

***Guidelines on Academic Integrity***  
***Student and Faculty Obligations***

***Revised March 2012***

***Office of Academic Affairs***

## **ACADEMIC INTEGRITY AT THE UNIVERSITY OF PITTSBURGH**

This document contains a set of principles which shall be applicable to each of the academic units (college, school, or regional campus) throughout the University. A student desiring information about an academic unit's specific procedures and makeup of its academic integrity hearing board may obtain a copy of the procedures and other necessary information from the office of the dean, chair, or vice president either in the academic unit in which he or she is registered or in the academic unit in which a particular course is taught. Additional information or guidance may be obtained from the Office of the Provost. Copies of this document and guidelines for academic units should be distributed to all instructional staff.

### **Preface**

Academic Integrity Policy Guidelines are based on the 1983-86 document initially approved by the Board of Trustees on the recommendation of the University Senate Council. The original document evolved from and represented careful deliberation among staff, Senate committees, and student leaders of the University. The purpose of this document is to clarify and codify the rights and responsibilities that are inherent in traditional faculty-student relationships, and to reflect procedural modifications that were approved, effective January 1, 1989, by the Chancellor of the University.

In following the Guidelines, the faculty of each academic unit of the University is expected to adapt them to the circumstances of their own academic unit.

The Guidelines are designed to assure due process, equity, and prompt and objective review by third parties, with appropriate appeals procedures. There is a general intent to maintain confidentiality, to avoid unnecessary formality, and to resolve issues at the lowest possible level.

Faculty have a particular interest and responsibility in assuring that the Guidelines are adhered to, by virtue of their profession and their role as academic officials of the University. Any failure to follow these Guidelines would be harmful to the whole University community.

All members of the University community have access to advice and interpretation regarding these Guidelines. Students may consult with the Campus Judicial Coordinator, faculty may consult with their dean, chair, vice president for academic affairs or school hearing officer, and may ask for any other guidance they need from the Office of the Vice President for Academic Affairs and Office of the Provost (University of Pittsburgh – Oakland).

In general, we seek to preserve the traditional freedoms and duties associated with academic endeavors. The University should work to preserve the rights and responsibilities of faculty and students in their relationships with one another. Just as faculty and students must be free to seek truth and to search for knowledge with open minds, they must also accept the responsibility that these activities entail maintaining the highest standards of integrity, mutual respect, and honest inquiry.

## Historical Background

In March 1965, the Senate Council approved a policy statement on the subject of academic integrity. It was there declared, in language that is as true and vital today as then, that:

*The University of Pittsburgh seeks excellence in the discovery and dissemination of knowledge. Excellence in scholarship cannot be achieved in situations which are contaminated by dishonest practices. All members of the University community are obligated to adhere strictly to the highest standards of integrity in study, research, instruction, and evaluation.*

*It is presumed that those who instruct and administer observe such standards of integrity. Administrators and senior faculty members are presumed further to encourage these standards among their junior colleagues. Students are presumed to accept the concept of academic integrity and to seek to live by it but they may need continuing clarification of the concept and guidance in its observance. Particularly, students need the assurance that those who work honestly will not suffer thereby in comparisons with the dishonest. Those who cannot or will not adopt the concept and practices of academic honesty do not belong within the University.*

These principles are reaffirmed.

In February 1974, the Senate Committee on Tenure and Academic Freedom reported to the Senate Council, recommending a general statement on academic integrity as follows:

*The integrity of the academic process requires fair and impartial evaluation on the part of faculty, and honest academic conduct on the part of students. To this end, students are expected to conduct themselves at a high level of responsibility in the fulfillment of the course of their study. It is the corresponding responsibility of faculty to make clear to students those standards by which students will be evaluated, and the resources permissible for use by students during the course of their study and evaluation. The educational process is perceived as a joint faculty-student enterprise which will perforce involve professional judgment by faculty and may involve--without penalty--reasoned exception by students to the data or views offered by faculty.*

