

School of Education & Human Sciences Student Academic Misconduct Policy

The following policy defines a uniform approach to acts of academic misconduct involving students in courses offered by the School of Education & Human Sciences.

Academic integrity requires the honest performance of academic responsibilities by students. Academic responsibilities include, but are not limited to, the preparation of assignments, reports and term papers, the taking of examinations, and a sincere and conscientious effort by students to abide by the policies set forth by instructors.

Any subversion or compromise of academic integrity thus constitutes academic misconduct. Examples of misconduct include (among others) falsification, unauthorized assistance with or plagiarism of reports, term papers, research papers or other written documents; giving or receiving unauthorized aid on examinations; disruption of classes; the offering of gratuities or favors in return for grades.

When an instructor determines that a student has violated academic integrity as described above, the instructor may charge the student with academic misconduct (filing procedures are detailed in attached document).

The possible sanctions for academic misconduct are detailed below and are within the provisions of Article II, Section 6, of the University Senate Rules and Regulations. When a student wishes to appeal a sanction or dispute a misconduct charge, hearings will be held at two possible levels within the School of Education & Human Sciences depending primarily on the recommended sanction(s) for the misconduct in question:

Department/unit level hearings will routinely review cases in which recommended sanctions are:

Censure - A written reprimand (warning) for actions which constitute academic misconduct.

Reduction of Grade for Specific Work - Treating as unsatisfactory any work that is a product of academic misconduct. Reduction of grade may include the assignment of an "F" for that specific work. The student may be permitted to withdraw from the course within the approved withdrawal period.

Reduction of Grade for the Course - Reduction of grade may include the awarding of an "F" for the course. The student will not be allowed to withdraw from the course. The student will not be allowed to apply the Course Repeat Policy to remove the assigned grade from his/her grade point average calculation.

After a charge of misconduct is filed, department/unit hearings will be scheduled ONLY if the student wishes to deny the charge and/or appeal the recommended sanction. If the student admits to the charge and does not wish to appeal; the sanction may be imposed immediately.

The initial hearing of academic misconduct can be deferred to the School level only under certain circumstances: 1) if the unit is too small to hold the hearing; or 2) if there is a conflict of interest at the unit level. The student or the instructor can request an initial hearing before the School or the Judicial Board should a party believe that there is an issue of fairness of the hearing being held at the usual unit level.

School level hearings will review all cases in which recommended sanctions are:

Transcript Citation of Academic Misconduct - The student's transcript will state that the student has been cited for academic misconduct. In addition to the transcript notation, the final grade in the course must also be assigned. This grade may be an "F". (*Proposed—University Senate Rules and Regulations Change*)

Suspension from a Specific Course - An instructor may suspend a student from the instructor's section of a course for academic misconduct. In cases involving physical violence or disruptive behavior, the suspension should occur immediately. In cases where a physical threat is made, the suspension

should be reported to the KU Police Department. During suspension, a student is not permitted to withdraw, pending decision by the hearing committee. A suspended student may complete work for the course only if reinstated. Conditions for reinstatement to the course shall be stated by the instructor at the time of the suspension. These initial conditions are subject to review by the hearing committee. When suspending a student, the instructor shall, before the next meeting of the course, inform the chairperson of the department in which this course is offered. The department chairperson shall notify the student in person or by certified mail (postmarked on or before the day of the next class meeting) of the opportunity to be heard on the suspension. The department chairperson shall also inform the **Office of Student Success** and other appropriate offices according to guidelines of the academic unit involved. The student's appeal will be heard through academic misconduct proceedings. The hearing panel will consist of one faculty member within the division, one associate dean, and **the assistant dean of the Student Academic Services Office or his/her representative**. The suspension will remain in effect pending review. Because this sanction places an immediate burden upon the suspended student, the School is obligated to act promptly. Options in such review include: reassignment of the student to another section of the course; reinstatement of the student into the course; upholding the suspension. In case of suspension through the end of the semester, a grade will be assigned by the instructor, subject to review by the hearing committee.

Suspension - Immediate exclusion from all courses and other specified privileges or activities for a definite period not to exceed two years, subject to review by the hearing committee. The student's transcript will state that the student is suspended for academic misconduct.

Expulsion - Termination of student status for an indefinite period. The conditions of readmission, if any, shall be stated in the order of expulsion. The student's transcript will state that the student is expelled for academic misconduct.

