Senate Resolution Number S-11-04

Faculty Senate Resolution

To: SCSU Interim President Stanley F. Battle

From: Susan Cusato, President of the SCSU Faculty Senate

The attached Resolution of the Faculty Senate regards: Resolution on Policy on Academic Misconduct

The Resolution is presented to you for your [X] APPROVAL
[ ] INFORMATION

After considering this resolution, please indicate your action on this form and return it to the President of the Faculty Senate.

In accordance with the CSU-AAUP Contract (Article 5.10), the President of the University will return the Resolution to the President of the Senate within 15 school days of the receipt of the Resolution.

cc: Dr. Marianne Kennedy
    Interim Vice President of Academic Affairs and Provost

Susan Cusato, President, Faculty Senate

Aug 9, 2011

ENDORSEMENT of Faculty Senate Resolution, S-11-04

To: Susan Cusato, President SCSU Faculty Senate
From: Stanley F. Battle, Interim President of the University

1. Motion APPROVED
2. Motion DISAPPROVED X (attach statement)
3. Motion NOTED
4. Comments See attached

8-26-11
Signature
I have the following concerns regarding Faculty Senate Resolution S11-04 –

1. It is likely that some cases would extend beyond the period of time when a grade must be submitted – this policy has no contingency in cases where the process has not concluded in time for grade submission. Also, considering the amount of time allowed for each individual step in the process to be completed, a case could stretch on for 51+ University days.
2. There is no role for the academic deans. The dean is the chief academic officer of his/her school, yet they are not informed nor have any role in cases of academic misconduct according to this policy.
3. The policy refers to two forms: an “Academic Misconduct Report” and an “Academic Misconduct Appeal Form”. Forms were not included with the policy so it’s unclear if they have been created yet or not?
4. Section 5e: “…the student may not withdraw from the course when the incident has occurred during the time frame of the semester when withdrawal form a course is permitted without approval of the instructor or other university official.” Shouldn’t this sentence end with “without approval of the Provost/Vice President for Academic Affairs” to be consistent with previous sentence?
5. Section 6a: when the 3-member hearing board is chosen, is there any stipulation regarding school membership?
6. Section 6b: the numbering is incorrect.
7. There seems to be an implied assumption the student will continue to attend the class even if the instructor has assigned a failing grade so that in the case of a grade appeal, there is a basis for a new grade to be assigned.
8. There is no longer a provision to allow the Director of Judicial Affairs to resolve a case of academic dishonesty once it has been referred to his office. His role is reduced to processing paperwork and retaining records.

Stanley F. Battle
Interim President
Policy on Academic Misconduct

The following procedure guides faculty in addressing allegations of academic misconduct for all students of Southern Connecticut State University, as defined in the Student Handbook. Faculty and students are responsible for knowing this definition upon which all claims of, and defenses from, academic misconduct shall be based. Graduate students are also responsible for additionally defined expectations pertinent to graduate study, research and writing for publication.

The basic principle of this procedure is that the faculty has oversight over academic penalties. In cases where both academic and non-academic misconduct have occurred, only the academic portion shall be handled according to the disciplinary procedures for academic misconduct described herein. The Judicial Affairs Office, whose action may precede any academic disciplinary action, shall handle charges of non-academic misconduct.

1. Instructor’s Role and Responsibilities:

a. Instructors shall inform their students in the course syllabus of course-specific requirements related to academic misconduct and the penalties that may be imposed for academic dishonesty according to professional judgment. Statements in the course syllabus shall refer students to the definition of academic misconduct in the Student Handbook.

b. Incidents of academic misconduct can range in severity from minor violations to major violations. Instructors determine sanctions according to their professional judgment of the severity of misconduct. Academic sanctions should be commensurate with the severity of misconduct. Sanctions may include one or more of the following: a reduced grade for the assignment in question, the opportunity to revise the assignment or complete additional course work, a grade of F for the assignment in question, a grade of F for the course.

c. Upon a well-founded suspicion that an act of academic misconduct has occurred, the instructor may attempt to meet with the student to discuss the allegations. Instructors may decide to handle minor violations informally, according to their discretion, especially when there is no sanction beyond requiring the revising of an assignment. However, for all violations, instructors shall file an Academic Misconduct Report with the Chair of their department, who will forward a copy to the Judicial Affairs Office (see item 3) in order to monitor situations involving repeat offenses by a student(s).

d. An Accused Student has the right to appeal an Instructor’s allegation of academic misconduct as specified in 5b.

e. If, based on an appeal from an Accused Student, the Faculty Hearing Board determines that the Instructor did not provide sufficient evidence to support the alleged misconduct, then the Instructor shall assign a grade based on the quality of the work as originally submitted.