*Consistent with these considerations (and without limiting their scope and application in their entirety to the academic programs of the University), faculty and students are directed to observe the following guidelines:*

- 1. Faculty should meet and students should attend their classes when scheduled; faculty should be available at reasonable times for appointments with students and both parties should keep such appointments; faculty and students should make appropriate preparations for classes and other meetings; students should submit their assignments*

- in a timely manner; and faculty should perform their grading duties in a timely manner.*
2. *The general content of a course or other academic program should be described with reasonable accuracy in catalogues or other written documents available to students. The content, objectives of and standards for evaluation (including the importance to be assigned various factors in academic evaluation) in a course should be described by the faculty member at the first or second class meeting, preferably in a written hand-out.*
  3. *Integrity of the academic process requires that credit be given where credit is due. Accordingly, it is unethical to present, as one's own work the ideas, representations, or words of another, or to permit another to present one's own work without customary and proper acknowledgement of sources. The limits of permissible assistance available to students during a course or an academic evaluation should be determined by the faculty member and described with reasonable particularity at the first or second class meeting, or well in advance of an evaluation, so as to allow for adequate student preparation within the permissible limits.*
  4. *All academic evaluations should be based upon good-faith professional judgment, in accordance with applicable standards; factors such as race, color, religion, sex, national origin, political affiliation, sexual orientation, and activities outside the classroom that are unrelated may not be considered in matters of academic evaluation, academic assignments, or classroom procedures, nor shall reasoned views expressed by students during the course adversely prejudice any student.*
  5. *University records, which shall contain only information reasonably related to educational purposes, shall be considered a matter of privacy not to be released except with student consent, or as may be permitted by law; provided, that any student shall be permitted to review his or her own personal record, except for its confidential contents (such as the recorded comments of counseling personnel).*
  6. *The faculty of each academic unit shall establish rules implementing these principles, and procedures pertaining to the investigation and redress of grievances.*

The above Guidelines cannot be fulfilled in the University of Pittsburgh as a whole unless they are fulfilled in each and every academic unit. University-wide Guidelines of implementation as outlined in the above six points are accordingly appropriate as an expression of a common understanding and dedication. These principles are presented in some detail in the two model codes of this statement, which deal with student and faculty responsibilities, respectively. Each academic unit is required to adopt regulations conforming to these documents. The development of exact procedures remains sufficiently flexible to provide proper discretion on the part of the individual faculty; however, such procedures must be designed to assure fair and orderly review of particular cases and should adhere closely to the language of the attached codes.

The dean of each academic unit will be responsible for furnishing to the Provost the regulations and procedures adopted by the faculty and any amendments. The codes of each academic unit will be reviewed to insure reasonable conformity with the principles and procedures of the attached model codes. The dean shall also assure that all full-time and part-time students and faculty are informed about the existence and availability of the applicable regulations and procedures.

The jurisdiction shall be held by the academic unit which offered the course. Remedial action benefiting the student must be approved by the dean of the academic unit in which the course is offered. However, in offenses involving academic integrity, only the dean of the academic unit in which the student is matriculated can suspend or dismiss the student from the University. In cases that cross academic unit boundaries, consultation between the deans may be appropriate.

## **ACADEMIC INTEGRITY AT THE UNIVERSITY OF PITTSBURGH AT JOHNSTOWN**

### **Student Obligations**

#### **I. Student Obligations**

A student at the University of Pittsburgh at Johnstown (hereafter referred to as Pitt-Johnstown) has an obligation to exhibit honesty, and to respect the ethical standards in carrying out his or her academic assignments. Without limiting the application of this principle, a student may be found to have violated this obligation if he or she:\*

1. Refers during an academic evaluation to materials or sources, or employs devices, not authorized by the instructor.
2. Provides assistance during an academic evaluation to another person in a manner not authorized by the instructor.
3. Receives assistance during an academic evaluation from another person in a manner not authorized by the instructor.
4. Engages in unauthorized possession, buying, selling, obtaining, or use of any materials intended to be used as an instrument of academic evaluation in advance of its administration.
5. Acts as a substitute for another person in any academic evaluation process.
6. Utilizes a substitute in any academic evaluation proceeding.
7. Practices any form of deceit in an academic evaluation proceeding.

