

Grievances and Appeals

This chapter contains UALR's Academic Integrity and Grievance Policy; a section of the Code of Student Rights, Responsibilities, and Behavior dealing with classroom disruptions; and the two separate appeals policies for students and faculty members with grievances.

The Academic Integrity and Grievance Policy was adopted by the University Faculty Senate on March 21, 1979 and revised on February 12, 1981, April 3, 1985, April 19, 1989, and November 19, 1993. Please note that two types of cases—grade appeals and accusations of academic offenses—are addressed in this policy, and have separate procedures that must be followed. The two procedures are outlined in a flow chart at the end of the policy.

Academic Integrity and Grievance Policy

General Information

Academic Integrity and Discipline

The University has developed certain regulations to make possible an orderly academic environment where all members of the community have the freedom to develop to the fullest extent.

Academic dishonesty cannot be condoned or tolerated in the University community. Such behavior is considered a student conduct violation, and students found guilty of committing an academic offense on the campus, or in connection with an institution-oriented or sponsored activity, or while representing the University or academic department, will be disciplined by the University.

Students may not gain undue advantage over their classmates by deceptive or dishonest means. Throughout their education students should be impressed with the facts that cheating, duplicity, unauthorized reproduction of classroom materials, and plagiarism are morally degrading and that such practices seriously interfere with learning and intellectual development. It is a responsibility of faculty members to make every effort to prevent dishonesty, protect honest students, and take appropriate action in instances of dishonesty. It is the responsibility of the student not only to abstain from cheating, but in addition, to avoid the appearance of cheating and to guard against making it possible for others to cheat. Courtesy and honesty require that any ideas or materials borrowed from

another must be fully acknowledged. It is the obligation of each student to report all alleged violations of academic integrity to the faculty member, as well as the responsibility of all faculty to report all alleged violations of academic integrity to the dean of students.

Students may not reproduce, in whole or in part, classroom lectures or study materials presented by a professor without specific approval in advance by the professor. Publication of any such material shall only be with the express consent of the professor.

The determination that a student's work was the result of dishonest action can be considered in the faculty member's evaluation of that work and in the determination of the course grade. In addition, disciplinary action will be taken by the appropriate University official (dean of students) or by the Academic Integrity and Grievance Committee.

Faculty members shall adhere to University-approved classroom policies and procedures and shall establish fair and reasonable standards in such matters as attendance, submission of assigned work, seating arrangements, class decorum, regular and make-up examinations and grading. Faculty members shall make their standards known to each class at the earliest opportunity. Grievances against these standards and alleged violations of University-approved classroom policies should not be brought to the Academic Integrity and Grievance Committee. They may be brought to the attention of the faculty member, department head, and, if necessary, the dean of the college or school in that administrative order so that a continuing administrative effort may be made to ameliorate problems.

Academic Integrity and Grievance Committee

The Academic Integrity and Grievance Committee hears specific grade appeals and hears, on appeal and referral, cases involving certain alleged academic offenses. The Academic Integrity and Grievance Committee comprises 15 faculty and 3 faculty alternates to be appointed annually in the spring by the Committee on Committees and 15 students and 3 alternates to be appointed no later than the beginning of the fall semester by the Student Government Association. The term of office

begins with the fall semester and continues for twelve months. The purpose of the committee is twofold: (1) it affords the student an opportunity to appeal a grade if he or she feels the grade was inequitably awarded in that it violated a faculty member's own specified grading standards, and (2) it affords a student a hearing in cases where disputes over alleged cheating, plagiarism, collusion, and the like cannot be resolved (where the student does not admit that he/she violated an academic offense standard or the student admits that he/she did violate an academic offense standard and the dean of students/designee refers the case for sanctioning). Students and faculty members are urged, however, to make all attempts possible to resolve a grievance before initiating formal appeal. The administrative officer shall assign two faculty members and two students to hear academic offenses by rotation according to alphabet if possible.

General Operating Policies of the Academic Integrity and Grievance Committee

1. The Committee shall meet as soon as possible after it is formed and elect a chairperson from among the 15 faculty members. The chairperson shall serve as the chairperson of all grade appeals hearing panels.

2. Quorum:

a) A quorum to hear alleged academic offenses consists of the chairperson and three members; of this number, one must be a faculty member and one must be a voting student member.

b) A quorum to hear grade appeals consists of the chairperson, an ex officio member, two faculty members, and two students; on all grade appeals involving graduate or professional degree curricular matters, at least one graduate faculty member and one graduate student shall be included on the hearing panel. Of this number, all must be present.

3. The Student Government Association shall act as advocate for students in the grade appeals process. The term advocate in this sense means to advise the student of the steps in the formal grade appeal process, review and discuss the merits of the grievance in accordance with the established criteria for grade appeals, and accompany the student, upon request, to the committee meeting as a non-participating party. The Student Government Association president/designee is not a member of

the committee and is not considered as one of the two non-participating representatives but may attend hearings as an observer.

4. In cases of academic offenses, a decision shall be reached by a majority of those present. In cases of grade appeals, a decision to change or direct changes in students' course grades requires a majority vote of the committee hearing an appeal; in case of a tie, the grade assigned by the faculty member shall stand. Only members of the committee who have been present during all of the meetings and who have heard all testimony relating to the alleged grievance may vote on the case.

5. The associate vice chancellor for academic affairs shall be the administrative officer of the committee but shall not serve as a member of the committee. His or her duties shall include:

- a) consulting with the Academic Integrity and Grievance Committee chairperson in making a determination of which appeal procedure is appropriate (i.e., that of the Academic Integrity and Grievance Committee for grade appeals or that of the vice-chancellor/provost for administrative action) and notifying the student of the decision;
- b) assigning faculty members and students on a rotating basis and according to the alphabet when possible;
- c) arranging the appropriate times, dates, and places of committee meetings and hearings;
- d) informing in writing the parties to the appeal, their non-participating representatives, designated witnesses, members of the hearing panel, and the president of the Student Government Association of the times and places of committee hearings which they are requested to attend and supplying them with a statement of alleged grievances or offenses (Allegation of Academic Offense Report Form or Grade Appeal Complaint Form);
- e) securing and distributing to the committee written material appropriate to its consideration;
- f) supplying and distributing to the committee and involved parties all relevant and required documents and written materials appropriate to its consideration within the designated time frames for the meeting/hearing, (e.g., statement of charges, alleged grievances, incident/allegation reports, information to be presented at hearing, list of witnesses, etc.);

- g) arranging for a tape-recording of committee proceedings;
- h) conveying in writing to the appropriate persons in grade appeals the decisions and the reasons for the decisions of the committee, within reasonable bounds of confidentiality, and to the accused student in academic offense cases the disciplinary action;
- i) maintaining committee records of grade appeals for a period of two years and forwarding academic offense records to the dean of students office after the appeal deadline has expired;
- j) providing secretarial assistance for the committee.

The associate vice chancellor for academic affairs shall have the right to request copies of records pertaining to the proceeding from the dean of students' office.