2. Complaint by Person other than Student’s Instructor.

Any member of the University Community may file a complaint against a student alleging academic misconduct. A complaint made by a person other than the student’s instructor must be made in writing and submitted to the instructor within ten days of discovery of the alleged violation. Alleged violations also may be reported anonymously to the University Judicial Affairs Office, which will immediately inform the instructor. Upon notification the instructor would then make a determination about whether to submit a companion complaint following the procedures outlined in this policy. Notice of the complaint shall be provided to the Accused Student in accordance with item 4b within five (5) University Calendar Days.

3. Reporting Procedures.
Whenever an Instructor has reasonable evidence that a student has engaged in academic misconduct and the instructor has elected not to handle the situation as a minor violation, she or he shall complete an Academic Misconduct Report. In cases in which the Instructor intends to assign a reduced grade for the course due to academic misconduct, it is required that she or he file an Academic Misconduct Report. The Academic Misconduct Report shall be submitted to the Department Chair, and a copy shall be sent to the Judicial Affairs Office and the student.

4. Judicial Affairs Office Role.

The Judicial Affairs Office will be responsible for retaining all records of reported cases of academic misconduct. Upon receipt of the Academic Misconduct Report, the Judicial Affairs Office will investigate the case to determine if (a) the student has any previously reported cases of academic misconduct, and/or (b) if the Instructor recommends any disciplinary sanction. The Director will determine whether or not a Faculty Hearing Board Panel shall be convened (per item 6a).

5. Student Rights and Responsibilities:

a. It is the responsibility of each student to become familiar with what constitutes academic dishonesty including plagiarism as defined in the Student Handbook and to avoid all forms of cheating and plagiarism as directed by their individual faculty members.
b. A student has the right to appeal an allegation of academic misconduct. She or he has the right to appeal the allegation to the Chair of the Department in which the alleged misconduct occurred. The appeal to the Department Chair must be made in writing via letter or email within ten (10) University Calendar Days of notice of the allegation. The appeal letter or email must include substantial evidence supporting the student’s innocence or demonstrating that the faculty member’s standard was applied unfairly. The Department Chair or a designated committee of faculty within the department shall respond to the student’s appeal in writing within ten (10) University Calendar Days of its receipt and meet with the student during a mutually convenient time to review the appeal.

c. If upon receipt of the ruling by the Department Chair or Department Committee the Accused Student still believes she or he has been unjustly accused, she or he may submit an Academic Misconduct Appeal Form to the Judicial Affairs Office to request a hearing (see item 6a) by the Faculty Hearing Board Panel.
d. If, after hearings with both the Department Chair and/or designated Department Committee and the Faculty Hearing Board, the Accused Student believes that the Instructor’s academic sanction (e.g., reduced grade or failing grade) is not commensurate with the severity of the misconduct, she or he should follow the university’s Grade Appeals Process.
e. A Student who has been notified that he or she has been accused of academic misconduct shall not be permitted to withdraw from the course in which the misconduct is alleged to have occurred without the approval of the Provost/Vice President for Academic Affairs. Additionally, in instances of alleged academic misconduct, the student may not withdraw from the course when the incident has occurred during the time frame of a semester when withdrawal from a course is permitted without approval of the instructor or other university official.

6. Faculty Hearing Board’s Role and Responsibilities:

a. A Faculty Hearing Board shall be established consisting of 2 faculty members from each school and 2 faculty members at large elected through the University wide elections process. One half of the membership of the Faculty Hearing Board shall be elected on alternating years. The term of members on the Faculty Hearing Board shall be two years. In the adjudication of allegations of academic misconduct a panel of three members of the Faculty Hearing Board chosen on a rotational basis shall be convened to address the academic misconduct complaints.
b. The Faculty Hearing Board Panel shall be responsible for determining whether the Instructor has provided sufficient evidence to support the allegation of academic misconduct against the Accused Student. The Faculty Hearing Board Panel shall be convened by the Director of the Judicial Affairs Office, in cases where: (i) a student seeks to appeal sanctions imposed by the instructor, (ii) The student believes she or he can demonstrate evidence that she or he has been unjustly accused of academic misconduct, (ii) the student has
any prior cases of academic misconduct, and/or (iii) the Instructor recommends disciplinary sanctions.

c. The Director of the Judicial Affairs Office is a non-voting member of the Hearing Board and act as
convener of the Faculty Hearing Board Panel.

d. The Accused Student may request that one faculty member of a convened Hearing Board Panel be
replaced if the student can demonstrate that the faculty member chosen by the Judicial Affairs Office for the
three-member panel may be unable to render an objective judgment.


