Summary of Academic Offense Procedures

Summary of Senate Rule 6.3. Summaries are not intended to supplant the original rules but may be helpful.

Initiating a Complaint

The instructor and the chair review the evidence, and the instructor determines if the evidence warrants an allegation. If so, the instructor invites the student to discuss the evidence with the instructor and chair and sets a deadline of no less than seven working days for the student’s response to the invitation. Effort must be made to schedule the meeting as soon as possible.

The instructor considers the evidence and the student’s response and decides whether the student committed an academic offense. Any such finding shall be made within 7 working days after the meeting with the student unless the student consents in writing to an extension of this time.

If the student fails to respond to the meeting request, the instructor may determine whether the student committed an academic offense and the penalty that should be imposed.

Determining the Penalty

A. If the instructor determines the student did not commit an academic offense, the instructor notifies student.

B. If the instructor determines the action can be construed as an academic offense, but is so slight or inconsequential that it does not warrant the minimum penalty of zero on the assignment, the instructor should not treat the action as an academic offense, but as an ordinary error that may earn the student a lower grade on the assignment. The instructor shall notify the student of such a determination.

C. If the instructor finds the student did commit an academic offense, the chair shall ask the Registrar (sean.cooper@uky.edu) whether there are any prior offenses or letters of warning in the student’s record and inform the instructor whether such is the case. In addition, the chair shall ask the Registrar to place a hold on the student’s enrollment in the course; if the student has already withdrawn, reinstate the student in the course.

1. If the student previously received a penalty of at least an E or F in a course, the chair shall inform the responsible dean, who shall determine an appropriate penalty (see B below).

2. If the student previously received a letter of warning, the instructor shall assign a grade of E or F in the course. If the offense is particularly egregious, and the chair approves, the instructor may forward the case to the responsible dean with a recommendation for a penalty of XE or XF, or a more severe penalty (see A below).

3. If there are no prior offenses, the instructor must award a grade of zero on the assignment on which the offense occurred. The instructor may choose to impose one of the following additional penalties:

   i. Require student to perform extra academic work (failure to complete work should result in a grade of E or F for the course);
ii. Reduce final grade in the course by a specified number of levels;
iii. Assign a grade of E or F for the course;
iv. If the offense is particularly egregious, and if the chair approves, forward the case to the responsible dean with a recommendation for a penalty of a grade of XE or XF in the course or a more severe penalty (see A below).

Notice of Penalty

Notice must be given in writing by regular mail and email to the student’s address as appears in the Registrar’s records. Please use your department’s letterhead.

Notice shall include: 
- Student’s name
- Student’s ID number
- College in which the student is enrolled
- Course and section in which the offense occurred
- Date and nature of offense
- Circumstances surrounding the offense
- The penalty that is being imposed or recommended
- Subsequent penalty should the student commit another offense
- Right the student has to appeal the finding or penalty

The instructor notifies the student of the finding of an offense and the penalty as soon as possible after the penalty has been determined. The chair informs the Academic Ombud of the finding and penalty (chair and Academic Ombud may be copied via email on the notice emailed to the student).

Cases Requiring Action by a Dean

A. If the instructor and the chair recommend a penalty of XE or XF or a more severe penalty for a student who has not previously committed an offense or has received only a letter of warning, the dean has two options:

1. Return the case to the instructor and require the instructor to impose a penalty no more severe than a grade of E or F in the course. The instructor shall notify the student and the chair shall notify Academic Ombud of the penalty (chair and Academic Ombud may be copied via email on the notice the instructor sends to the student).

2. Impose a penalty of XE or XF in the course and provide notice. The dean may forward the case to the Provost to recommend a penalty of suspension, dismissal, expulsion, or revocation of a degree.

B. Student commits an offense in a course offered by the dean’s college and the student has previously received a penalty for an offense at least as severe as an E or F in a course.

1. The dean shall impose a grade of XE or XF in the course and provide notice. The dean shall forward the case to the Provost recommending either the minimum penalty of suspension or a harsher penalty of dismissal, expulsion, or revocation of a degree.

C. If a student enrolled in dean’s college is accused of an offense outside of an enrolled course then the dean shall assume both the roles of instructor and chair (see above) to determine if the student
committed an offense. If the dean determines the student committed an offense, the dean shall either decline to impose a penalty or shall forward the case to the Provost recommending a penalty of suspension, dismissal, expulsion, or revocation of a degree. The student may appeal even if no penalty is imposed.

D. Should concurrent inquiries are made to the Registrar, the Registrar will inform the dean. If the previous inquiry was later found not to have been committed, the dean will take no action. Otherwise, if the offense occurred in a course, the dean shall impose a grade of E or F or XE or XF for the course. The dean may also forward the case to the Provost recommending a penalty of suspension, dismissal, expulsion, or revocation of a degree. If an E or F was imposed for the prior penalty, the dean must impose a grade of XE or XF and recommend to the Provost a penalty at least as severe as suspension.