It must be clearly understood that the office of the associate vice chancellor for academic affairs has no subpoena power and that its duties with regard to witnesses shall end with the mailing of a letter, within two working days of the party's written request, notifying the witness of the time, place, and date scheduled for the hearing. Any further responsibility shall be that of the party calling the witness.

6. Committee Membership

- a) Any member of the committee may at any time disqualify himself or herself from consideration of any given case or cases because of personal bias.
- b) Should a committee member be unable to hear a particular case, for any reason, an alternate shall be appointed by the chairperson to serve for the course of the particular grievance.
- c) Should the committee be involved in a specific case at the time of the return of an absent member, the replacement member shall continue as a member of the committee in all sessions dealing with that specific case until it is concluded. The returning members shall resume membership on the committee in any new cases brought before the committee.
- d) Should any member of the committee be unable, for any reason, to complete a term for which he or she has been appointed, one of the alternates shall fill the balance of the term. Resignations shall be submitted in writing to the associate vice chancellor for

academic affairs and the chairperson of the committee. The associate vice chancellor for academic affairs shall then immediately inform the president of the Faculty Senate/ Assembly in the case of the faculty member resignation, or the Student Government Association president in the case of a student resignation or a vacancy, request the appointment of one of the alternates to fill the position, and request the appointment of a second alternate to fill the vacant alternate position until the next term.

- e) If the committee is involved in any specific case at the time of the expiration of the term of any member, that member shall continue to function as a member of the committee only in its dealings with that specific case until such time as the case is concluded. No newly elected member shall participate as a member of the committee in relation to any case that began before his or her term. He or she shall, however, serve as a member of the committee for all other matters, beginning with the first day of his or her designated term of service.
- f) Either party to a hearing may ask the associate vice chancellor for academic affairs the name of committee members assigned to hear the case. Either party may request in writing to the associate vice chancellor for academic affairs and the chairperson that any member or members of the committee be excluded from the consideration of the case. Such a request must be for cause and be brought to the attention of the associate vice chancellor for academic affairs and chairperson within two class days upon receipt of notice of hearing. If a member of the panel is challenged, an alternate must be selected, have received all pertinent information regarding the hearing, and must be available at the hearing; if the member is disqualified by majority vote of the hearing panel from consideration of the case, the alternate will be seated.

7. The accused student may decide whether the hearing of an academic offense case will be open or closed. Grade appeal hearings shall be closed. In either case, however, the dean of students may attend. Where an open hearing is permitted, the chairperson has the discretion to determine when the space has been exhausted and no additional observers, not privileged to attend, may be admitted.

8. The Faculty Senate/Assembly president and the Student Government Association president may appoint temporary committee members during the summer months to hear cases in an emergency and only after the associate vice chancellor for academic affairs has made all attempts to contact committee members and alternates.

9. The right to legal counsel at grade appeal cases is prohibited. Legal counsel is permitted at academic offense hearings. Legal counsel serves in a non-participating capacity and is restricted to the role of advisor.

Notwithstanding any time limits otherwise applicable, the person presiding at any hearing shall have discretion to terminate and reschedule such hearing should any unauthorized person attempt to attend such hearing or should any attorney appear, even when authorized, unless the associate vice chancellor for academic affairs shall have 10 days prior written notice of intent to bring legal counsel.

10. The non-participating representative's role: The non-participating representative, whether the person is legal counsel (in academic offense cases only), faculty member, family member, or friend, is restricted to the role of "advisor." The representative can discretely counsel the student as long as it is not disruptive to the hearing. The chairperson can rule as to improper conduct of the hearing.

11. In cases involving more than one student which arise out of the same event or incident, the panel may hear such cases together; but in that event the panel shall make separate findings and determination for each student.

Academic Offenses

Definition of Academic Offenses

The following list of offenses, which is by no means all-inclusive, identifies categories that are subject to grade penalty and disciplinary action.

Cheating on an examination or quiz: To give or receive, to offer or solicit information on any quiz or examination. This includes the following classes of dishonesty: (a) copying from another student's paper; (b) use during the examination of prepared materials, notes, or text other than those specifically permitted by the professor; (c) collaboration with another student during the examination; (d) buying, selling, stealing, soliciting, or transmitting an examination, or any material purported to be the unreleased content of a coming examination, or the use of such material; (e) substituting for another person during an examination or allowing such

substitution for oneself; (f) bribery of any person to obtain examination information.

Plagiarism: To adopt and reproduce as one's own, to appropriate to one's own use and incorporate in one's own work without acknowledgment, the ideas of others or passages from their writings and works.

Collusion: To obtain from another party, without specific approval in advance by the professor, assistance in the production of work offered for credit to the extent that the work reflects the ideas or skills of the party consulted rather than those of the person in whose name the work is submitted.

Duplicity: To offer for credit identical or substantially unchanged work in two or more courses, without specific advance approval of the professors involved.

Steps Toward Redress for Academic Offenses

A. Academic Dishonesty Procedures for Students Enrolled in a Course

These procedures are applicable when a student is enrolled in a course, and a faculty member suspects the student of cheating, plagiarism, collusion, or similar activity, *and when the suspicion is supported by substantial fact(s) or evidence.*

The faculty member is responsible for notifying the student in writing of the specific charge, etc. (using the Allegation of Academic Offense Form), delivering this form by mail or in person; also, the faculty member is responsible for retaining a copy of the form, and for forwarding one copy each to the relevant department chairperson and to the dean of students.

Upon receipt of the notice form, the student is responsible for contacting the faculty member for the purpose of arranging a conference; both parties are then responsible for cooperating as necessary to *conduct the conference within three class days of the student's receipt of the notice.*

The purposes of this conference are:

- to ensure that the student is aware and understands the specific charge and the substantiating evidence; and,
- to ensure that the student has ample opportunity to present to the faculty member his or her position, explanation, and existing evidence of innocence.

Regardless of the outcome of this conference, the faculty member is responsible for immediately notifying the dean of students of the results.

If the faculty member and student reach agreement that the student is guilty, grade penalty may

not be imposed until and unless the student has failed to file a formal appeal by the official deadline for filing, or has signed an informed-decision waiver of the right to appeal, after conference with the dean of students or designee. If no formal appeal or waiver has been filed by the student at the expiration time of the allowable period, the faculty member may immediately impose a grade penalty.

A grade penalty may be imposed only by the faculty member. It is recommended that if a student is found guilty or admits guilt, the faculty member will consider the individual circumstances, nature or severity of the offense, similar class violations, etc., before assessing the grade penalty. Grade penalties for consideration for academic offenses are:

- a) a grade of *F* in the course
- b) a grade of *F* on the examination, project, etc.
- c) a grade adjustment
- d) no credit for material presented

If the conference's outcome is that the faculty member continues to believe with objective cause that the student is guilty of an academic offense, and yet the student maintains a position of non-guilt, then grade penalty may not be imposed until one of the two following conditions has been met:

- Either 10 class days have passed since the student's receipt of the Allegation Form, and no official appeal or waiver of rights to a hearing (Disciplinary Alternative Form) has been filed by the student; or
- the student has filed an appeal within the prescribed 10 class days, and has pursued the University's judicial appeals procedures to the maximum possible extent desired, and has been ultimately adjudged through and by those means to be guilty of the offense.