8. Depends on the aid of others in a manner expressly prohibited by the instructor, in the research, preparation, creation, writing, performing, or publication of work to be submitted for academic credit or evaluation.
9. Provides aid to another person, knowing such aid is expressly prohibited by the instructor, in the research, preparation, creation, writing, performing, or publication of work to be submitted for academic credit or evaluation.
10. Presents as one's own, for academic evaluation, the ideas, representations, or words of another person or persons without customary and proper acknowledgment of sources.
11. Submits the work of another person in a manner which represents the work to be one's own.
12. Knowingly permits one's work to be submitted by another person without the instructor's authorization.
13. Attempts to influence or change one's academic evaluation or record for reasons other than achievement or merit.
14. Indulges, during a class (or examination) session in which one is a student, in conduct which is so disruptive as to infringe upon the rights of the instructor or fellow students.
15. Fails to cooperate, if called upon, in the investigation or disposition of any allegation of dishonesty pertaining to another student, or any other breach of a student's obligation to exhibit honesty.
16. Violates the canons of ethics.

\*Note: There may be instances in which the charging party may more appropriately invoke *the University of Pittsburgh at Johnstown Student Code of Conduct and Judicial Procedures*. This may occur where the alleged wrong mainly involves factual determinations and not academic issues.

## **II. Procedures for Adjudication**

No student should be subject to an adverse finding that he or she committed an offense related to academic integrity, and no sanction should be imposed relating thereto, except in accordance with procedures appropriate for disposition of the particular matter involved. The degree of formality of proceedings, the identity of the decision maker or decision makers, and other related aspects properly reflect such considerations as the severity of the potential sanction, its probable impact upon the student, and the extent to which matters of professional judgment are essential in arriving at an informed decision. In all cases, however, the objective is to provide fairness to the student as well as an orderly means for arriving at a decision, starting first with the individual faculty member and then with designated administrative officers or bodies.

These Guidelines are not meant to address differences of opinion over grades issued by faculty in exercising good faith professional judgments of student work. They are meant to address ways in which an instructor deals with a student regarding an alleged breach of academic integrity. In matters of academic integrity, the succeeding procedural steps must be followed:

1. Any member of the University community who has evidence may bring to the attention of the instructor a complaint that a student has failed, in one or more respects, to meet faithfully the obligations specified in the above Section I.\*\* Acting on his or her own evidence, and/or on the basis of evidence submitted to the instructor, including evidence solicited by the instructor from non-faculty members, the instructor will advise the student that he or she has reason to believe that the student has committed an offense related to academic integrity, and the student will be afforded an opportunity to respond. If the accused student and the instructor accept a specific resolution offered by either of them, the matter shall be considered closed if both parties sign an official Letter of Resolution to that effect and submit it to the Academic Integrity Administrative Officer (hereafter referred to as AIAO). Upon receipt of the Letter of Resolution, the AIAO will determine if a previous Letter of Resolution exists for the student. The second Letter of Resolution will be made immediately null and void as a second offense, the AIAO will alert the instructor and will move in the process to procedure number 3 below. The AIAO will maintain a written record of the argument, signed by the student and the instructor. These records are not to be added to the student's individual file, and they are to be destroyed when the student graduates or has his/her registration permanently terminated. The AIAO may provide such information identifying an individual student for the following uses:
  - a. to an instructor who is involved with a student integrity violation at the initial stage and who wishes to use this previous record in determining whether a resolution between the instructor and the student or an academic integrity hearing board may be most appropriate, especially in the case of repeat offenders; and,
  - b. to the Pitt-Johnstown Academic Integrity Review Board (hereafter referred to as AIRB) and the Vice President of Academic Affairs (hereafter referred to as VPAA) after a decision of guilt or innocence has been made in a case, but before a sanction has been recommended.