All transcript statements will be permanent unless the student applies to the University Provost for removal of the statement and the application is granted.

School level sanctions imposed by the hearing panel may include all sanctions above including those typically addressed at the department/unit level. More than one sanction may be imposed for the same offense.

Hearing Panel and Appeals

For sanctions that require a hearing at the School level, or if a student wishes to, the Dean will appoint a hearing panel consisting of a minimum of three faculty members to conduct a hearing for all parties involved. This hearing shall be scheduled during one of five sessions during the academic year (August, October, December, February, and May).

Attending the hearing are the charged student, the charging instructor(s) and chairperson, the hearing panel, and the appropriate Assistant Dean of the School of Education & Human Sciences. The hearing may be held even if the charged student fails to appear for the hearing.

Individuals attending the hearing will be kept to a minimum to insure the confidentiality of the proceedings. The charged student and/or charging instructor may request that an observer/advisor or witness(es) attend the hearing. The School scheduling officer must be notified in writing 10 calendar days prior to the hearing of any observer/advisor and/or witness(es) that will be attending the hearing. An observer (a supportive family member, advisor, or friend) may not directly participate in the hearing. Witnesses may be present only during their testimony to respond to questions from the panel, charged student, or charging instructor(s).

Typically, students do not bring legal counsel. However, if the student has an attorney, University General Counsel will be contacted and asked to attend the hearing also. The hearing may be delayed until such time as all parties, including legal representatives from both sides, can attend.

The hearing panel, having heard the charges and the student's response, will determine the validity of the charge of academic misconduct. If the charge is found to be valid, the panel will determine which of the above sanctions are to be imposed, based on the severity of the offense and any record of previous academic misconduct. The panel will notify the Dean and the Provost of its decision.

If either party to a charge of academic misconduct or to a grade appeal involving a charge of academic misconduct is dissatisfied with the resolution of the charge, he or she may seek review by the Judicial Board. All appeals must be made within 30 calendar days of the initial decision.

Maintenance of Records

Written records of the charge will be maintained in the Office of the Provost using the Charge of Academic Misconduct form provided by the School.

All hearings must be audio recorded. Audio recordings of misconduct hearings will be kept by the unit conducting the hearing for sixty days following the decision of the hearing panel unless the decision is appealed in which case the recordings will be retained until the student's final appeal is completed.

Filing a Charge of Academic Misconduct

1. When an instructor determines that a student has violated academic integrity, the instructor may charge the student with academic misconduct. The instructor must complete the **Charge of Academic Misconduct** form provided by the School within 10 calendar days of the discovery of the misconduct.

2. To complete the Charge of Academic Misconduct form, briefly document the alleged academic misconduct, and review the case with your department chair/director.

3. Recommend one or more sanction listed below:

- Censure-written warning or reprimand
- Reduction of Grade for Particular Work (Indicate grade: zero, F, D, or other _____)
- Reduction of Grade for the Course (Indicate grade: F, D, or other _____)
(Not Eligible for Course Repeat Policy, Withdrawal, or Retroactive Withdrawal)
- Transcript Citation of Academic Misconduct - (Must also indicate grade: F, D, or other _____)
- Suspension from a specific course
- Suspension from the University of Kansas - Noted on Transcript
- Expulsion from the University of Kansas - Noted on Transcript
- Charge will be heard at School level

Additional information regarding each sanction is available at:

<https://documents.ku.edu/policies/governance/USRR.htm>

4. Both the instructor and department chair/director must sign and date the **Charge of Academic Misconduct** form. The signature of the department chair indicates awareness of the charging instructor's charge, not necessarily agreement with the charging instructor's recommendations. If the department chair is also the charging instructor, the undergraduate or graduate coordinator in the department reviews and signs on behalf of the department. If a course is cross-listed, the department of the instructor making the charge files the charge and processes the case.

5. The department chair consults the Provost (864-4904) to inquire about previous infractions. Previous documented misconduct should be considered in determining recommended sanctions. The department chair/director determines if the charging instructor's recommended sanctions should be elevated.

6. Student notification of the **Charge of Academic Misconduct** must be sent as soon as possible, not to exceed 30 days from the date of the instructor's discovery of the alleged misconduct. The department chair/director is responsible for contacting the student to sign and return the form. If it is possible, present the form, notification letter, policy, and student handbook to the student in person, and obtain his/her signature on the misconduct form, explaining the deadlines for signing and returning.