Upon receipt of notice that the faculty member/student conference has been completed, the student is responsible for initiating a conference with the dean of students or designee. Subsequently both the student and the dean or designee are responsible for cooperating as necessary to *conduct the conference no later than six class days from the date the student received the Allegation Form.* (Timeliness is emphasized because this conference would be a prerequisite step in the event the student wishes to file a formal appeal, and the appeal deadline is 10 class days from the student's receipt of the Allegation Form.)

The purposes of this conference will differ, as will responsibilities pertinent to it, depending upon

whether the student maintains a position of guilt or innocence regarding the academic offense. Therefore, two categories follow:

a) In a case wherein the student has admitted guilt to the faculty member and also maintains that guilty plea after conference with the dean of students or designee, and the offense warrants a severe penalty such as expulsion or suspension, the dean or designee will, within three class days, refer the case to the chairperson of the Academic Integrity and Grievance Committee.

If the offense does not warrant a severe penalty such as suspension or expulsion, the dean of students or designee will elect one of two options:

- 1) the dean of students or designee, with agreement of the student, may opt to directly impose disciplinary sanction, provided due process conditions have been met in the student's interest; or
- 2) the case may be referred to the Academic Integrity and Grievance Committee Chairperson for disposition.

b) In a case wherein the outcome of the faculty member/student conference is that the faculty member maintains the student is guilty but the student maintains a position of innocence, the dean of students or designee will review the following information with the student: the specific charge and evidence, student's rights and privileges, appeal procedures, operating policies of the Academic Integrity and Grievance Committee, disciplinary proceedings, etc.

After this review the dean of students or designee may ask the student whether he or she wishes to continue to maintain the plea of non-guilt. If the student elects to change the plea to guilty, the dean or designee will immediately notify the faculty member and the relevant department chairperson.

If the student elects to maintain the plea of non-guilt, the dean or designee will offer to assist the student in writing a statement of appeal; this formal written statement of appeal, when it is delivered to the chairperson of the Academic Integrity and Grievance Committee, constitutes the student's initiation of the University's judicial appeals procedures. The student is responsible for delivering the appeal statement to the Academic Integrity and Grievance Committee chairperson or designee. This delivery must take place no later than 10 class days from the date of the student's initial receipt of the Allegation Form.

Regardless of the outcome of the conference between the dean/designee and the student, the dean/designee is responsible for immediately

notifying its results to the faculty member and to the relevant department chairperson.

The student's conference with the faculty member and with the dean of students or designee are mandatory steps prerequisite to the filing of an official appeal. The intent of this guideline is to ensure that all reasonable efforts have been made to resolve the outcome of the academic offense allegation before the matter is brought to the Academic Integrity and Grievance Committee.

The Academic Integrity and Grievance Committee chairperson or designee is responsible for immediately notifying the following persons, upon receipt of a student's appeal in regard to allegation of academic offense: (1) the relevant faculty member, (2) department chairperson, and (3) the dean of students.

The student has the right to attend classes until the appeal is resolved. In the event the case has not been resolved before final grades are due, the faculty member will withhold the grade until the appeal is resolved.

B. Academic Dishonesty Procedures for Students Not Enrolled in a Course and Students Representing an Academic Department or the University in a University-Oriented or -Sponsored Activity On or Off Campus

When a faculty member on his or her knowledge or on information given by a student believes that a student has behaved dishonestly, he or she should immediately notify the dean of students of the suspicion of cheating, plagiarism, collusion, or the like. On receiving the notification of the alleged academic violation, the dean of students shall investigate, consult the involved faculty member(s), and summon the student(s) for a conference within five class days. No action shall be taken until the student has been informed of the charge, has been given an opportunity to present his or her defense, and has been notified of his or her right to appeal the case or have a hearing before the Academic Integrity and Grievance Committee. In a case of academic dishonesty in which the student admits guilt and the offense does not warrant suspension or a severe sanction, the matter may be handled by the dean of students, and a lesser disciplinary action (sanction) imposed.

In such cases, the fundamentals of due process will be followed. This administrative route may be taken when guilt is admitted by the student(s) involved; accused student(s) request this administrative route; the student is made aware of the disciplinary action that will be imposed; and

the dean of students can deal with the case objectively. In a case of academic dishonesty where the student may be suspended, a severe sanction is warranted, or the student does not admit guilt, the case will be referred within three class days to the chairperson of the Academic Integrity and Grievance Committee.

Committee Procedures for Academic Offenses

1. The chairperson, on receiving a written appeal or referral from the dean of students, will convene the committee within 15 class days to determine the guilt or innocence of the student or the appropriate disciplinary action (sanction).

2. The student and the faculty member will be notified in writing at least 10 class days before the date set for the hearing of the nature of the complaint and of the date, time, and place the case is to be heard. They shall also be notified that, should either party choose not to appear, the hearing will proceed as scheduled. For the purpose of this section, the day after the date of mailing of the letter of notification shall be the first day of the 10-day delay period. The committee must hear the case within 15 class days of the time the appeal or referral was filed. The determination of the date, time and place of the hearing will include consideration of the student's and faculty member's schedules and of their convenience, but in the interest of fairness, reasonable speed shall be the watchword.

3. The student and the faculty member will be notified that each can bring witnesses in his or her behalf, that each will have a reasonable opportunity for confronting witnesses appearing against him or her, that each has the right to be present during all phases of the hearing, and that each may bring to the hearing two non-participating representatives.

4. At least five class days before the committee is convened, the student and the faculty member must submit to the administrative officer all the information that each feels is pertinent to the appeal or referral. This information must be in writing and supported in detail, and it should specify what additional evidence, witnesses and/or legal counsel the student or faculty member will bring to the scheduled meeting. Copies of this information will be distributed to all involved parties.

5. The only persons present at meetings of this committee shall be members, parties to the action being considered by the committee and their non-participating representatives, and witnesses actually testifying before the committee.

6. Written statements by witnesses in lieu of personal appearance should not be allowed except in rare instances.

7. During the process of making a determination of guilt or innocence or in determining the appropriate disciplinary action (sanction), the committee shall consider only that information which (a) has been presented during the hearing and (b) is relevant to the charge.

8. If the committee finds the student guilty of the charge, the faculty member will determine the appropriate grade penalty, and the committee will determine the appropriate disciplinary sanction. In such case, the chair may request the dean of students to open the student's file to see if there is a prior disciplinary record. If the committee finds the student innocent, the faculty member will treat the student accordingly; in any case, no disciplinary sanction or grade penalty shall be imposed until the appeal deadline has expired. The administrative officer will maintain all records during the appeal delay period and on the expiration date will forward all records to the dean of students for filing and appropriate administrative action and notify the faculty member to impose the penalty.

