
FACULTY SENATE

SOUTHEAST MISSOURI STATE UNIVERSITY

FACULTY SENATE BILL 19-A-10

Approved by the Faculty Senate
October 30, 2019

1 **BRIEF SUMMARY:** This bill revises and addresses previously unaddressed issues relating to
2 the procedures for adjudicating alleged violations of academic dishonesty found in Chapter 5,
3 Section D of the *Faculty Handbook*.

4
5 **REVISING “PROCEDURE FOR ADJUDICATING ALLEGED VIOLATIONS OF**
6 **ACADEMIC HONESTY”**

7
8 **BE IT RESOLVED THAT:** subject to the passage and approval of this bill Chapter 5, Section
9 D of the *Faculty Handbook* will be amended by replacing the existing content with the below
10 content.

11
12 **Procedure for Adjudicating Alleged Violations of Academic Honesty**

13 Faculty members who observe or detect evidence of academic dishonesty should notify the
14 student within five business days of discovering the alleged violation of the academic honesty
15 policy. This contact may be made in person, by email, through the course website, or through
16 written feedback on the assignment when it is returned to the student. If the alleged violation of
17 academic dishonesty is first detected by someone other than the faculty member, that person
18 should bring the evidence to the faculty member, who will then initiate the appropriate procedure
19 for dealing with the allegation if warranted. The purpose of this initial contact is to notify the
20 student of the allegation and the sanction to be imposed according to the course syllabus and in
21 alignment with the policy on academic honesty. Sufficient information should be provided at this
22 time for the student to understand the nature of the allegation as well as the sanction, and the
23 student should be informed that a meeting with the faculty member may be requested within five
24 business days if the student wants to discuss the specific details or dispute the allegation. If the
25 student does not respond or chooses to decline a meeting, the faculty member may opt to follow
26 the reporting procedures described in scenario two below.

27
28 Meetings with students in online and ITV classes may be conducted via e-mail with the e-mail
29 content serving as evidence. Meetings with students in face-to-face classes may also be
30 conducted via e-mail. Prior to notifying or meeting with the student, the faculty member may
31 consult with the department chair, the appropriate dean, and/or the Office of Student Conduct. If
32 the faculty member believes the allegation is egregious enough to warrant sanctions beyond what
33 is listed in the course syllabus, the faculty member should refer the matter to the department
34 chair for a formal hearing.

35

36 The following sections are the procedures to be adhered to by the faculty member and/or student
37 in all possible outcomes. If the faculty member is the department chair, a tenured departmental
38 designee will assume the department chair's role in this protocol and references to the department
39 chair should be read as departmental designee.
40

41 **Initial Meeting between Faculty Member and Student**

42 During the meeting between the faculty member and the student, the faculty member will present
43 the evidence supporting the allegation to the student. The student will have the opportunity to
44 present evidence to provide alternative explanations or refute the faculty member's evidence.
45 After due consideration of the student's evidence, the faculty member determines whether the
46 student has violated the academic honesty policy and which course of action to follow:
47

48 **1. The Faculty Member Determines that the Student is Not in Violation of the** 49 **Academic Honesty Policy**

50 If the faculty member determines that the student has not violated the academic honesty
51 policy, the process stops, and the matter is considered resolved. Any sanctions imposed
52 will be reversed and no further action is required.
53

54 **2. The Faculty Member Determines that the Student is in Violation of the Academic** 55 **Honesty Policy and the Student Accepts the Allegations and Sanctions**

56 If the faculty member determines that the student has violated the academic honesty
57 policy, the faculty member provides written notification to the student confirming the
58 meeting has taken place, the violation and the sanction imposed according to the course
59 syllabus. If deemed appropriate by the faculty member, written notification will also be
60 sent to the department chair, the college dean, the Dean of Students, and the Office of
61 Student Conduct. This notification should include the faculty member's name, student's
62 name and SO number, course number and name, the term in which the offense occurred,
63 the offense, a summary of the faculty member and student's discussion, and the sanctions
64 imposed. The notification should clearly identify that the matter was resolved between
65 the faculty member and the student and that no further action is warranted. If a student
66 drops the course as a result of the allegation and sanction, the faculty member may still
67 send notification to the parties listed above.
68
69

70 **3. Student Accepts the Allegations and Faculty Recommends Sanctions Beyond Those** 71 **Listed in the Course Syllabus**

72 The faculty member submits written notifications to the student and the department chair
73 within five business days after the initial meeting of the faculty member and the student.
74 This notification normally should not exceed two pages and should include:

- 75 **a.** Basic information at the top of the notification: faculty's name, student's name
76 and SO number, course number and name, the term in which the offense occurred,
77 the offense and a summary of the faculty member and student discussion.