7. If initial attempts to contact the student by phone or email are not successful within 10 days, notification must be sent by registered mail to the student's: 1) permanent address on file if courses are not in session or the student is not enrolled; or 2) to local address on file, if student is enrolled in the current semester. Send the originals, along with a letter of explanation, to the student with a self-addressed, stamped envelope inside. Mail all materials to the student by certified mail with return receipt requested on the green card. Retain copy of original document.

8. The student is given the opportunity to select one statement below in response to the alleged charge of misconduct:

- I admit to the above charge of academic misconduct and accept the recommended sanction.
- I admit to the above charge of academic misconduct but wish to appeal the recommended sanction.
- I deny the charge of academic misconduct and wish to appeal the recommended sanction.

Students may submit additional information or a written statement if they choose.

9. The student must be given 10 calendar days to review the document and determine their response. Students cannot be given the impression that they are required to respond immediately. Informing the student that the document will be available for their signature in the Department Office during the 10 day period is a common practice.

10. Failure of the student to respond within 10 calendar days of notification will be judged to indicate the student's agreement with the charge and sanctions.

11. When a signed form is received from the student, or 10 days have elapsed since the student's notification, proceed as follows: -

- a) If student admits to the charge and does not wish to appeal, impose sanction. Document the final sanction on the **Charge of Academic Misconduct** form. Retain a copy for your files, send a copy to the student, and send remaining copies (including original) to the School of Education & Human Sciences Dean's Office. If the sanction requires changes to the student's transcript, submit to the Registrar a change of grade form noting the grade determined and a notation of academic misconduct for the explanation of the change. Notify the student and charging instructor in writing of the actions taken within 30 days. Evidence presented by the charging instructor should be forwarded to the School of Education & Human Sciences Dean's Office (sample letter attached).
- b) If the student does not respond within 10 days of notification, impose sanction as above. Notify the student in writing of the actions taken.
- c) If the student wishes to appeal, the department is responsible for scheduling the hearing. The initial hearing of academic misconduct can be deferred to the School level only under certain circumstances:
 - 1) if the unit is too small to hold the hearing; or 2) if there is a conflict of interest at the unit level. The student or the instructor can request an initial hearing before the School or Judicial Board, should a party believe that there is an issue of fairness of the hearing being held at the usual unit level.
- d) If a charge of academic misconduct is pending during an end of semester grade submission deadline, the instructor should temporarily assign a grade of "WG" to the student. If you have difficulties with successful submission of this grade, please contact the University Registrar at 864-4422.

12. Forward copies of all correspondence, evidence for charge, certified mail receipt, Change of Grade Card and the original Charge of Academic Misconduct Form to the School of Education & Human Sciences Dean's Office, c/o Tiffany Edmonds, Joseph Pearson Hall, Room 214H after all departmental actions have been taken.

School of Education & Human Sciences Department/Unit Hearing Guidelines

Department/unit level hearings will routinely review academic misconduct cases in which recommended sanctions are:

Censure - A written reprimand for actions which constitute academic misconduct. Censure may include a written warning.

Reduction of grade for specific work - Treating as unsatisfactory any work that is a product of academic misconduct. Reduction of grade may include the assignment of an "F" for that specific work. The student may be permitted to withdraw from the course within the approved withdrawal period.

Reduction of Grade for the Course - Reduction of grade may include the awarding of an "F" for the course. The student will not be allowed to withdraw from the course. The student will not be allowed to apply for course repeat policy to remove the assigned grade from his/her grade point average calculation.

The initial hearing of academic misconduct may be deferred to the School level only under certain circumstances: 1) if the unit is too small to hold the hearing; or 2) if there is a conflict of interest at the unit level. The student or the instructor may request an initial hearing before the School or the Judicial Board, should a party believe that there is an issue of fairness of the hearing being held at the usual unit level.

A student's response will be documented on the Charge of Academic Misconduct Form. As the charge is filed, the student will be asked to select one of the following three choices and to respond by signature.

1. I admit to the charge of academic misconduct and accept the recommended sanction.
2. I admit to the charge but wish to appeal the recommended sanction.
3. I deny the charge and wish to appeal the recommended sanction.

Choices 2 and 3 above indicate that the student wishes to appeal and consequently a hearing will be held.

After a charge of misconduct is filed, department/unit hearings will be scheduled ONLY if the student responds that they deny the charge and/or wish to appeal the sanction.