9. The administrative officer shall notify in writing and deliver within five class days of the hearing to the appropriate persons (the student, the faculty member, and the dean of students) the decision and determination of the case, the disciplinary sanction imposed, and the right of the student, the faculty member, or the dean of students to petition for appeal. The Appeal Procedures and Instructions shall accompany the letter. A grade penalty cannot be appealed.

10. If the disciplinary sanction imposed was suspension or expulsion, the administrative officer shall notify the vice chancellor for educational services, the vice chancellor/provost, and the chancellor in writing of the committee's decision and the determination of the case, reasons for the decision, sanction imposed, and verify that all involved parties have been notified of their right to petition for appeal in accordance with the University's Procedures and Instructions.

Conduct of Hearings Regarding Academic Offenses

The chairperson shall preside at the hearing; call the hearing to order; call the role of the committee members in attendance; ascertain the presence or absence of the student(s) charged with the violation; ascertain the presence of the dean of students or designee or accuser, the representatives of the

student, and legal counsel if applicable; read the notice of hearing and charges; verify the receipt of notice of charges by the student(s); report any continuance requested or granted and any special or extraordinary procedures to be employed during the hearing; and inform the committee members and those involved in the hearing that the hearing is being taped.

1. Opening statements: (a) The dean of students, designee, or accuser shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed; (b) the student(s) may make a statement to the committee about the charge at this time or at the conclusion of the University's presentation. Witnesses shall be excluded from the hearing prior to the time their testimony is given. Persons who have been present during any part of the hearing may be allowed to testify only in those rare instances when the party can persuade the entire hearing panel that the need for such testimony could not reasonably have been anticipated.

2. University evidence: (a) University witnesses or persons testifying against the accused are to be called and identified or their written reports of evidence introduced as appropriate; (b) the committee may question witnesses at any time; (c) the student may examine evidence presented to the committee against him or her; (d) the student may question witnesses present or persons testifying against him or her; and (e) the student may consult his or her representative or legal counsel during the hearing.

3. Accused evidence: (a) Witnesses or persons testifying on behalf of the accused are to be called and identified and written reports of evidence introduced as appropriate; (b) the committee may question the witnesses or person(s) testifying on behalf of the student(s) at any time; (c) the student may examine evidence presented to the committee.

4. Rebuttal of evidence: The committee may permit the University, accuser, or the student to offer any matter in rebuttal of the other's presentation. Either party may refuse to answer questions, and the panel may draw adverse inferences from such refusal.

5. Rights of committee: The committee shall have the right: (a) in cases involving more than one student which arise out of the same transaction or occurrence to hear such cases together, but in that event shall make separate findings and determinations for each student; (b) to permit a stipulation of facts by the dean of students, designee, or accuser and the student involved; (c) to permit the incorpo-

ration in the record by a reference of any document, affidavit, or other thing produced and desired in the record by the University or the student charged; (d) to question witnesses or other evidence introduced by either the University or the student at any time; (e) to hear from the dean of students about dispositions made in similar cases and, when a violation is found, to request the dean of students to open the student's records concerning the student's prior disciplinary record and any dispositions offered to the student appearing before the committee; (f) to call additional witnesses or require additional investigation; (g) to dismiss any action at any time or permit informal disposition as otherwise provided; (h) to permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the committee before final determination of the case, provided that the committee shall grant to the student, dean of students, or accuser, such time as the committee may determine reasonable under the circumstances to answer or explain the additional matters; (i) to dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the ruling of the chairperson or the committee; and (j) to hear or not to hear such witnesses or persons testifying and evidence as it may deem relevant and fair, including, but not limited to, any information made a part of the original report.

6. Determination by committee: The committee shall then make its findings and determinations in executive sessions out of the presence of the dean of students or designee, accuser, and the student and on the sanction, if any, to be imposed. No sanction shall be imposed on the student unless a majority of the committee present is reasonably convinced by the evidence that the student has committed the violation and should be disciplined therefore. A committee member shall not vote if he or she was not present throughout the full hearing.

7. Official report of findings and determinations: The committee shall promptly consider the case, make its findings and determinations, and transmit them in writing to the associate vice chancellor for academic affairs, who shall transmit them to the dean of students or designee, the accuser, the student charged, and, in the case of suspension or expulsion, the vice chancellor for education services, the vice chancellor/provost, and the chancellor within three class days of the hearing.

8. Other procedural questions: Procedural questions not covered by these general rules which arise during the hearing shall be determined by the

chairperson, whose ruling shall be final unless the chairperson presents the question to the committee at the request of a member of the committee, in which event the ruling of the committee by majority vote shall be final.

9. General rules of decorum: (a) All requests to address the committee shall be addressed to the chairperson, and the person shall identify himself or herself before speaking; (b) the chairperson will rule on all requests and points of order, which ruling shall be final, and all participants shall abide thereby, unless the chairperson presents the question to the committee at the request of a member of the committee, in which event the ruling of the committee by majority vote shall be final; (c) rules of common courtesy and decency shall be observed at all times; and (d) a representative or legal counsel may request clarification of a procedural matter at any time by addressing the chairperson after recognition.

Sanctions Imposed by the Academic Integrity and Grievance Committee

Sanctions which may be imposed by the Academic Integrity and Grievance Committee for violations and infractions of specified academic integrity dishonesty violations include but are not limited to the following:

- Administrative Class Withdrawal
- Counseling
- Disciplinary Probation
- Disciplinary Warning
- Expulsion
- Reprimand
- Restitution
- Suspension

Descriptions of sanctions are found in the *Student Handbook*.

Administration of Conduct Records

Academic records and conduct records are kept separate to minimize the risk of improper disclosure.

Disciplinary suspension shall not result in a notation on a student's permanent record. Temporary notice that a student is on suspension and ineligible to return to the University until a certain date shall be attached to the student's official record, i.e., transcript, on the ledger in the Registrar's Office, and in the student's personnel file in the Office of the Dean of Students. This action shall be taken to notify other schools or prospective employers that the student is not presently in good standing with the University. Once the student has

reestablished his or her eligibility to return to the University, the temporary note shall be removed.

Conduct record information is released only in these circumstances: (1) receipt of written release from the student; (2) demonstrated need to know on the part of University personnel; or (3) receipt of a court order from legal authorities.