\*\*Note: If the instructor elects not to pursue a complaint submitted by a member of the University community, the complaint can be submitted to an individual appointed by the AIAO who can pursue the matter in place of the instructor.

2. If an agreed-upon resolution between the instructor and the student cannot be reached, the instructor will file a written statement of charges with the AIAO. Such statement should set forth the alleged offenses which are the basis of the charges, including a factual narrative of events and the dates and times of occurrences. The statement should also include the names of persons having personal knowledge of circumstances or events, the general nature and description of all evidence, and the signature of the charging party. If

this occurs at the end of a term, and/or the last term of enrollment, the "G" grade should be issued for the course until the matter is decided. In situations involving the student's last term before graduation, degree certifications can be withheld pending the outcome of the hearing, which should be expedited as quickly as possible.

3. The AIAO will transmit the written statement of charges and a copy of these regulations to both the student and the chair of the AIRB, as well as the VPAA.
4. The letter of transmittal to the student, a copy of which shall also be sent to the instructor, or charging party, will state a time and place when a hearing on the charges will be held by the AIRB Chair.
5. In proceedings before the AIRB, the student shall have the right:
  - a. to be considered innocent until found guilty by clear and convincing evidence of a violation of the student obligations of academic integrity;
  - b. to have a fair disposition of all matters as promptly as possible under the circumstances;
  - c. to elect to have a private or public hearing;
  - d. to be informed of the general nature of the evidence to be presented;
  - e. to confront and question all parties and witnesses except when extraordinary circumstances make this impossible;
  - f. to present a factual defense through witnesses, personal testimony, and other relevant evidence;
  - g. to decline to testify against himself or herself;
  - h. to have only relevant evidence considered by the AIRB; and
  - i. to have a record of the hearing, at his or her own expense, upon request (audio tape).
6. The hearing should provide a fair inquiry into the truth or falsity of the charges, with the charged party and the instructor or charging party afforded the right to cross-examine all adverse witnesses. At the level of the AIRB, legal counsel shall not be permitted, but a non-attorney representative from within the University community shall be permitted for both instructors and students. A law student cannot be used as a representative at the AIRB.
7. Any member of the University community may, upon showing relevancy and necessity, request witnesses to appear at the hearing. Witnesses who are members of the University

community shall be required to appear, and other witnesses may be requested to appear, at a hearing. When necessitated by fairness or extraordinary circumstances, the AIRB may make arrangements for recorded or written testimony for use in a proceeding.

8. **HEARING PROCEDURE:** The hearing will be conducted as follows:

- a. The Chair of the AIRB will not apply technical exclusionary rules of evidence followed in judicial proceedings nor entertain technical legal motions. Technical legal rules pertaining to the wording of questions, hearsay, and opinions will not be formally applied. Reasonable rules of relevancy will guide the AIRB Chair in ruling on the admissibility of evidence. Reasonable limits may be imposed on the number of factual witnesses and the amount of cumulative evidence that may be introduced;
- b. the alleged offense or offenses upon which the complaint is based shall be read by the AIRB Chair;
- c. objections to procedure shall be entered on record, and the AIRB Chair shall make any necessary rulings regarding the validity of such objections;
- d. the charging party shall state his or her case and shall offer evidence in support thereof;
- e. the accused or representative for accused shall have the opportunity to question the charging party;
- f. the charging party shall be given the opportunity to call witnesses;
- g. the accused or representatives for the accused shall be given the opportunity to question each witness of the charging party after he or she testifies;
- h. the charging party shall inform the AIRB Chair when his or her presentation is completed, at which time the AIRB members shall be given an opportunity to ask questions of the persons participating in the hearing;
- i. the AIRB shall recess, and the AIRB Chair shall make a determination as to whether the charging party has presented sufficient evidence to support a finding against the accused if such evidence is uncontroverted. The parties may be required to remain in the hearing room during the recess or may be excused for a time period set by the AIRB Chair;
- j. depending upon the determination of the AIRB Chair, the matter shall be dismissed or the accused shall be called upon to present his or her case and offer evidence in support thereof;