The department/unit will use its approved grievance procedures, a copy of which should be given to the student along with materials explaining the process (www.soe.ku.edu/scripts/download.php?id=7).

The department/unit will be responsible for all scheduling and for conducting the misconduct hearing. All hearings must be audio recorded. Audio recordings of misconduct hearings must be kept by the unit conducting the hearing for sixty days following the decision of the hearing panel unless the decision is appealed in which case the recordings must be retained until the student's final appeal is completed.

After the department hearing has reached a decision, the following steps must occur:

1. Inform the student immediately that the School of Education & Human Sciences and the Provost's Office will be notified of the hearing outcome, with additional copies going to all parties involved.
2. Send written correspondence to the student outlining the findings and actions of the misconduct hearing within 30 days (example following).
3. If either party is dissatisfied with the resolution of the charge, he/she may seek review by the Judicial Board. All appeals must be made within 30 calendar days of initial decision. (University Senate Rules and Regulations, 2.6.3)
4. The original **Charge of Academic Misconduct** form, all evidence substantiating the charge, and copies of written student correspondence outlining the findings and actions of the hearing must be sent to the School of Education & Human Sciences Dean's Office, c/o Tiffany Edmonds, Room 214H JRP. The School's officer will forward appropriate documentation to the Provost's office. Please forward these documents only after all departmental actions have been taken.

Departmental Academic Misconduct Hearing Procedures Model (Include this document with Departmental Hearing Notification Letter to Student)

Student notification of a hearing occurs at least 15 days prior to the hearing date.

Description of Panel Membership and Chair (May use current Grievance procedure for determining panel):

Individuals attending the hearing will be kept to a minimum to insure the confidentiality of the proceedings. In addition to themselves, the charged student and/or charging instructor may request that an observer/advisor or witness(es) attend the hearing. The department chair (or designate) must be notified in writing 10 calendar days prior to the hearing of any observer/advisor and/or witness(es) that will be attending the hearing. An observer/advisor (a supportive family member or friend) may not directly participate in the hearing. Witnesses may be present only during their testimony to respond to questions from the panel, charged student, or charging instructor(s).

Typically, students do not bring legal counsel. However, if the student has an attorney, University General Counsel will be contacted and asked to attend the hearing also. The hearing may be delayed until such time as all parties, including legal representatives from both sides, can attend.

The following will be the routine procedure for hearings and may be modified at the discretion of the hearing panel:

1. The department chair (or designate) meets briefly with the hearing panel members to go over procedure, to review the individuals that will be observing or participating in the hearing and to instruct the panel to select a chair. The panel chair moderates the hearing and is responsible for reporting verbal outcomes of the hearing followed by written notification to all relevant parties.
2. The department chair (or designate) then:

Asks the others (i.e. charged student, instructor(s), etc.) to join the panel;

Turns on audio recorder;

Notes the day, time, and misconduct case to be reviewed;

Describes the faculty panel representation;

Asks for introductions;

Reminds all attendees that the hearing will be recorded;

Asks the student if he/she received the information on student rights and responsibilities; and

Outlines the hearing procedure:

The instructor describes what happened. Witnesses can be called.

Each witness can be questioned by opposing party and/or panel members.

The student describes what happened. Witnesses can be called.

Each witness can be questioned by opposing party and/or panel members.

The student and faculty may offer information about mitigating circumstances, and at this time opposing parties have the right to ask questions of each other. The hearing panel may also ask any remaining questions.

3. The department chair (or designate) conducts the hearing process as outlined. Asks if the other panel members have questions for either the instructor or the student. If requested, allows final comments by the instructor and the student, and asks everyone (except panel and department chair) to adjourn to another room while the panel deliberates. The audio recorder is turned off at this point.