Student Rights and Privileges Regarding Academic Offenses

The student has the right to the following:

1. Receive a written charge statement to include the nature and the specific charge(s) at least 10 class days before the hearing.
2. Be present at the hearing and have an opportunity to speak in own defense and to present evidence.
3. Receive names of witnesses and persons testifying against him or her.
4. Present witnesses, question University witnesses and persons testifying against him or her, and to review statements submitted.
5. Have an opportunity to review the information to be submitted at the hearing in advance to prepare a defense.
6. Present a version of the facts through personal and written statements including statements of witnesses or persons testifying.
7. Appear alone at the hearing or bring two non-participating representatives of his or her choice (faculty, staff, student, legal counsel, etc.) to advise the student but not to question. The committee may retain University legal counsel to furnish advice in such cases.
8. Have a determination of the facts of the case based solely on information at the hearing by the authority that holds the hearing.
9. Be informed in writing of the findings and the determination of the case, and the reason(s) for the decision and any sanctions imposed.
10. Receive a copy of the summary of the hearing and have a copy of the hearing tape made at his or her own expense.
11. Petition for appeal. (Refer to Appeal Procedures and Instructions for University Judicial Appeals Committee, and Appeals to the Chancellor.)

Grade Appeals

Steps Toward Redress for Grade Appeals

1. The student must approach the faculty member in question to discuss the grade and attempt to resolve any differences. This must be done within

20 class days after a final course grade is awarded. There are certain professional courses within the University for which the final grade is awarded upon completion of a designated number of weeks. The student will need to review the time frame for awarding the grade with the department chairperson. No faculty member shall be allowed to delay the resolution of a grievance by failing to hold a consultation with a student within the designated time, unless bona fide reasons such as illness, personal emergency, or campus absences for professional reasons make this time limit unreasonable. The student's grade may be changed in Step 1 of this procedure by the written consent of the instructor. The student may confer with the Student Government Association president/designee regarding the complaint at any time during the Steps Toward Redress for Grade Appeal. The Student Government Association president/designee will listen to the complaint, counsel the student as to the merits of the case, review the steps as outlined in the formal procedures for grade appeal, assist the student in writing the appeal, and may attend the hearing upon the request of the student as a non-participating party.

2. If unable to resolve the difference with the faculty member, the student shall take the grievance within five class days of this discussion to the department chairperson (or dean, if the faculty member involved is the department chairperson). The chairperson shall attempt to resolve the dispute within 10 class days by meeting with the student and faculty member. The student's grade may be changed at Step 2 of this procedure by the written consent of the faculty member. At this meeting the chairperson will have the student and the faculty member complete and sign the Grade Appeal Complaint Form and give a copy to the student. The department chairperson maintains the original.

3. As a last resort and only after Steps 1 and 2 have been carried out, the student may file a formal complaint in writing within three class days to the associate vice chancellor for academic affairs. If the student decides to file a formal appeal, he or she must meet with the associate vice chancellor for academic affairs and bring to the meeting the written appeal which must include a written statement which clearly explains the basis of the appeal and the Grade Appeal Complaint Form. Following the conference, the associate vice chancellor for academic affairs will immediately consult with the Academic Integrity and Grievance Committee chairperson. The associate vice chancellor for academic

affairs will notify the student in writing that the grade appeal will be referred to the Academic Integrity and Grievance Committee for a hearing or to the vice chancellor/provost if the case does not fall within the purview of the Academic Integrity and Grievance Committee.

Procedures for Grade Appeals Handled by the Academic Integrity and Grievance Committee

The Academic Integrity and Grievance Committee shall promulgate rules governing its proceedings which shall be consistent with the following hearing procedures set forth in the 1967 Joint Statement on Rights and Freedoms of Students. The rules shall be distributed to all members of the committee.

1. The student and the faculty member will be notified in writing, at least 10 class days before the date set for the hearing, of the nature of the complaint and of the date, time, and place the case is to be heard. They shall also be notified that, should either party choose not to appear, the hearing will proceed as scheduled. For the purposes of this section, the day after the date of mailing of the letter of notification shall be the first day of the 10-day delay period. The associate vice chancellor for academic affairs shall also send and/or give a copy of the preliminary data sheet, time frame report, and the release of academic records form to the student. The committee must hear the case within 15 class days of the time the appeal was filed. The determination of the date, time, and place of the hearing will include consideration of the student's and the faculty member's schedules and of their convenience, but in the interest of fairness, reasonable speed shall be the watchword.

2. The student and faculty member will be notified that each can bring witnesses in his or her behalf, that each will have a reasonable opportunity for confronting witnesses appearing against him or her, that each has the right to be present during all phases of the hearing, and that each may bring to the hearing two non-participating representatives.

3. At least five class days before the committee is convened, the student and the faculty member must submit to the associate vice chancellor for academic affairs all the information that each feels is pertinent to the appeal; this information must be in writing and supported in detail, and it should specify what additional evidence and witnesses the student or faculty member will bring to the scheduled meeting. Copies of this information will

be distributed to all involved parties. Students appealing grades are reminded that the burden of proof is on the student; i.e., the student must be able to support his or her assertion.

4. The committee will not make any decision on a specific appeal until it has been determined that all pertinent written documents, oral testimony from the student and the faculty member, and official records from the student's college or school dean and from the Office of Admissions and Records have been submitted and reviewed.

5. The only persons present at meetings of this committee shall be committee members, Student Government Association president/designee upon request by the student, parties to the action being considered by the committee and their non-participating representatives, and witnesses actually testifying before the committee.

6. Written statements by witnesses in lieu of personal appearances should not be allowed except in rare instances.

7. During the process of making a decision on a case, the committee shall consider only that information which (a) has been presented during the hearing and (b) is relevant to the charge.

8. Upon conclusion of the appeals hearing, the committee will make a decision in writing and sign appropriate appeal documents. The chairperson of the committee will return the master file and the tape of the hearing, and prepare a summary of the findings, decision, and recommendations for the associate vice chancellor for academic affairs within three class days of the hearing. A letter explaining the findings and the decision will be sent to the student, faculty member, department head, college dean, and director of admissions and records in case of a grade change within 10 class days of such decision. Either party may appeal the panel's decision in writing to the vice chancellor/provost with a copy to the chairperson and the non-appealing party, within 10 class days upon receipt of the decision.

9. The vice chancellor/provost shall review the appeal and render a decision in writing to all interested parties that includes the reasons for the decision, no later than five class days upon receipt of the appeal. Reasonable deviations from the time frame or procedures will not invalidate a decision unless the deviations cause significant prejudice to the student.

