

REPORT OF THE ACADEMIC POLICY COMMITTEE MEETING

Thursday, January 28, 2021

3:30 – 5:00 p.m., Zoom Meeting

Committee members present: Eric Boder (Chair), Patricia Bamwine, Julie Bonom, Austin Boyd (GSS President), Lars Dzikus, Luis Finotti, Melissa Hines, Greg Kaplan, Mohammed Mohsin.

Other attendees: Sara Bradberry, Amy Broemmel (Graduate Council Chair), Yvonne Kilpatrick, Dixie Thompson, and Catherine Cox (Graduate Council Liaison).

Guest attendees: Rachel Powell (General Counsel) and Amanda Samsel (Office of Student Conduct and Community Standards)

Eric Boder called the meeting to order at 3:30 p.m.

Agenda Items:

1. Student Code of Conduct

Dr. Thompson introduced our guest speakers, Rachel Powell and Amanda Samsel.

Thompson communicated the reason we need to talk about the Student Code of Conduct today is because we are in a situation where our processes, outlined in *Hilltopics*, has created some issues.

Current Process:

The Office of Student Conduct and Community Standards (SCCS) is notified when a professor believes a student has committed academic misconduct (cheating, plagiarism, etc.). Once notified, SCCS is then in charge of the investigation and any hearings that may arise. Currently, students can appeal any grade penalty or academic penalty that results from a finding of responsibility (guilt) on the part of the student. The appeal of the grade/academic penalty is heard and adjudicated through the student conduct process. The current process creates added work for the professor and also takes the academic penalty out of the hands of the academics and puts it in the student conduct process.

Hilltopics is currently being revised so that, once a finding of responsibility (guilt) is rendered in the student conduct process, any student appeal of the grade/academic penalty would be heard by the Graduate Council's Appeals Committee.

Issues with current process:

- The hearing process puts major burden on faculty member who issues the penalty, as they become the "conduct officer".
- The decision of the academic penalty is heard within the student conduct process rather than through academic channels.
- The 5-day deadline is confusing as it is not in line with current Code process.

Proposed solution:

- Move any academic appeals to the appeals processes handled by the Undergraduate and Graduate Councils.
- The 5-day deadline to appeal will only apply to the academic misconduct behavior itself and not the grade penalty. The deadline to appeal the grade/academic penalty will not begin until a finding has been made by SCCS.
- Solution requires edits to the Graduate Catalog and updates to the Graduate Council Appeals Procedure.

Amanda Samsel (Director of Student Conduct)

My role as Director is to oversee the formal hearing process of the student. By default, I hear many of issues with our current process. Both students and faculty are not happy with the current process. Faculty are concerned because even when a student is found responsible (they admit to plagiarizing, cheating, etc.) and the student accepts Conduct's charge, the student can still appeal the grade penalty. The problem here is that the grade appeal goes through the Student Code of Conduct formal hearing process. The faculty member may have a suggestion as to what is appropriate. However, the formal Hearing Board can 1) reject that suggestion, 2) make it a lesser penalty, 3) uphold the suggestion, or 4) determine that no penalty at all will be issued. This is frustrating to the faculty. This also becomes a burden to the faculty because in those situations where the student just wants to appeal the grade penalty, the professor then becomes the conduct officer. My office still oversees the hearing and it is still a conduct hearing process, but the professor becomes the conduct officer at the formal hearing. This becomes a surprise for the faculty member because they do not

see themselves as a conduct officer. To resolve this issue, I have spoken to R.J. Hinde and Dixie Thompson about a possible solution that we hope will improve the process. We believe this change will make the process more streamline, easier to understand, and benefit the student with the grade appeal. The current policy also describes a 5-day deadline appeal process. Our office stays extremely busy and we cannot get students in within that 5-day window. Moreover, the window to appeal does not start until Conduct has actually made a recommendation. The current policy was not written very clearly. With this revision, we are trying clarify and improve the process.