- k. the accused may testify or not as he or she chooses;
  - l. the charging party shall have the opportunity to question the accused if the accused voluntarily chooses to testify;
  - m. the accused or representative(s) for the accused shall have the opportunity to call witnesses;
  - n. the charging party shall have the opportunity to question each witness of the accused after he or she testifies;
  - o. the accused shall inform the AIRB Chair when his or her presentation is complete, and the AIRB members shall have an opportunity to ask questions of the accused as well as the accused's witnesses;
  - p. the AIRB Chair shall have an opportunity to address the hearing board on University regulations or procedure in the presence of all parties, but shall not offer other comments without the consent of all parties; and,
  - q. the hearing shall be continued and the members of the hearing board shall deliberate in private until a decision is reached and recorded.
9. A suitable record (audio recording) shall be made of the proceedings, exclusive of deliberations to arrive at a decision.
10. The proposed decision, which shall be written by the AIRB Chair, shall include a determination whether the charges have been proven by clear and convincing evidence, together with findings with respect to the material facts. If any charges are established, the proposed decision shall state the particular sanction or sanctions to be imposed. Prior violations or informal resolutions of violations may be considered *only* in recommending sanctions, not in determining guilt or innocence. Once a determination of guilt has been made, and before determining sanctions, the AIRB Chair should find out from the AIAO whether prior offenses and sanctions imposed have occurred.
11. The proposed decision shall be submitted to the VPAA, who will make an independent review of the hearing proceedings. The VPAA may require that the charges be dismissed, or that the case be remanded for further proceedings whenever he or she deems this to be necessary. Upon completion of such additional proceedings, if any, and within a reasonable time the VPAA shall issue a final decision. The VPAA may reject any findings made by the AIRB adverse to the student, and may dismiss the charges or reduce the severity of any sanction imposed, but the VPAA may not make new findings adverse to the student or increase the severity of a sanction, except in the case of repeat offenders of the Academic Integrity Guidelines.
12. The AIRB Chair shall then transmit to the charged party and the instructor copies of all

actions taken by the hearing authority and the VPAA. If a sanction is imposed, the notice to the student will make reference to the student's opportunity, by petition filed with the VPAA, to appeal to the Pitt-Johnstown President.

### **III. Timeliness**

It is the responsibility of all parties, including administrative officers, to take prompt action in order that charges can be resolved quickly and fairly. Failure of the instructor to utilize these procedures diligently may constitute grounds for dismissal of charges. Parties have the right to petition the Pitt-Johnstown President for review of the decision of the AIRB within five (5) working days of the date of the decision letter.

### **IV. Sanctions**

The alternative sanctions which may be imposed upon a finding that an offense related to academic integrity has been committed are the following:

1. Dismissal from the University without expectation of readmission.
2. Suspension from the University for a specific period of time.
3. Reduction in grade, or assignment of a failing grade, in the course in which the offending paper or examination was submitted.
4. Reduction in grade, or assignment of a failing grade, on the paper or examination in which the offense occurred, or other sanctions approved and made known to a student by the VPAA.

In administering sanctions, Pitt-Johnstown must strive to achieve consistency in their application. That is, the same sanctions should be applied for the same offenses, unless extenuating circumstances can be documented, e.g. the student is a repeat offender.

The imposition of such sanctions may be considered by Pitt-Johnstown in the preparation of any report concerning a student submitted to a government agency, accrediting body, or other person or institution in accordance with the requirements of law or the written consent of the student.