10. The vice chancellor/provost shall have the authority to:

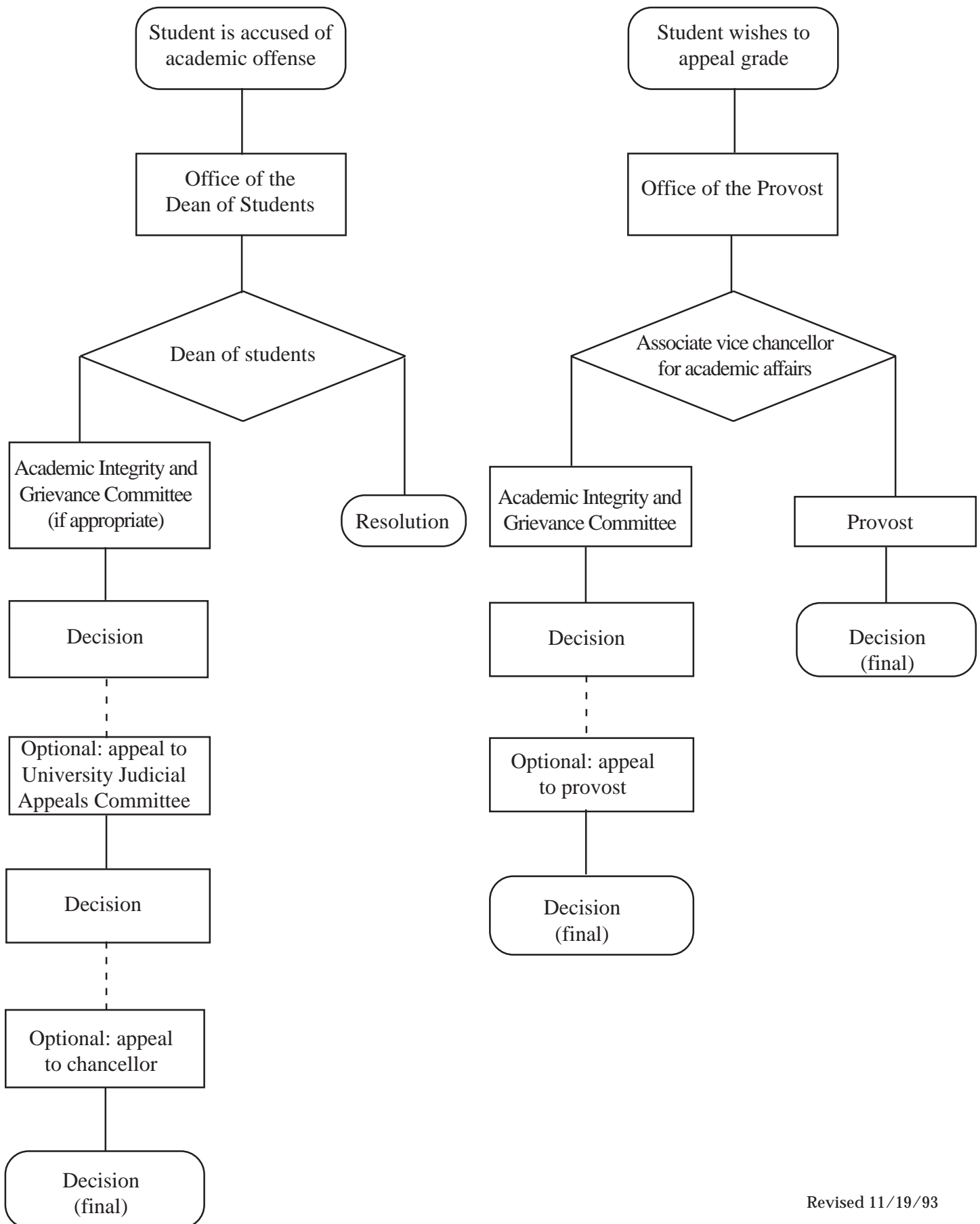
- a) Approve the recommendation of the AIGC panel.
- b) Remand the case to the original hearing panel for rehearing.

- c) Remand the case to a different hearing committee for rehearing.
- d) Raise the grade.
- e) Reverse the decision of the hearing panel.

11. The vice chancellor/provost shall notify the appealing party and the non-appealing party of his decision. The vice chancellor/provost shall return the records to the associate vice chancellor for academic affairs for filing and for appropriate action. The vice chancellor/provost's decision shall be final.

A flow chart of the processes and a Grade Appeal Form follow on the next pages.

PROCEDURES FOR ACADEMIC OFFENSES AND GRADE APPEALS



Revised 11/19/93

GRADE APPEAL FORM

The following policy is part of the Code of Student Rights, Responsibilities, and Behavior, which can be found in its entirety in the UALR Student Handbook.

Classroom Disruptions and Steps Toward Redress

Students may not disturb normal classroom procedures by distracting or disruptive behavior. A faculty member may, at his or her discretion, eject a disruptive student from the classroom for the balance of the class period. Students are strongly urged, following an ejection, to meet with the faculty member to resolve the problem.

In certain circumstances it may be necessary for the faculty member to report misconduct to the Office of the Dean of Students. (Refer to *Interim Suspension and Reporting Misconduct* in the *UALR Student Handbook*.) If a student has been ejected two or more times, the faculty member should follow these steps:

1. Notify the student in writing that he or she is in violation of University behavioral standards as listed in the Code in Student Rights, Responsibilities, and Behavior (Classroom Disruptions). Upon receiving such notification the student must approach the faculty member within three class days to attempt to resolve the problem. No action or penalty shall be imposed until the student has been informed in writing of the charge, given an opportunity to present his or her defense, and been informed of his or her right to appeal the case to the Behavioral Standards Committee. He or she has the right to remain in class until action has been taken. An interim suspension is the only exception considered in a student's right to remain in class until action has been taken.

2. If the student is unable to resolve differences with the faculty member, the student shall take the grievance within three class days following the discussion with the faculty member, to the department chairperson (or dean if the faculty member involved is department chairperson). The department chairperson (or dean) shall attempt to resolve the grievance within three class days by meeting with the student and faculty member.

3. As a last resort and only after the above procedures have been carried out, the student may, upon notification to the faculty member and department chairperson, file an appeal in writing within three class days to the chairperson of the Behavioral Standards Committee.

If the student does not wish to appeal the case, the faculty member shall immediately initiate the

administrative class withdrawal process by notifying the dean of students. The dean of students shall notify the student within three class days of the pending action and schedule a conference with the student. Following the conference, the dean of students will administratively withdraw the student from the class in which he or she was enrolled.

The following procedures for student appeals to the University Judicial Appeals Committee were adopted by the University Assembly on May 7, 1984. The procedures apply to decisions made by the Behavioral Standards Committee, the Academic Integrity and Grievance Committee, the judicial boards of the Greek governing bodies for organizational offenses, and the dean of students or his or her designee. More information about the University Judicial Appeals Committee can be found in this Handbook under Administrative Organization. Note: the Committee does not hear appeals of grade appeals. Grade appeals may not be appealed beyond the vice chancellor and provost.

Appeal Procedures and Instruction for University Judicial Appeals Committee

Appeals Procedures and Instructions

(Not Applicable to Grade Appeals)

1. The University Judicial Appeals Committee is empowered to review the conclusions, sanctions, and procedures used to adjudicate the case and limit its consideration of the appeal to the record of the previous hearing on the following grounds: (a) original decision contrary to the facts or based on insufficient evidence, (b) availability of new information (remand the case to the original judicial hearing committee), (c) procedural violation, or (d) excessive severity of the disciplinary sanction. The committee shall not exceed the purview of the original hearing committee.

2. The student can appeal any decision to the chancellor.

3. The student, the faculty member, or the dean of students/designee may appeal the findings and sanctions of the original judicial hearing committee, within five class days of the service of the decision. The appeal must be submitted in writing, describe the grounds for the appeal, and be addressed to the chairperson of the University Judicial Appeals Committee. The appealing party shall send copies of the appeal to the chairperson of the original hearing committee, the nonappealing party, and the dean of students.