- 78 **b.** A statement indicating that the faculty member chose to pursue formal resolution
- 79 of the matter due to egregious violations of the academic honesty policy or due to
- 80 disputed facts and confirmation that the student accepted the allegations and/or
- 81 sanctions.
- 82 **c.** A statement of the specific portions of the academic honesty policy that were
- 83 allegedly violated.
- 84 **d.** A summary of the evidence that supports each allegation with the evidence
- 85 specifically tied to each allegation.
- 86 **e.** A summary of the student’s responses including both e-mail responses and verbal
- 87 responses made during the meeting.
- 88 **f.** Sanctions that were specified in the course syllabus,
- 89 **g.** A description of the reason(s) that the faculty member concluded that the alleged
- 90 acts are egregious, and a recommendation for sanctioning of the student.
- 91 **h.** The detailed evidence supporting the allegation, appearing as an Appendix to the
- 92 notification.
- 93 **i.** E-mail exchanges related to the allegation, appearing as an Appendix to the
- 94 notification.
- 95

96 The department chair will submit written notification of events to the college dean and

97 the Office of Student Conduct, with copies sent to the student, the faculty member, and

98 the Dean of Students within five business days of receiving notification from the faculty

99 member. The notification must be sent even if the department chair disagrees with the

100 faculty member’s position. The original materials from the faculty member will be

101 included with the notification from the department chair.

102

103 Upon receiving notification from the department chair, the Office of Student Conduct

104 will schedule a judicial conference to address the allegations and the faculty member and

105 the department chair’s sanctions within five business days. The Office of Student

106 Conduct will review the documentation, communicate with the student and impose

107 sanctions as warranted. In addition, the Office of Student Conduct will communicate the

108 final results (including sanctions imposed) to the student, faculty member, department

109 chair, college dean and Dean of Students. Sanctions shall not be considered final until the

110 process is completed by the Office of Student Conduct.

111

112 **4. The Student Does Not Accept the Outcome of the Initial Meeting: Initiation of a**

113 **Formal Hearing**

114 If the student does not accept the faculty member’s allegations or sanctions, the student

115 may contest the faculty’s decision through a formal hearing with the department chair.

116 Within five business days of the initial meeting, the faculty member shall submit a

117 written request for a formal hearing to the student, the department chair, and the Office of

118 Student Conduct. This notification will contain the same nine items of information

119 described above in section three. Once the process for a formal hearing is initiated, any

120 sanctions imposed should be considered tentative until the process has been completed
121 and the results delivered by the Office of Student Conduct.

122
123 Upon receipt of the request for a formal hearing, the Office of Student Conduct will
124 immediately initiate written contact with the student to review:

- 125 a. The student's right in the judicial process,
- 126 b. The allegations against the student, and
- 127 c. The hearing procedures.

128
129 The Office of Student Conduct will also inform the students that he/she may select a
130 person of the student's choosing to accompany the student to the formal hearing.
131 However, this person may act only in an advisory capacity during the formal hearing.

132
133 The department chair shall consult with the Office of Student Conduct or the Dean of
134 Students regarding the student's due process rights before proceeding with the formal
135 hearing. The department chair shall conduct any hearings in accordance with the
136 standards provided in the University's Code of Student Conduct found in the Student
137 Handbook.

138
139 The department chair will contact the student within five business days of receiving the
140 request for a formal hearing from the Office of Student Conduct. In this communication,
141 the department chair will inform the student of the allegation(s) and the proposed faculty
142 and department chair recommended sanctions. In the initial communication, the
143 department chair will offer the student a chance to reply to the charges and provide an
144 opportunity for the student to accept the proposed faculty and department chair
145 recommended sanctions.