### **V. Academic Integrity Review Board (AIRB)**

The Pitt-Johnstown AIRB shall be composed of both faculty who do not hold administrative appointments and students. The board shall consist of six faculty members (one selected representative from each division), and six students, five of whom shall be selected from the student body by the Student Senate. The sixth student shall be the chair of the appropriate designated committee of the Student Senate. A thirteenth person, a member of the faculty, shall be elected by the Faculty Senate to serve as Chair of the AIRB.

In electing or appointing members to the AIRB, emphasis should be placed on obtaining faculty members with expertise and/or concerns related to academic integrity matters. Regardless of the selection process, it is the responsibility of the AIAO to provide all new AIRB members with an orientation designed to familiarize the new members with the academic integrity guidelines for the given unit.

## **VI. Review and Appeal**

A student or instructor may seek to have a VPAA's final decision (or a determination that the charges are not subject to adjudication) reviewed by the Pitt-Johnstown President, who may choose to convene a review board whose recommendations may be made to the Pitt-Johnstown President.<sup>1</sup> Action taken by the Pitt-Johnstown President with or without the advice of a review board shall constitute an exhaustion of all required institutional remedies.<sup>2</sup>

## **Faculty Obligations**

### **I. Faculty Obligations**

A faculty member at Pitt-Johnstown accepts an obligation, in relation to his or her students, to discharge his or her duties in a fair and conscientious manner in accordance with the ethical standards generally recognized within the academic community.

Without limiting the application of the above principle, members of the faculty are also expected (except in cases of illness or other compelling circumstance) to conduct themselves in a professional manner, including the following:

1. To meet their classes when scheduled.
2. To be available at reasonable times for appointments with students, and to keep such appointments.
3. To make appropriate preparation for classes and other meetings.
4. To perform their grading duties and other academic evaluations in a timely manner.
5. To describe to students, within the period in which a student may add and drop a course, orally, in writing, or by reference to printed course descriptions, the general content and objectives of a course; and announce the methods and standards of evaluation, including the importance to be assigned various factors in academic evaluation and, in advance of any evaluation, the permissible materials or references allowed during evaluation.<sup>3</sup>
6. To base all academic evaluations upon good-faith professional judgment.

7. Not to consider, in academic evaluation, such factors as race, color, religion, sex, sexual orientation, age, national origin, and political or cultural affiliation, and life style, activities, or behavior outside the classroom unrelated to academic achievement.<sup>4</sup>
8. To respect the confidentiality of information regarding a student contained in University records; and to refrain from releasing such information, except in connection with intra-University business, or with student consent, or as may be permitted by law.<sup>5</sup>
9. Not to exploit his or her professional relationship with students for private advantage; and to refrain from soliciting the assistance of students for private purposes in a manner which infringes upon such students' freedom of choice.
10. To give appropriate recognition to contributions made by students to research, publication, service, or other activities.
11. To refrain from any activity which involves risk to the health and safety of a student, except with the student's informed consent, and, where applicable, in accordance with the University policy relating to the use of human subjects in experimentation.
12. To respect the dignity of students individually and collectively in the classroom and other academic contexts.<sup>6</sup>

## **II. Grievance Procedures**

Any member of the University community having evidence may bring to the attention of the division chair, the AIAO or the VPAA a complaint that an instructor has failed, in one or more respects, to meet faithfully the obligations set forth above. The division chair, the AIAO or the VPAA, in his or her discretion, will take such action by way of investigation, counseling, or action--in accordance with applicable University procedures--as may appear to be proper under the circumstances. The faculty member's and student's interest in confidentiality, academic freedom, and professional integrity in such matters will be respected.

## **III. Individual Grievances**

In order to provide a means for students to seek and obtain redress for grievances affecting themselves individually, the following procedures should be followed. These are not intended and shall not be used to provide sanctions against instructors.

## **IV. Procedures**

Where an individual student alleges with particularity that the actions of an instructor have resulted in serious academic injury to the student, the matter shall (if requested by the student) be presented to the AIRB for adjudication. Serious academic injury includes, but is not necessarily limited to, the awarding of a lower course grade than that which the student has earned or

suspension from a class. However, this is not intended to address normal grading decisions of faculty in exercising good-faith professional judgment in evaluating a student's work.