4. Upon receipt of an appeal, the chairperson shall request that the records from the previous hearing be forwarded for review. At the discretion of the committee, and if clarification is needed, the committee may invite the appealing party, the nonappealing party, or the chairperson of the original hearing committee to meet with the committee. The committee does not conduct a hearing. The appeal shall be reviewed and a decision rendered in writing to all interested parties, including the reasons for the decision, no later than five class days upon receipt of the appeal. Reasonable deviations from the time frame or procedures will not invalidate a decision unless the deviations cause significant prejudice to the student.

5. The University Judicial Appeals Committee shall have the authority to:

- a) approve the recommendation of the original hearing committee or the board;
- b) remand the case to the original hearing committee or the board for rehearing;
- c) reverse the decision of the committee orders;
- d) modify the sanction, but impose none more severe than originally imposed.

6. In the case of a remand the chairperson will return the records to the chairperson of the original hearing committee. The committee, if possible, should rehear the case within 10 class days upon receipt of the notification. If the case is not remanded, the chairperson of the University Judicial Appeals Committee shall maintain the records until the deadline for an appeal to the chancellor has expired. If there is no appeal, the chairperson shall return the records to the dean of students for filing and appropriate action.

Appeals to the Chancellor

(Not Applicable to Grade Appeals)

1. After showing good cause as outlined in Grounds for Appeals, the student, the dean of students/designee, or the faculty member may appeal the findings of the University Judicial Appeals Committee to the chancellor within three class days of the decision. The appealing party may appeal to the chancellor only after all other University appeals have been exhausted. Such appeal must be in writing, describing the grounds for the appeal, and be addressed to the chancellor. The appealing party shall send copies of the appeal to the chairperson of the University Judicial Appeals Committee, chairperson of the original hearing committee, non-appealing party, and the dean of students.

2. The chancellor is empowered to review the conclusions, sanctions, and procedures used to adjudicate the case and limits his/her consideration of the appeal to the record of the original committee hearing, review by the University Judicial Appeals Committee, and grounds for appeal.

3. Upon receipt of an appeal, the chancellor shall request the records from the chairperson of the University Judicial Appeals Committee. At the discretion of the chancellor and if clarification is needed, the chancellor may invite the appealing party, the non-appealing party, and the chairpersons of the original hearing committee and the University Judicial Appeals Committee to meet with him/her.

4. The chancellor shall review the appeal and render a decision in writing to all interested parties, including the reasons for the decisions, no later than five class days upon receipt of the appeal. Reasonable deviations from the time frame or procedures will not invalidate a decision unless significant prejudice to a student may result.

5. The chancellor shall have the authority to:

- a) approve the recommendation of the University Judicial Appeals Committee;
- b) remand the case to the original hearing committee for rehearing;
- c) reverse the decision of the University Judicial Appeals Committee;
- d) modify the sanction, but impose none more severe than originally imposed.

6. The chancellor shall return the records to the dean of students for filing and for appropriate action.

The following procedures for faculty appeals and grievances were adopted by the University Assembly on December 10, 1980, in accordance with Board Policy 405.1. See the Constitution of the University Faculty Senate for the composition of the Appeals Council. Note: there are separate grievance policies and procedures for classified employees. They can be found in the UALR Classified Employee Handbook.

Faculty Appeals and Grievance Procedures

Procedures for Appeals and Grievances Except Nonreappointment and Dismissal

An appeal to the [Faculty] Appeals Council should be in writing to the chairperson of the Appeals Council. Appeal forms are available in the offices of the vice chancellors, the president of the University Faculty Senate, and the chairperson of

the Appeals Council. The documentation submitted with the appeals form shall include evidence that the problem has been discussed with the appellant's department chair and dean (or equivalent administrators). The appellant may amend the appeal form before the beginning of the first informal hearing; thereafter, changes can be made only at the discretion of the Appeals Council. The procedures for an appeal vary according to the nature of the appeal, as indicated below.

Informal Proceedings

1. Upon receipt of the appeals form, the chairperson of the council shall appoint from the members of the council a three-person investigative subcommittee within 10 class days of the receipt of an appeal. The investigation shall be completed within 15 class days from the appointment of the subcommittee. Both time deadlines may be extended by a two-thirds vote of the membership of the council. Appeals filed between the beginning of the third week and end of the tenth week of a spring semester will be examined in Informal Proceedings, but Formal Proceedings, if necessary, normally will not occur until the following fall semester, due to the timetable outlined below. No appeals will be accepted after the end of the tenth week of the spring semester and prior to the beginning of the third week of the fall semester.

2. The investigative subcommittee shall make every effort to achieve a settlement of the grievance between the parties involved without a formal hearing. The investigators shall report to the chairperson of the council that a settlement has been reached, or if no settlement has been reached, formal proceedings shall commence if requested by the appellant.

Formal Proceedings

1. A formal proceeding will be conducted through one of the council's hearing panels, established as described in the description of the Appeals Council in the Constitution of the University Faculty Senate. None of the persons who served as investigators during the informal proceedings nor any council member against whom an appeal has been filed shall participate in the deliberations of the panel, except as a witness.

2. Upon receipt of a written request by an appellant that formal proceedings shall commence, the chairperson of the Appeals Council shall, within 10 class days of the receipt of the request, organize a formal hearing panel, informing the appellant as well as any additional individuals involved in the

complaint. This hearing must begin within 15 class days of receipt of the request for a formal hearing.

3. The hearing panel shall control the procedure of the hearings as it considers appropriate including selection of a panel chairperson. All rulings and determinations of the hearing panel shall be by majority vote of the full panel including the chairperson.

4. The hearing and all deliberations of the hearing panel must be completed within 15 class days of the date of the first meeting of the hearing panel. Panel members must be present for all parts of the hearing, and the appellant and all others involved in the complaint must be given the opportunity to be present at all parts of the hearing.

5. At the close of the hearing, upon due consideration of all evidence, the hearing panel, with all members present, shall formulate its recommendation. The recommendation shall be submitted to the chancellor or other appropriate officials and to the appellant within five class days of the end of the hearing.

6. The chancellor or other appropriate official shall make known his or her decision to the chairperson of the hearing panel, to the appellant, and to other involved individuals within 14 days from receipt of the hearing panel's recommendation.

7. Time deadlines specified in these proceedings may be modified by mutual consent between the appellant and a majority of the hearing panel. During official University holidays, consultation day, exam days, days the University is closed due to weather, summer school, and the first two weeks of the fall semester before the Council has elected its chairperson, the time schedule is not in operation. The term "days" refers to class days (Mondays through Fridays) during fall and spring semesters, except as noted above.

Procedures for Appeals and Grievances Involving Nonreappointment

These procedures apply to nontenured faculty members who are not offered a next successive appointment for the period following the expiration of a current appointment. The appointment of a nontenured faculty member may be terminated effective at the end of the appointment period, at the option of either the individual or the University.

