic Offenses

The following list of offenses, which is by no means all-inclusive, identifies categories *of offenses* that are subject to grade penalty and disciplinary action. *This list is not intended to be exhaustive.*

- **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 AIGC shall follow these procedures for conducting academic offense hearings. The procedures shall be distributed to all members of the committee by the associate vice chancellor for academic affairs. Reasonable deviations from the time frame or procedures will not invalidate a decision unless the deviations cause significant prejudice to the student.*

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/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.

*There are two types of procedures: one for students enrolled in a course and one for students who are not enrolled in a course. In either case, students are encouraged to consult the UA Little Rock Student Handbook, Section VII, Administration of Student Discipline, Sub-section: Student Rights and Privileges Regarding Academic Offenses.*

## Steps Toward Redress for Academic Offenses

### A. Academic Dishonesty Procedures for Students Enrolled in a Course

These procedures are applicable when a student is enrolled in a course, and an instructor suspects the student of cheating, plagiarism, collusion, or similar activity, and when the suspicion is supported by substantial facts or evidence.

The instructor is responsible for notifying the student in writing of the specific allegations charges within five class days of identifying the offense, (using the Allegation of Academic Offense Form), delivering this form by mail, by email, or in person; also, the instructor is responsible for retaining a copy of the form, and for forwarding one copy each to the relevant department chairperson and to ~~the office of the dean of students~~ Office of the Dean of Students.

Upon receipt of the notice form, the student is responsible for contacting the instructor for the purpose of arranging a conference; both parties are then responsible for cooperating as necessary to conduct the conference within ~~five~~ 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 violation charge and the substantiating evidence; and,
- to ensure that the student has ample opportunity to present to the instructor his or her position and explanation, ~~and existing evidence of innocence.~~

If the student admits to academic misconduct or the instructor still believes a violation occurred, a grade penalty can be imposed. Regardless of the outcome of this conference, the instructor is responsible for immediately notifying the ~~office of the dean of students~~ Office of the Dean of Students of the results.

If the instructor and student reach agreement that the student is responsible for the violation ~~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~~ designee, representative of the Office of the Dean of Students. If no formal appeal or waiver has been filed by the student at the expiration time of the allowable period, the instructor may immediately impose a grade penalty.

A grade penalty may be imposed only by the instructor. It is recommended that if a student is found to be responsible for the violation ~~guilty or admits guilt~~, the instructor 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 grade of *F* in the course,
- a grade of *F* on the examination, project, etc. ,
- a grade adjustment,
- no credit for material presented.

If the conference's outcome is that the instructor continues to believe with objective cause that the student is responsible ~~guilty~~ of an academic offense, and yet the student maintains a position that they are not responsible, ~~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~~ determined through and by those means to be ~~guilty~~-responsible-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~~ Dean of Students or designee shall schedule a meeting with the representative of the Office of the Dean of Students after meeting with the instructor. Subsequently both the student and the representative of the Office of the Dean of Students ~~dean or designee~~ are responsible for cooperating as necessary to conduct the conference no later than five ~~six~~ class days from the date the student met with the instructor.

The purposes of this conference will differ, as will responsibilities pertinent to it, depending upon whether the student acknowledges responsibility ~~maintains a position of guilt or innocence~~ regarding the academic offense. Therefore, two categories follow:

1. In a case wherein the student has acknowledged responsibility for the academic offense ~~admitted guilt~~ to the instructor and also maintains that position ~~that guilty plea~~ after conference with the ~~dean of students~~ representative of the Office of the Dean of Students or designee, and the offense warrants a severe penalty such as expulsion or suspension, the representative of the Office of the Dean of Students ~~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~~ representative from the Office of the Dean of Students will elect one of two options:
  - a. the ~~dean of students or designee~~ representative from the Office of the Dean of Students, 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
  - b. the case may be referred to the Academic Integrity and Grievance Committee ~~Chairperson~~ for disposition.
2. In a case wherein the outcome of the instructor/student conference is that the student does not acknowledge responsibility for the academic offense ~~faculty member maintains the student is guilty but the student maintains a position of innocence~~, the ~~dean of students~~ representative from the Office of the Dean of Students ~~or designee~~ will review the following information with the student: the specific violation ~~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, if the student changes their position and acknowledges responsibility, 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~~ representative from the Office of the Dean of Students will immediately notify the instructor and the relevant department chairperson.

If the student continues to maintain their position that they are not responsible for the violation, ~~elects to maintain the plea of not guilty~~, the representative from the Office of the Dean of Students ~~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 representative of the Office of the Dean of Students ~~dean/designee~~ and the student, the representative of the Office of the Dean of Students ~~dean/designee~~ is responsible for immediately notifying its results to the instructor and to the relevant department chairperson.