4. The panel reaches a decision as to whether or not the student has committed academic misconduct. If the panel finds academic misconduct, the panel then decides on a sanction, which may or may not be the same as the sanction recommended by the faculty member.
5. The department chair (or designate) asks the parties to rejoin the panel. The audio recorder is turned back on.
6. The department chair (or designate) informs the parties of the panel's decision, and informs the student that a letter will be sent to the School regarding the panel's decision, with copies going to all parties involved.
7. The department chair (or designate) comments on the seriousness of any academic misconduct, and if academic misconduct occurs again that the sanctions can be more severe.
8. The department chair (or designate) informs the student of the right to appeal through the Judicial Board (within 30 calendar days), and also of the student's right to obtain a copy of the recording of the hearing.
9. If sanctions include Reduction of Grade for the Course, the charging instructor will complete a Change of Grade Card to record the appropriate grade.
10. The hearing is adjourned.
11. The department chair (or designate):
 - a. Documents the results of the hearing on the School of Education & Human Sciences Academic Misconduct Form (bottom portion).
 - b. Prepares written notification of hearing outcomes (template, page 10).
 - c. Confirms that the Change of Grade Form indicates that the change is a result of academic misconduct and submits the form to the University Registrar.
 - d. Forwards the completed file to School of Education & Human Sciences Dean's Office, c/o Tiffany Edmonds, Room 214H JRP. File includes: Academic Misconduct Form (original), evidence reviewed in the case, and final correspondence of the case.
 - e. Holds the audio recording for sixty (60) days following the decision of the hearing and makes it available in the event of an appeal.

Confidential Email Notification of Hearing

Dear Jayhawk:

An academic misconduct charge was brought forth by Professor ___NAME___ on ___DATE___ alleging ___CHARGE (i.e. plagiarism by you on a paper submitted)___ while fulfilling the requirements of ___COURSE___. A sanction of _____ was recommended.

On ___DATE___ you were informed of the charge and requested to appeal the recommended charge and/or sanction.

It is important that you carefully prepare your presentation and plan to attend the hearing. If you are unable to attend, the hearing will proceed as scheduled in your absence.

Individuals attending the hearing will be kept to a minimum to insure the confidentiality of the proceedings. You and/or the charging instructor may request that an observer/advisor or witness(es) attend the hearing. The Department Chair (or designate) must be notified in writing 10 calendar days prior to the hearing of any observer and/or witness(es) that will be attending the hearing.

Typically, students do not bring legal counsel. However, if you wish to bring an attorney, University General Counsel will be contacted and asked to attend the hearing also. The hearing may be delayed until such time as all parties, including legal representatives from both sides, can attend.

It is important that you understand the process and your rights to appeal. Please review the Department and the School of Education & Human Sciences Academic Misconduct Policy (WEBSITE ADDRESS).

If you have questions, please contact _____ in the Department. <Kelli Thomas> (OR <Lisa Wolfe-Wendel>), Associate Dean in the School of Education & Human Sciences, is also available to address your questions or concerns.

Month Date, Year

Confidential

Jayhawk
1111 Lane
City, KS Zip

Dear Jayhawk:

An academic misconduct charge was brought forth by Professor _____ on __DATE__ alleging __CHARGE (i.e. plagiarism by you on a paper submitted)__ while fulfilling the requirements of __COURSE__ A sanction of _____ was recommended.

On __DATE__ you were informed of the charge and requested to appeal the recommended charge and/or sanction.

A Department Academic Misconduct Hearing was held on __DATE__ to review your case. After careful deliberation, the panel recommends

Censure - A written reprimand (warning) for actions which constitute academic misconduct.

Reduction of Grade for Specific Work — A grade of ____ has been assigned for the work in question. With this sanction, you may be permitted to withdraw from the course within the approved withdrawal period.

Reduction of Grade for the Course — A grade of ____ has been assigned to the course. You will not be allowed to withdraw from the course. You will not be allowed to apply the Course Repeat Policy to remove the assigned grade from your grade point average calculation.

The panel may comment on the severity of the issue and long term implications or offer words of wisdom.

Per university policy, all sanctions of Reduction of Grade for Specific Work, Reduction of Grade for the Course, Disciplinary Probation, Suspension from a Specific Course, Suspension, and Expulsion that are applied by College and the Schools or their designated departments will be communicated to the Office of the Provost. The purpose of asking that notices of sanctions be communicated to the Provost's office is so that students whose academic misconduct in one department or school has been established will not be regarded, and hence punished, as first-time offenders in another unit. Elevated sanctions will strongly be considered for second offences of academic misconduct.

If you are dissatisfied with the resolution of the charge, you may seek review by the Judicial Board. All appeals must be made within 30 calendar days of the initial decision.

Sincerely,

Professor and Chair Panel

cc: Barbara Bichelmeyer, Provost and Executive Vice Chancellor
Associate Dean, School of Education & Human Sciences (Kelli Thomas or Lisa Wolfe-Wendel)
Department Chair
Charging Instructor
University Registrar