The hearing procedures governing allegations of academic misconduct shall be as follows:
a. Notice of Hearing: Normally, a hearing will be conducted within fourteen (14) University calendar days of
the receipt by the Director of Judicial Affairs Office
of the Accused Student's request for a hearing. The notice of hearing shall advise the Accused Student of
the specific allegation(s) of academic misconduct. The Accused Student shall be afforded a reasonable
period of time to prepare for the hearing, which shall not be less than three (3) University calendar days.
b. Hearing. The accused student and the instructor shall have the right to be present at all stages of the
hearing process except during the private deliberations of the hearing board panel, which shall be closed to
the accused student, the instructor, and any other accuser. The hearing board panel may, at its discretion,
admit any person into the hearing room. The hearing board shall have the authority to remove any person
whose presence is deemed unnecessary or obstructive to the proceedings.
c. Support Persons. A support person should be a person whose schedule allows attendance at the
scheduled date and time for the hearing. Delays will not normally be allowed due to the scheduling conflicts
of a support person.
d. Record of Hearing: The University shall make an audio recording of the hearing. The recording shall be
the property of the University. No other recordings shall be made by any person during the hearing. Upon
request, the Accused Student may review the recording in a designated University office in order to prepare
for an appeal of the decision rendered by the Faculty Hearing Board. Applicable state and federal law shall
govern further disclosure of the recording.
e. Opportunity to Present Positions to the Board: Both the Instructor and the Accused Student shall have the
opportunity to present their positions to the Faculty Hearing Board Panel, including the opportunity to present
the testimony of witnesses and documents in support of their positions.
f. Written Notice of Decision. Within ten (10) University Calendar Days of the hearing, the Accused Student
and the Instructor written notice of the Faculty Hearing Board’s decision shall be dispatched which will
indicate if the allegation of academic misconduct was deemed to be Substantiated or Not Substantiated. The
notice shall also set forth any disciplinary sanctions imposed by the board. The decision of the Faculty
Hearing Board, as well as the disciplinary sanction(s) imposed, if any, generally will not be released to
parties other than the Department Chair, Dean and Provost without the prior written consent of the Accused
Student. However, certain information may be released if and to the extent authorized by state or federal law.


If the Accused Student has a prior record of academic misconduct or has engaged in a severe act of
misconduct, she or he may face disciplinary sanctions as determined the Faculty Hearing Board Panel. The
Faculty Hearing Board Panel may impose one or more of the following disciplinary sanctions, including, but
not limited to: disciplinary probation, suspension, or expulsion from the university.

9. Appeal of the Faculty Hearing Board Ruling:
a. Only those sanctions imposed by the Faculty Hearing Board Panel are subject to further appeal by the
student. Sanctions imposed by the Faculty Hearing Board Panel may be appealed by the Accused Student
to the Provost/ Vice President of Academic Affairs, who shall review the record of the hearing, including any
and all documents presented to the Faculty Hearing Board Panel. An appeal shall be in writing and shall be
delivered to the Provost/Vice President of Academic Affairs within seven (7) University calendar days of
receipt of the Faculty Hearing Board’s written decision.
b. An appeal may be brought on three grounds: (a) a claim that error in the hearing procedure substantially
affected the decision; (b) a claim that new evidence or information material to the case was not known at the
time of the hearing; and/or (c) a claim that the disciplinary sanction is incommensurate with the severity of misconduct. The Provost/Vice President of Academic Affairs shall have the right to deny an appeal not brought on proper grounds.

c. The decision rendered by the Provost/Vice President of Academic Affairs shall be final and there shall be no further right of appeal.

10. Annual Reporting.

At the end of each year, the Judicial Affairs Office shall notify the Faculty Senate and the Provost of the total number of academic misconduct cases reported for the year, the number of appeals filed, and the number and type of disciplinary sanctions imposed by the Faculty Hearing Board. No individual case decisions or outcomes will be identified in this report. Where necessary, the report will aggregate data over several years in order to maintain confidentiality.

11. Revisions to Academic Honesty Policy.

The Senate, in agreement with the President of the University, shall establish revisions of the Academic Misconduct Policy.