

# New Policy for Disposition of Academic Offenses

(to take effect in Fall 2006)

# Jurisdiction

- In most cases:
  - If the offense occurred in a course in which the student was registered, the dean of the college that offers the course has jurisdiction (unless the student is from an honor-code college; see next slide).
    - extension and online courses treated no differently
  - If the offense did not occur in a course in which the student was registered (honors projects, helping another student cheat, etc.), the dean of the student's college has jurisdiction.
    - Associate Provost for Undergraduate Affairs serves as dean for students without a declared major, not formally matriculated, etc.
  - The Registrar has jurisdiction over offenses regarding falsification or misuse of academic records.
- However, the dean of the Graduate School has jurisdiction over
  - students in Graduate School programs and curricula in all courses and in academic work outside of courses (unless they are also professional students, e.g., M.D.–Ph.D.);
  - postdocs in all courses and in *academic* work outside of courses;
  - postbaccalaureate students taking courses for graduate credit.
  - The Graduate School will eventually pass own rules for dealing with offenses in academic work outside of courses.

# Jurisdiction (cont.)

- Honor codes have jurisdiction only over students in the professional program that passed that honor code.
  - A college that wants to apply an honor code to students in Graduate School programs and curricula (e.g., Pharmacy, Medicine, Nursing) must have the approval of the dean of the Graduate School.
  - An honor code applies to honor-code students taking courses outside their college.
  - An honor code does not apply to students from a different college taking a course in an honor-code college.
- PTIs and lecturers (faculty employees) have authority to impose penalties, but teaching assistants and other staff employees do not.
  - The faculty employee in charge of signing course grade reports takes over. If there is no such person, the chair takes over.
  - With agreement of the responsible faculty employee, the chair may choose to bestow the authority on a staff employee (e.g., course coordinator).
- If a chair or dean is the instructor, the associate dean assumes his or her role; if the Provost is the instructor, the associate provost assumes his or her role.

# Penalties for Offenses in Courses

- If, *in the instructor's judgment*, an action that may be construed as an offense is so minor that even zero on assignment is not warranted, then the student's grade may be reduced, but the action should not be treated as an offense.
- If the action is not so minor, then the chair asks the Registrar whether there was a prior offense.
- If the offense is the student's first, the instructor must impose a zero for the assignment; an additional penalty of extra work, reduced letter grade, or E/F in class may be imposed *at the instructor's discretion*.
  - If the penalty is less than E/F, a "letter of warning" from the instructor to the student (kept by the Registrar) creates a record of the offense; the letter is destroyed upon graduation if there are no subsequent offenses.
  - If the offense is particularly egregious and the chair agrees, the instructor may recommend the dean impose XE/XF or more severe penalty; the dean may impose XE/XF, may ask the Provost to impose suspension or worse, or may require the instructor to impose a penalty no more severe than E/F.

# Penalties for Offenses in Courses (cont.)

- If there was a prior offense but it received only a minor penalty (less than E/F), the instructor must impose an E/F in the course.
  - If the offense is particularly egregious and the chair agrees, the instructor may recommend the dean impose XE/XF or a more severe penalty; the dean may impose E/F, may impose XE/XF, or may ask the Provost to impose suspension or worse.
- If there was a prior offense that received a major penalty (E/F or more severe), the chair informs the dean, who must ask the Provost to impose the minimum penalty of suspension.
- The Provost may decline to impose suspension for an offense that is not subsequent to a “major” one.

# Penalties for Offenses Outside of Courses

- The dean decides whether the offense warrants suspension or worse.
- If so, the dean asks the Provost to impose suspension or worse.
- The Provost may impose the requested penalty, a lesser penalty (at least suspension), or no penalty at all.
- Same procedure for falsification or misuse of academic records, except that the Registrar takes the place of the dean.
- The student may appeal a finding of guilt, even if no penalty was imposed.

# Concurrent Offenses

- The Registrar may inform a dean that *after* an inquiry was made about a student's academic offenses record, an offense that occurred chronologically *prior* to the inquiry was recorded.
  - in other words, the existence of the prior offense was not known when a penalty was chosen for the subsequent offense
- If so, the dean waits until the chronologically subsequent case is resolved.
- If the student is found to have committed the subsequent offense, then the dean shall increase the penalty for the subsequent offense.
  - If the prior offense was “minor”, the minimum penalty is E/F; XE/XF may be imposed, and suspension or worse may be recommended to the Provost.
  - If the prior offense was “major”, suspension must be recommended to the Provost, and worse may be recommended.

# Appeals and Final Disposition

- A student may appeal any finding of guilt and any penalty above the minimum.
- If a student fails to appeal, and the recommended penalty is less than suspension, the Ombud notifies the Registrar and other concerned parties of the final disposition of the case. Otherwise, the Ombud passes the case to the Provost.
- If a student admits guilt but desires to appeal a minor penalty (less than E/F), the Ombud decides whether the appeal has merit, proceeding “with deference to the traditional autonomy and authority of the instructor.” If the appeal has insufficient merit, the UAB may refuse to hear it.
  - Permits UAB oversight of minor penalties while providing barrier to frivolous appeals

# Appeals and Final Disposition (cont.)

- If the result of an appeal is that a student is guilty of an offense, but the penalty is less than suspension, the Appeals Board hearing officer notifies the Registrar and other concerned parties of the final disposition of the case. Otherwise, the Appeals Board hearing officer passes the case to the Provost.
- If the UAB reduces a penalty or finds a student not guilty, the UAB Chair must explain the UAB's rationale to the complainant (instructor, dean, or Registrar) verbally or in written form upon request of complainant.
- The Provost receives only those cases where suspension is recommended. The Provost may reduce the penalty for a first or second offense as low as XE/XF or the penalty for a third or subsequent offense to as low as suspension. The Provost then notifies the Registrar and other concerned parties of the final disposition of the case.

# Transcript Policy

- E/F received for cheating *may now* be removed from GPA calculation by exercising the repeat option.
- XE/XF *may not* be removed from GPA calculation by exercising the repeat option.
- The fact that XE/XF, suspension, dismissal, or expulsion was imposed for an academic offense will be indicated on the transcript permanently.
- The letter of warning for an offense that received a minor penalty is destroyed upon graduation if no subsequent offenses occurred.