Rachel Powell (General Counsel)

When the Student Code of Conduct is amended, there are steps and approvals that must take place. The Student Code of Conduct is a state rule and any changes must pass through the rule-making process with the Administrators Procedures Act. This process requires: 1) we draft the changes and get campus approval, 2) the Attorney General's Office must approve, and 3) there is a public rule-making hearing. As with federal laws, the following must transpire:

- Changes have to be posted for certain amount of time
- We have to have an open hearing for public comment on it
- Then we have to have a hearing before the General Assemblies Joint Government Operations Committee
- Finally, after the above, it is effective after 90 days

The changes are a long approval process and is why we try and take all code changes together at one time. The benefit, as Amanda mentioned, will clarify and clear up the current language. These changes will also allow us to keep the grade penalty portion and the grade penalty appeals as a campus academic matter. The proposed changes are designed so that only the actual misconduct will have to go through the lengthy, cumbersome, very legalistic process.

It has taken some time to get where we are in these code changes. Where we are now is these changes are up for a public rule-making hearing on March 8. We are looking at these changes to become effective August 1, 2021.

Dixie Thompson (Dean of the Graduate School)

Thank you Amanda and Rachel for participating in our APC meeting today.

From a Graduate Council and Faculty Senate perspective, I have constructed text that would be a modification of our Graduate Catalog language and will pull together the Graduate Appeals Committee to review the appeals language procedures. We will have APC and the Appeals Committee look at the language and get a motion to Graduate Council in order to get approval at the last Faculty Senate meeting for this academic year. Are there any questions?

Eric Boder (APC Chair)

If I understand the changes and for clarification on what will happen – nothing changes except the grade appeal process.

- The faculty member will report the academic misconduct through the same channels.
- Student conduct will move forward with the alleged misconduct.
- After that finding of responsibility for the student, then the proposed changes take place – instead of going through Student Conduct, the grade appeal will go through the Graduate Council Appeals Committee.

Thompson explained the Appeals procedure is a two-step process:

- A Hearings Panel is called together of three members. They hear the appeal and determine, 1) this is a legitimate case and needs to go before the Appeals Committee or 2) no, this is not a legitimate case and they make a recommendation to the Dean of the Graduate School that the appeal be denied.
- If the recommendation goes to the Appeals Committee, then the Appeals Committee (which includes a graduate student) hears the case and makes a recommendation to the Graduate School Dean.

To clarify, the grade penalty appeal changes being proposed for Student Code of Conduct are not the same grade appeals that happen at the college or department level.

Thompson: Catherine will send my proposed language for revision to the APC members for review. Please review and be ready for discussion at our March 4 APC meeting.

2. Official Transcripts

Boder: we reviewed this proposal at our September meeting and the topic was also discussed at the November Graduate Council meeting. To remind everyone, this proposal came from the Haslam College of Business, where with their Physicians Executive MBA program, sometimes it is difficult for applicants to submit official transcripts.

Dr. Thompson has proposed language that will not alter the current policy but will allow for a waiver exception request. In the current Graduate Catalog, under the Application Steps for Admission heading, revise to add the bullet shown below in red font.

Application Steps for Admissions

After admission is offered, the following must be provided:

- Official transcripts and degree certificates (if separate from the transcript). See Graduate Admissions website for more information.
 - The Graduate School will reserve the right to revoke admission to a student if any unofficial or official documents are found to be fraudulent following review and comparison.
 - **Registration is prohibited after the first semester of enrollment until students have submitted the official copy of transcripts, including any degree certificates or degree confirmations, from all institutions previously attended.**
 - Under extenuating circumstances, academic units may petition the Dean of the Graduate School to waive the requirement for a student to submit official transcripts from all institutions previously attended. This petition must include a rationale for the request, along with information about attempts to secure the official transcripts. These requests for exceptions must be submitted prior to the end of the student's first semester of enrollment.
- For those who submitted unofficial TOEFL or IELTS scores with the application, verification of official scores is required.
- For those who have the Eligibility Verification for Entitlement Act (EVEA) requirement, documentation that proves U.S. citizenship or lawful presence as required by state law. For information on EVEA, visit the One Stop Student Services website.

All documents submitted become the property of the university and will not be returned.

Discussion: APC discussed the proposal and made one slight edit.

With no further discussion, Boder asked for a vote. **Upon motion duly made and seconded, APC voted and approved the proposed catalog edit to add an additional bullet to the current language. Voting was unanimous.**

Before our next meeting on March 4, Dr. Thompson will share proposed modifications for the Grievances and Appeals wording in the Graduate Catalog.

With no other discussion items, the meeting adjourned at 4:35.

Respectfully submitted,

Catherine Cox
Graduate Council Liaison