The student's conferences with the instructor and with the ~~dean of students or designee~~ representative



from the Office of the Dean of Students 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: the relevant instructor, the department chairperson, and the ~~dean of students~~ representative from the Office of 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 considered 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 consideration ~~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 as long as it is before the final withdrawal date indicated in the academic calendar.
- If academic dishonesty is not found, the student may continue in the course or withdraw from the course at that time.
- If academic dishonesty is not found, and the student was prevented from withdrawing from the course because the deadline passed during the consultation and appeal process, the student is eligible for the same opportunity to withdraw from the course they would have had at the time they were accused including any refund of tuition.

If the consideration 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 an instructor 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~~ Office of the Dean of Students of the suspicion of cheating, plagiarism, collusion, or the like. On receiving the notification of the alleged academic violation, the ~~dean of students~~ representative from the Office of the Dean of Students shall investigate, consult the involved instructor(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 violation 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 responsibility ~~guilt~~ and the offense does not warrant suspension or a severe sanction, the matter may be handled by the ~~dean of students~~ representative from the Office of 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. responsibility ~~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 representative from the Office of 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 maintains that he or she is not responsible for the violation, does not admit guilt, the case will be referred within five ~~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 *or designee*, on receiving a written appeal or referral from the dean of students representative from the Office of the Dean of Students, will convene a hearing panel ~~the committee~~ within 15 class days to consider whether the student is responsible for the violation ~~determine the guilt or innocence of the student or~~ and when necessary, the appropriate disciplinary action (sanction).

2. The student and the instructor 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 shall, when possible ~~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 instructor's schedules and of their convenience, but in the interest of fairness, reasonable speed shall be the watchword.

3. The student and the instructor 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 instructor must submit to the dean of students/designee representative from the Office of the Dean of Students 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 instructor will bring to the scheduled meeting. Copies of this information will be distributed to all involved parties.

5. Legal counsel is permitted at academic offense hearings. Legal counsel serves in a non-participatory capacity and is restricted to the role of advisor.

~~5. The accused student may decide whether the hearing of an academic offense case will be open or closed. Grade appeal hearings shall be closed. Where an opening hearing is permitted, the chairperson has the discretion to determine when the space has been exhausted and not additional observers, not privileged to attend, may be admitted.~~

6. A hearing panel will be selected from the AIGC to consider the appeal. A panel chair will be chosen from among the faculty members present at the hearing panel. A quorum panel to hear appeals for 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. A representative from the dean of students/Office of the Dean of Students may also attend the hearing. 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 has made all attempts to contact committee members and alternates.

7. The only persons present at meetings of this committee shall be members, the student, the instructor, designated observers, ~~parties to the action being considered by the committee and their~~ nonparticipating representatives, and witnesses actually testifying before the committee. With prior notice to the hearing panel.

any of the parties involved in the hearing, the student, the instructor, or witnesses, may appear via synchronous technology rather than in person. All proceedings shall be recorded.

8. Written statements by witnesses in lieu of personal appearance should not be allowed except in rare instances.

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

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

11. If the hearing panel ~~committee~~ finds the student is responsible for the violation, the instructor will determine the appropriate grade penalty based on a recommendation from the panel, and the panel ~~committee~~ will determine the appropriate disciplinary sanction. In such case, the panel chair may request the representative from the Office of the Dean of Students ~~dean of students or designee~~ to open the student's file to see if there is a prior disciplinary record. If the panel ~~committee~~ finds the student is not responsible for the violation ~~innocent~~, the instructor 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~~ Office of the Dean of Students for filing and appropriate administrative action and notify the instructor 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 instructor, and the ~~dean of students~~ representative from the Office of the Dean of Students) the decision and determination of the case, the disciplinary sanction imposed, and the right of the student, the instructor, or the ~~dean of students~~ representative representative from the Office of 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 and Provost, and the Chancellor in writing of the hearing panel's ~~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 academic offenses ~~violations and infractions of the 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.

**Student Rights and Privileges Regarding Academic Offenses**

The student has the right to the following:

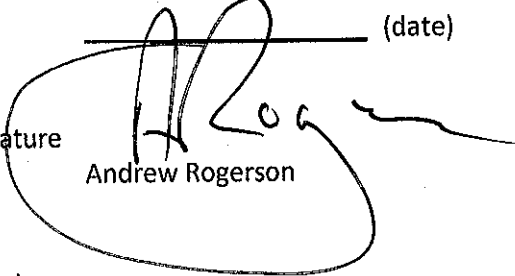
1. Receive a written charge statement to include the nature and the specific charge(s) at least 10 class days before the hearing.
2. Be present at the hearing and have an opportunity to speak in own defense and to present evidence.
3. Receive names of witnesses and persons testifying against him or her.
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.

And be it resolved that this legislation supersedes all policies covered by this legislation.

Disseminated to University Assembly 4/26/2018 (date)

Faculty Senate President's Signature  Date 4/26/2018  
Andrew Wright

Received in chancellor's office on \_\_\_\_\_ (date)

Chancellor's Action:  
APPROVED      Chancellor's Signature  Date 5/10/18  
Andrew Rogerson

DISAPPROVED      Chancellor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
(reasons to be attached)      Andrew Rogerson