146
147 The student has five business days to respond to the communication from the department
148 chair. For students in an ITV or online course the formal hearing will occur via e-mail.
149 The formal hearing for all students will consist of: a summary of allegation(s), the
150 evidence, a summary of faculty/student communications, and additional sanctions as
151 deemed appropriate by the department chair.

152
153 The department chair will give due consideration to the student's response, including
154 whether the student replied to the allegations or accepted the sanctions. The department
155 chair may seek additional information from the faculty member and/or the student prior
156 to rendering a decision.

157
158 The department chair will submit written notification of the formal hearing results to the
159 appropriate college dean and the Office of Student Conduct within five business days of
160 the formal hearing conclusion, with a copy to the student, the faculty member, and the
161 Dean of Students. This notification should identify whether the student is found in
162 violation of the academic honesty policy.

- 163 a. If the student is found in violation of the academic honesty policy, the notification
164 should also include the details of the formal hearing (allegations, evidence,
165 responses from all parties) sanctions imposed by the department chair.
166 b. If the student is not found in violation of the academic honesty policy as a result
167 of the formal hearing, the case will be dismissed. Notification of this result will be
168 submitted to the student, faculty member, college dean, Office of Student Conduct
169 and the Dean of Students. No sanctions will be applied, and the matter will be
170 considered resolved.

- 171
172 If the student is found in violation at the department chair level:
173 a. The Office of Student Conduct will schedule a judicial conference to address the
174 allegation(s) and the faculty member and department chair's sanctions within five
175 business days of receiving notification from the department chair.
176 b. The Office of Student Conduct will review the documentation, meet with the
177 student, and finalize sanctions as warranted.
178 c. The Office of Student Conduct will send written notification to the student,
179 faculty member, department chair, college dean and the Dean of Students
180 confirming the final results and sanctions imposed.

- 181
182 **Appeals of the Results of a Formal Hearing:**
183 Either the student or the faculty member may appeal the result of the formal hearing.
184 1. An appeal must be made within five business days after the decision is rendered.
185 2. Appeals must be in writing through e-mail, local mail or personal delivery.
186 3. There are two levels of the appeals process. The first level is made to the Dean of
187 Students, who will seek a recommendation from the All University Judicial Board prior
188 to making a determination about the appeal. The Provost is the second and final level of
189 appeal.

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191 The appeals process is not for retrying or rehearing a case. At each level, an appealed case merits
192 being heard based on the following conditions.
193 1. An excessive sanction when compared with previous sanctions for similar violations
194 under similar circumstances. Specific sanctions in the syllabus are not subject to appeal.
195 2. The discovery of significant new information relevant to the case.
196 3. Procedural error regarding the student's rights involving error in the administration of
197 judicial procedures by the faculty, department chair or Office of Student Conduct.

- 198
199 Decisions made during the appeals process can result in one of the following.
200 1. The sanction being altered based on a finding that the sanction is inconsistent with past
201 practice.
202 2. A new hearing being granted based on new information.
203 3. A new hearing being granted because the Procedure for Adjudicating Alleged Violations
204 of Academic Honesty was not applied appropriately.
205

206 No grade penalty shall be considered final until the appropriate judicial process determines that
207 an act of academic dishonesty has occurred. If the charges cannot be resolved prior to the end of
208 the current semester, a grade of 'I' should be assigned pending the outcome of the hearing. The 'I'
209 will remain on the student's transcript until the charges are resolved. If the charges are still not
210 resolved before the time frame for the 'I' expires, the faculty member will request from the
211 Registrar's Office an extension of the grade of 'I'. The faculty member and the department chair
212 will be notified of the outcome of the disciplinary case in order to assign a grade for the course.
213 If the student is found not to be in violation of the Academic Honesty Policy at the conclusion of
214 the appeals process, neither the faculty member nor any other member of the University
215 community may take any other action against the student regarding the allegations considered in
216 the appeal.

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218 *Approved by Faculty Senate Bill 11-A-17 April 6, 2011*
219 *Approved by President May 3, 2011*
220 *Posted for 15 Day Review May 10 – June 1, 2011*

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Action	Date
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15 Day Review	11/22/19
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