It is the responsibility of the student, before seeking to have a grievance adjudicated, to attempt to resolve the matter by personal conference with the instructor concerned, and, if such attempts

are unavailing, to call the matter to the attention of the division chair and then to the AIAO for consideration and adjustment by informal means. If a matter remains unresolved after such efforts have been made, the following grievance procedures shall be employed:

1. The aggrieved student will file a written statement of charges with the AIAO.
2. The AIAO determines if the charges are subject to adjudication under the terms of the Academic Integrity Guidelines. The AIAO will transmit the charges to the instructor and to the VPAA, together with a copy of these regulations. A decision that the charges are not subject to adjudication under Academic Integrity Guidelines may be appealed to the VPAA.
3. The letter of transmittal to the instructor, a copy of which shall also be sent to the student, will state that the AIAO will form an ad hoc committee, which will consist of three tenured faculty members. The ad hoc committee will meet with the involved parties to make an informal inquiry into the charge. The purpose of this committee is to provide a last effort at informal resolution of the matter between the student and the instructor.
4. The committee shall meet with the instructor, the student, and others as appropriate, to review the nature of the problem in an attempt to reach a settlement of the differences. This is not a formal hearing, and formal procedural rules do not apply. On completion of these meetings, if no mutually agreeable resolution results, the committee may produce its own recommendation for a solution to the conflict.
5. Should the committee recommend that the instructor take some corrective action on behalf of the student, its recommendations shall be provided to the instructor. As promptly as reasonable and at least within five (5) working days after the instructor receives the recommendations of the committee, the instructor shall privately take that action which he or she elects, and so advise the student and chair of the committee of that action.
6. Should the committee conclude that the instructor need not take corrective action on behalf of the student, this finding shall be forwarded to both the instructor and the student.
7. If the student elects to pursue the matter further, either because he or she is dissatisfied with the resulting action of the instructor or the conclusion of the committee, he or she should discuss this intent with the AIAO who, in consultation with the VPAA, should review the procedures to be followed with the student. If the student wishes to proceed

with a formal hearing, the AIAO shall advise the AIRB Chair that the case appears to involve a student's claim of serious academic injury, and that the formal hearing procedure must be initiated.

8. The formal hearing should provide a fair inquiry into the truth or falsity of the charges, with the instructor and the student afforded the right to cross-examine. At the AIRB level, legal counsel shall not be permitted, but a representative from within the University community shall be permitted for both instructors and students.
9. A suitable record (audio recording) shall be made of the proceedings, exclusive of deliberations to arrive at a decision.
10. The proposed decision, which shall be written by the AIRB Chair, shall include a determination of whether charges have been proved by clear and convincing evidence, together with findings with respect to the material facts. If any charges are established, the proposed decision shall state the particular remedial action to be taken.
11. The proposed decision shall be submitted to the AIAO, who will make an independent review of the hearing proceedings. The AIAO will then forward the case to the VPAA for final review. The VPAA may require that the charges be dismissed, or that the case be remanded for further proceedings whenever he or she deems this to be necessary. The VPAA may limit the scope of any further proceedings or require that a part or all of the original proceedings be reconvened. Upon completion of such additional proceedings, if any, the VPAA shall issue a final decision. The VPAA may reject any findings made by the AIRB, dismiss the charges or reduce the extent of the remedial action to be taken. If the VPAA believes the remedial action to be taken may infringe upon the exercise of academic freedom, he or she will seek an advisory opinion from the Pitt-Johnstown Faculty Senate Council before issuing his or her own decision. The decision of the VPAA shall be in writing, shall set forth with particularity any new findings of fact or remedies, and shall include a statement of the reasons underlying such action.
12. The VPAA shall then transmit to the instructor and to the student copies of all actions affecting them taken by the hearing authority and the VPAA. Suitable records shall be maintained as confidential and retained in the Office of the VPAA and by the AIAO.

