

## STUDENT APPEAL PROCEDURE

### ACADEMIC DISHONESTY HEARINGS

*The following procedure is established for a student who chooses to provide written materials and to be present at an evidentiary hearing convened by the Appeals Panel of the Student Affairs Committee of the College of Education and Human Development.*

1. Appeal by the Student. If the student submits a written appeal within 10 business days, the dean will notify the registrar to issue a grade of GP (grade pending) for the course(s) in question on all transcript requests for the student pending outcome of the appeal. The dean will forward the charges of academic dishonesty to the dean's office liaison to the college hearing. The liaison will notify the faculty member to set forth in writing a comprehensive statement describing the incident of academic dishonesty. This statement will be presented to the committee and to the student at least five (5) business days prior to the hearing.
2. Within ten (10) business days after the liaison receives the charges of academic dishonesty, a hearing date will be determined.

Appeals panels for student grievances will consist of four full-time faculty members and one student. Faculty members of the panel will be selected randomly by the use of a computer program. The selection process will exclude the department of the faculty member who is the respondent in the grievance process. The student panel member will be selected by the chair of a department, and departments will be assigned this responsibility in alphabetical order. The selection process will exclude the department of the student who is the appellant in the grievance process. The liaison will convene the first meeting of the appeals panel so that the panel members can elect a chair and begin the appeal process in accordance with the University catalog.

Selected faculty members and student member will be notified by e-mail. If there is a scheduling conflict, additional faculty and student members will be selected at random. Details of the hearing will be given to the panel once it is confirmed.

3. The liaison will notify the faculty member and the student of the time, date, and the place of the hearing. Copies of all charges of academic dishonesty and related materials for the hearing will be provided to the student at least five (5) business days in advance of the hearing.
4. Any additions to the original appeal, such as additions to the witness list or additional documentation must be received three (3) working days prior to the hearing date in order for the evidence to be a part of the appeal hearing.
5. Either party may request in writing that an Appeals Panel member be disqualified for bias. The panel decides by majority vote whether disqualification is granted. The written requests must be received by the liaison of the Appeals Panel of the Student Affairs Committee at least three (3) working days prior to the date the appeal will be considered.
6. The faculty member and the student will be allowed to make oral presentations, call witnesses, and present any documentary information regarding the incident in question. The hearing will be recorded on audio tape. The hearing will not be open to observers.

7. Each party is given a maximum of 45 minutes during the hearing to present its position. The clock will stop when any witness enters and leaves the room. This time will be allocated as follows:
  - a. A maximum of 20 minutes for the presentation of position and evidence by each party, beginning with the student.
  - b. A maximum of 15 minutes for rebuttal, questioning of witnesses and the presentation of additional argument or evidence by each party, beginning with the student.
  - c. A maximum of 10 minutes for summarization by each party, including clarification, questioning and final remarks, beginning with the departmental response.
8. At the end of each segment (i.e., a, b, and c), the panel members are given the opportunity to ask questions. Any comments are to be directed to the panel members only. All proceedings during the hearing are tape recorded by the university for the official record. Videotaping is not allowed. All persons who will be presenting during the hearing must be present at the start of the hearing.
9. Counsel for both parties are permitted to attend the hearing; however, counsel are not permitted to question witnesses or parties involved or address the members of the Appeals Panel. If counsel are present, they will not be seated at the table but will be seated behind the student and departmental representative.
10. Attendance at the evidentiary hearing is limited to panel members, the student, the departmental representative, and their respective counsel if attending. Respective witnesses will be present only during their testimony to the panel. Generally, other individuals will not be allowed to attend the hearing because of space and privacy concerns. However, if the student wishes to have an additional person present (in a non-participating role), then the student will be asked to acknowledge before the committee at the time of the hearing that he/she waives any privacy interests related to the presence of that individual.
11. At the conclusion of the hearing, the committee will meet in closed session and will make its recommendation as to the guilt or innocence of the student based on a preponderance of information with respect to the charge of academic dishonesty. The committee chair will forward to one of the college's associate deans its findings and recommendations in a written report within five (5) business days of the hearing.
12. College Decision on Appeals. Within five (5) business days of receiving the committee's written report, one of the college's associate deans will make the final decision regarding guilt or innocence. The Associate Dean will notify all appropriate parties of the decision.
13. If the Associate Dean finds the student not guilty, the matter will be terminated and no notice of charges will be filed with the Dean of Students. The Associate Dean will notify the chair to post the pending course grade promptly and will notify the registrar to remove the GP (grade pending) on the student's transcript.
14. If the Associate Dean finds the student guilty, the notice of charges of academic dishonesty will be forwarded to the Dean of Students for inclusion in the student's disciplinary file. The academic penalty stipulated by the faculty member will be imposed. The Associate Dean will notify the chair to insure that any pending grade is posted promptly. The Associate Dean will notify the registrar to remove the GP (grade pending) on the student's transcript if only an academic penalty was involved. If a disciplinary penalty has been recommended, the Associate Dean will notify the registrar to continue

the GP (grade pending) annotation until the disciplinary penalty can be reviewed by the University Senate Committee on Student Discipline.

15. Appeal of the Decision of the Associate Dean. If the student or initiator wishes to appeal the decision of the Associate Dean regarding guilt or innocence of the charges of academic dishonesty, the student or initiator may appeal to the Provost. The subsequent appeal route would be to the President and then the Board of Regents. The student or initiator must submit a written statement of appeal to the Provost within ten (10) business days of notification of the Dean's decision. The basis of the appeal must be on the grounds that the decision was arbitrary, capricious, or discriminatory.