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SR-08-09-35 BAPC

Marshall University

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**BUDGET AND ACADEMIC POLICY COMMITTEE
RECOMMENDATION**

RETURNED TO COMMITTEE

SR-08-09-35 BAPC

Recommends the following changes to the 2008-09 Marshall University Undergraduate Catalog, pages 101 and 108, in the section titled, "Academic Appeals" to be revised as follows; with new language being indicated in **bold** font and deleted language as ~~strikethrough~~.

As stated on page 101:

C. Appeals for Academic Deficiencies:

1.

c. If the student is dissatisfied with the outcome of the meeting outlined in (b) above, the student may file an appeal in writing **within ten (10) days of the meeting with the person who judged his/her performance** with the Chairperson of the Budget and Academic Policy Committee

As stated on page 108:

Reporting:

Any time an accusation of academic dishonesty is made, and a sanction imposed (or a sanction will be imposed with the submission of final grades), a notice should be sent to the Office of Academic Affairs within ten (10) days of the accusation (**or submission of final grade with imposed sanction**), whichever comes first.

AND

Instructors ~~are encouraged to~~ must ~~should~~ give a copy of the "Academic Dishonesty Report Form" to a student accused of an offense. However, within ten (10) days of receipt of the "Academic Dishonesty Report Form" the Office of Academic Affairs will inform the student and the student's dean of the accusations made, the sanctions prescribed, the repercussions of repeat offenses, and his/her rights of appeal.

Also, refer to pages 3 and 4 titled, "Undergraduate Catalog-Academic Appeal"

RATIONALE:

The recommended policy is more specific. It removes any ambiguities and clarifies for the student and faculty member noted timelines, when accused academic dishonesty should be reported, and the submission of the "Academic Dishonesty Report Form."

FACULTY SENATE CHAIR:

RETURNED TO COMMITTEE: *Tom Brummer* DATE: 4/9/09

UNIVERSITY PRESIDENT:

READ: *J. Hupp* DATE: 5/11/09

COMMENTS: The Executive Committee at its March 30, 2009 meeting amended this recommendation as indicated by the red font strikethrough and addition of language and requests that the suggested amendment, as indicated by the green font strikethrough and addition of language, be considered by the Budget & Academic Policy Committee. It is felt that the change from "should" to "must" provides a much stronger statement.

Undergraduate Catalog-Academic Appeal

at any such meeting by an advisor of his/her choice from the University (faculty, staff, or student). Such advisor may consult with but may not speak on behalf of his/her advisee, or otherwise participate directly in the proceedings, unless given specific permission to do so by the person conducting the meeting. The student is not entitled to an attorney in such meetings, and the formal rules of evidence are not applicable.

101

c. If the student is dissatisfied with the outcome of the meeting outlined in (b) above, the student may file an appeal in writing **within ten (10) days of the meeting with the person who judged his/her performance** with the Chairperson of the Budget and Academic Policy Committee. The Chairperson of the Budget and Academic Policy Committee will refer the matter to the University Academic Appeals Board which determines if an appeal hearing is justified. If the University Academic Appeals Board determines a hearing is justified, the Board will schedule the hearing. The University Academic Appeals Board has the right to seek additional documentation if necessary. The University Academic Appeals Board has thirty (30) days to convene the members of the Hearing Panel to hear the appeal (once the requested documentation is provided by the appellant student) and ten (10) days after the hearing to make notification of the determination to the student and instructor. If the student is denied an appeal, he/she may appeal this decision to the Provost and Senior Vice President for Academic Affairs or, for students in the Marshall Community and Technical College, to the Dean of Academic Affairs of the Marshall Community & Technical College. If the student is granted an appeal, the Chairperson of the Academic Appeals Board will appoint a Hearing Panel. At least two (2) of the faculty and student members of the Hearing Panel will, if possible, be chosen from the members of the Hearing Panel Pool appointed from the constituent college or school involved. It may not always be possible to meet the above conditions because many of these appeals occur at times when school is not in session. However every effort will be made to schedule appeal hearings in a timely and reasonable manner. The student's appeal must be filed within ten (10) days after receipt of written notice of the decision outlined in (b) above.

d. If the student, faculty member or other complainant is dissatisfied with the decision of the Hearing Panel, he or she may appeal the decision to the Provost and Senior Vice President for Academic Affairs or, for students in the Marshall Community and Technical College, to the Dean of Academic Affairs of the Marshall Community & Technical College, within thirty (30) days after receipt of written notice of the decision. Those students or faculty in the College of Health Professions dissatisfied with the determination should file an appeal within thirty (30) days to either the Provost and Senior Vice President for Academic Affairs or the V.P. for Health Sciences.

e. The decision of the Provost/Senior Vice President for Academic Affairs or the Dean of Academic Affairs of the Marshall Community & Technical College is final.

(continued)

101

The following sanctions may be recommended by the instructor but will need to be imposed by the department chair, academic dean or the Office of Academic Affairs:

108

- Exclusion from an academic program
- Academic probation for up to 1 year
- Academic suspension for up to 1 year
- Dismissal from the university.

In those cases in which the offense is particularly flagrant or where there are other aggravating circumstances, additional, non-academic, sanctions may be pursued through the Office of Judicial Affairs.

A student will be informed in writing by the instructor or person making the charge of any charges and subsequent sanctions imposed for academic dishonesty (See "Reporting" below). Written notification of academic dishonesty charges (and the inclusion of confirmed charges/sanctions in a student's records) is designed to inform a student of the potential repercussions of repeat offenses and his/her rights of appeal.

If a student believes that charges of academic dishonesty have been erroneously levied, he/she should appeal such charges in accordance with the process outlined below (See "Appeals Process").

Sanctions for repeated academic dishonesty offenses will be imposed by the Office of Academic Affairs after consultation with the appropriate department chairs and deans.

- A student's record of academic dishonesty offenses will be maintained throughout his/her enrollment at Marshall University, and the period of time between offenses will have no impact on sanctions for repeated offenses.
- A student with a second academic dishonesty offense during his/her enrollment at Marshall University will be academically suspended for a period of time not to exceed one academic year (to include summer terms).
- A student with a third academic dishonesty offense during his/her enrollment at Marshall University will be dismissed from the university.

Reporting:

Any time an accusation of academic dishonesty is made, and a sanction imposed (or a sanction will be imposed with the submission of final grades), a notice should be sent to the Office of Academic Affairs within ten (10) days of the accusation or **submission of final grade with imposed sanction, whichever comes first.**

Notice of an act of academic dishonesty will be reported to the Office of Academic Affairs through the completion of an "Academic Dishonesty Report Form."

The "Academic Dishonesty Report Form" will include:

- Instructor's Name
- Course Information (Term, Number, Section)
- Student's Name
- Student's University Identification Number
- Brief Description of the Charge
- Date of Accusation
- Brief Description of the Sanction

Instructors ~~are encouraged to~~ **should** give a copy of the "Academic Dishonesty Report Form" to a student accused of an offense. However, within ten (10) days of receipt of the "Academic Dishonesty Report Form" the Office of Academic Affairs will inform the student and the student's dean of the accusations made, the sanctions prescribed, the repercussions of repeat offenses, and his/her rights of appeal.

108