## **V. Remedial Action**

Remedies in a student's behalf should usually be those agreed to willingly by the instructor. Other remedial action to benefit a student may be authorized by the VPAA only upon recommendation of the AIRB and limited to: allowing a student to repeat an examination; allowing a student to be evaluated for work that would otherwise be too late to be considered; directing that additional opportunities be afforded for consultation or instruction; eliminating a grade that had been assigned by an instructor from the transcript; changing a failing letter or numerical grade to a "pass" or "satisfactory" grade, so as not to adversely affect a student's grade

average; allowing a student to repeat a course without paying tuition or any other penalty, schedule and program permitting.

If some action is contemplated that might be deemed to infringe upon the academic freedom of the instructor, the VPAA will seek an advisory opinion from the Pitt-Johnstown Faculty Senate Council. In such cases, the Faculty Council may identify other acceptable remedies or render such advice as may be appropriate in the particular situation.

No action detrimental to the instructor will be taken, except as in strict accordance with established University procedures. An adjustment hereunder in the student's behalf shall not be deemed a determination that the instructor was in any way negligent or derelict.

## **VI. Review and Appeal**

A student or instructor may seek to have a VPAA 's final decision (or a determination that the charges are not subject to adjudication) reviewed by the Pitt-Johnstown President, who may choose to convene a review board whose recommendations may be made to the Pitt-Johnstown President. The action taken with or without the advice of a review board shall constitute an exhaustion of all required institutional remedies.

If any such determination may be deemed to have a possible adverse effect upon the faculty member's professional situation, the faculty member may seek the assistance of the Faculty Council.

## **VII. Timeliness**

It is the responsibility of all parties, including administrative officers, to take prompt action in order that grievances may be resolved quickly and fairly. While no explicit time limit could apply to all cases, failure to use diligence in seeking redress may constitute grounds for denial of a hearing or other relief, especially if prejudice results. Parties have the right to seek review of the Pitt-Johnstown President within five (5) working days of the date of the decision letter.

### **Grievance Procedures Against Senior Administrators**

A student complaint of arbitrary or unfair treatment against the VPAA should be made to the Senior Officer of Equity and Inclusion and Ombudsperson. There must be a prompt review and decision on the grievance. Members of the faculty who may be called upon to review and advise on the grievance should be drawn from outside the VPAA's jurisdiction.

## FOOTNOTES

<sup>1</sup>The composition and jurisdiction of the review board shall be determined by the Pitt-Johnstown President.

<sup>2</sup>In Implementation, the decision of the Pitt-Johnstown President shall be binding also on matters of interpretation of codes and procedures, determination of serious injury, and determination that an allegation is subject to adjudication by the procedures provided herein.

<sup>3</sup>What is expected of faculty hereunder is intended to provide students with a notion of what is required in the course, and how they will be evaluated; a general statement of broadly defined parameters would therefore suffice. If a course is deemed experimental in content, evaluation techniques, or grading of a student's academic performance, such as in written or oral examinations or papers, research reports, or class or laboratory participation.

<sup>4</sup>If the student charges such discrimination, the AIRB Chair will consult with the Pitt-Johnstown affirmative action officer to ensure compliance with civil rights legislation and regulations. In such cases, the Faculty Council may be consulted at any time.

<sup>5</sup>References or recommendations may be given in good faith by a faculty member on his own behalf, without documentation of a student's consent if it may be reasonably perceived that the student initiated the request for a recommendation, in response to apparent bona fide inquiries, such as those from institutions which state that the student has applied for employment, for admission to graduate school, or for a professional license. See fuller statements concerning University records in the "Student Code of Conduct and Judicial Procedures."

<sup>6</sup>Students are advised that other University policies may more appropriately apply to a given grievance or avenue of redress, including, but not necessarily limited to, the *University of Pittsburgh Sexual Harassment Policy and Procedure*.