Notice shall be given to the student with copies to the instructor, chair, and Academic Ombud. After the student is notified of a finding or action and advised of any right of appeal, the dean shall wait until the student has had the opportunity to appeal before taking action. If the student exercises the right of appeal, the dean shall take no action until the UAB makes a determination in the case.

Cases Requiring Action by the Provost

If the Provost receives recommendation from the dean or Registrar to suspend, dismiss, expel, or revoke a degree of a student, the Provost shall wait until receiving notice from the Academic Ombud or the Chair of the UAB that the finding of an offense stands and a penalty at least as severe as suspension is being recommended or supported by the Appeals Board.

The Provost may implement the penalty or a less severe penalty, subject to the following limitations:

1. If the offense occurred outside a course in which the student was enrolled, the Provost may implement either no penalty or a penalty at least as severe as suspension.
2. If the offense was the student’s first or second and occurred in a course in which the student was enrolled, the Provost shall implement a penalty at least as severe as an XE or XF in the course.
3. For all other cases, the minimum penalty should be suspension.

Notice shall be provided to the student and copied to the instructor, chair (if related to a course), responsible dean, dean of the student’s college, the Registrar, and the Academic Ombud.

a. If the penalty was recommended by the UAB, a copy shall be sent to the chair of the UAB.
b. If the student was international, the Director of ISSS shall be notified.
c. If the student receives a penalty at least as severe as suspension, the Dean of Students should be notified.

Failure to Appeal to the University Appeals Board

For every offense, the Academic Ombud notifies the student, instructor, chair (if the offense was related to a course), responsible dean, and dean of the student’s college. Additionally:

a. The Registrar shall be notified if the penalty is less severe than suspension.
b. The Director of ISSS shall be notified if the offense was committed by an international student.
c. The Dean of Students shall be notified if the offense involves a violation of the Code of Student conduct.
d. The Provost is notified if the penalty is at least as severe as suspension.
Appeals to the University Appeals Board

Preliminary consideration by the Ombud

The Ombud may try to resolve the issue informally to the satisfaction of all parties within 20 days of receiving the student’s written request.

In the case of minor offenses, if the student does not dispute the finding of the minor offense, but the student believes the penalty is unduly harsh, the Ombud will decide if the appeal has merit.

If the Ombud fails to resolve the case to the satisfaction of all parties, or the Ombud makes a decision on the merit of an appeal of a minor penalty, the parties shall be notified.

To the Appeals Board

A student has the opportunity to appeal any finding of an academic offense.

A student may also appeal the severity of the penalty only if:
   a) the offense is the student’s first, or
   b) the offense occurred in a course and the penalty is at least as severe as XE or XF, and the student previously had only received a letter of warning, or
   c) the offense occurred outside a course and the penalty is at least as severe as suspension, or
   d) the penalty is dismissal, expulsion, or revocation of a degree for an offense.

Appeal must be filed in writing to the University Appeals Board within ten days after the Academic Ombud notifies the student the case cannot be resolved without recourse to the UAB.

Chair of the UAB will schedule a hearing to begin within 20 days of the receipt of the appeal unless the student consents to an extension of the time. Chair will notify student, complainant, and the Academic Ombud of the time and date of the hearing. Student may withdraw the appeal at any time.

If the student appeals only a penalty for a minor offense and the Academic Ombud has determined the appeal lacks merit, the Appeals Board may refuse to hear the appeal by majority vote.

Chair of the UAB will notify the student, complainants (instructor, chair, responsible dean, Registrar), and the Academic Ombud of the Board’s decision as soon as is reasonable and within five days. If the penalty of suspension or harsher was originally recommended, the Chair of the UAB will also notify the Provost.

1. If the Board finds the student committed the academic offense
   a. Instructor, chair, responsible dean, dean of the student’s college shall be notified. If Board supports penalty of suspension or harsher, Registrar shall also be notified. If the student is international, Director of ISSS notified. If offense involves violation of Student Code of Conduct, Dean of Students notified.

2. If the Board finds the student did not commit an academic offense
   a. If the penalty recommended was at least as severe as an XE or XF, responsible dean notified.
b. If the offense occurred in a course, and the allegation was lodged on or before the last day of regularly scheduled classes, the student shall be permitted to withdraw from the course through the last day of classes or five days after the Appeals Board has made its decision, whichever is later.

3. If the Board finds the student did not commit an offense or reduced the penalty
   a. The Chair shall provide a rationale of the decision to the complainant (instructor, dean, or Registrar) in a timely fashion. This may be verbal or in writing at the discretion of the Chair.

If the Appeals Board recommends a penalty no more severe than a grade of E or F, the instructor shall implement the penalty. If the Appeals Board recommends a penalty of XE or XF, the responsible dean shall implement the penalty. If the Appeals Board recommends a harsher penalty, the case shall be forwarded to the Provost who shall take further action.