A chairperson, dean, or chief academic officer who decides not to recommend a nontenured faculty member for reappointment shall notify him or her in writing in accordance with the following schedule and shall enclose a copy of this section with the letter of non-reappointment.

—Not later than March 1 of the first year of service, if the appointment expires at the end of that year; or at least three months in advance of its termination if the appointment terminates during the first calendar year of continuous employment.

—Not later than December 15 of the second year of service, if the appointment expires at the end of that year; or at least six months in advance of its termination if an appointment terminates during the second calendar year of continuous employment.

—At least twelve months before the expiration of the terminal appointment after two or more consecutive academic, fiscal, or calendar years in the institution. The terminal appointment will be for the academic or fiscal year, according to the appointment last held by the individual.

The individual, upon being notified that he or she will not be reappointed, may request an interview within ten working days after receipt of the notice, first with the dean of the school or college or other appropriate administrator, then, if the employee requests an interview within an additional five working days, with the chief academic officer of the campus. The dean of the school or college or other administrator and the chief academic officer jointly will within ten working days make the final decision on any request that the decision be reconsidered.

Department chairpersons and other employees on that campus may be requested to participate in their individual capacities in the interviews by the individual concerned, by the chief academic officer, or by dean or other appropriate administrator.

If the individual does not request these interviews within the time limits stated above after receipt of notification of nonreappointment, the matter shall be considered closed.

Procedures for Appeals and Grievances Involving Dismissal

These procedures, as described in Board Policy 405.1, apply in appeals involving the dismissal of nontenured faculty and equivalent (see definition—page 6-2) staff members prior to expiration of appointments and to the dismissal of faculty and equivalent staff members having tenure.

1. Preliminary Proceedings: When a chairperson or dean has reason to consider a decision to dismiss a person who has tenure rights or an untenured faculty member prior to the expiration of an appointment, he or she shall discuss the matter with that person privately. After the discussion, if the decision of the chairperson or dean is to

recommend dismissal, he or she shall prepare a statement of the grounds constituting the cause for dismissal and forward it through the dean's office and the vice chancellor and provost's office to the chancellor. If the faculty member requests it, a subcommittee of three faculty members of the Appeals Council shall be named by the chairman thereof to make an informal inquiry into the situation and to effect an adjustment, if possible. If no settlement is effected, the subcommittee shall determine whether, in its view, formal proceedings shall be instituted to consider the individual's dismissal, and it shall notify the individual concerned, the chancellor, and other appropriate administrators of its conclusion. If the subcommittee recommends that such proceedings be begun, or if the chancellor, after considering a recommendation of the subcommittee favorable to the individual, decides that a proceeding should be undertaken, action shall be commenced according to the procedures which follow.

2. Hearing Procedures: The formal proceedings shall be initiated by a communication addressed to the individual by the chancellor informing him or her of the dismissal and the grounds for it, and that, if he or she so requests, a hearing to recommend whether his or her employment by the University shall be terminated on the grounds stated will be conducted at a specified time and place by a faculty committee constituted as described in Section 4 below. Sufficient time shall be allowed to permit the individual to prepare a defense. The individual shall be informed in detail or by reference to published regulations of the procedural rights to which he or she is entitled, including the right to advice of counsel.

The individual shall indicate whether he or she wishes a hearing and, if so, shall file with the chancellor within two weeks of the date of the mailing of the communication by the chancellor an answer to the statement of grounds for the proposed dismissal.

If the individual does not request a hearing, no further action shall be taken. Further, at the request of the individual, the proceedings provided for herein may be terminated at any time after the request for a hearing on written notice to the chancellor of the employee's acquiescence in the dismissal. Similarly, the administration may drop dismissal proceedings at any stage.

3. Suspension: Suspension of the individual from normal duties or reassignment to other duties during the proceedings will occur only if an emergency exists which threatens harm to the

individual, to others, or to the University. Determination of an emergency shall be made by the chancellor in consultation with the president. Such suspension shall be with pay.

4. Hearing Panel: Upon receipt from the chancellor of a copy of the statement of grounds for dismissal, accompanied by the individual's answer thereto, a panel to conduct the hearing and recommend a course of action shall be appointed by the chairman of the UALR Appeals Council in accordance with the procedure described in the council's charge.

It shall consist of five persons selected from the membership of the council, not including any of the three members of the subcommittee which conducted the preliminary inquiry. The hearing panel shall not include staff members of the department or administrator involved. The hearing panel shall select its own chairman.

5. Hearing Panel Proceedings: The Hearing Panel shall proceed by considering, before the time of the hearing, the statement of grounds for dismissal already formulated and the individual's written response.

In addition to the members of the hearing panel, only the person requesting the hearing and his or her representative, the chancellor and/or his or her designee, and witnesses called by the hearing panel are permitted to attend the hearing.

Charges contained in the initially formulated statement of grounds for dismissal may be supplemented at the hearing by evidence of new events occurring after the initial communication to the individual which constitute new or additional cause for dismissal. If such supplementary charges are added, the hearing panel should provide the individual with sufficient time to prepare his or her defense.

The chancellor shall have the option to attend or not to attend the hearing, and he or she may designate an appropriate representative to assist in developing and presenting the case.

The hearing panel shall determine the order of proof and shall supervise the questioning of witnesses.

The individual shall have the aid of the hearing panel when needed in securing the attendance of witnesses. The individual or his or her representative and the chancellor or his or her designated representative shall have the right within reasonable limits to question all witnesses who testify orally.

The hearing panel will use its best efforts to provide an opportunity for those involved to confront all witnesses, but where this cannot be achieved despite the efforts of the hearing panel, the identity of such nonappearing witnesses, and any written evidence they may have furnished, shall be disclosed to all interested parties during the hearing.

Subject to these safeguards, written statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. Formal rules of court procedure need not be followed, but the hearing panel shall exercise reasonable efforts to protect the rights of the parties in the reception of evidence.

6. Consideration by Hearing Panel: The hearing panel shall formulate its recommendation in private on the basis of the hearing. Before doing so, it shall give opportunity to the individual and the chancellor or his or her designated representative to make oral statements before it. If written arguments are desired, the hearing panel may request them. The hearing panel shall proceed to arrive at its recommendation promptly without having the record of the hearing transcribed when it feels that a just decision can be reached by this means, or it may await the availability of a transcript of the hearing. It shall make explicit findings with respect to each of the grounds presented for removal.

The chancellor and the individual shall be notified of the recommendation in writing, and a copy of the record of the hearing shall be available to both. A copy of the record of the hearing and the recommendations of the hearing panel shall be furnished to the president of the University for his or her decision. The decision of the president shall be transmitted to the chancellor and to the individual involved.

7. Consideration by Board of Trustees: If the decision of the president is appealed to the Board of Trustees, or if the Board of Trustees chooses to review the case, the president shall transmit to the Board of Trustees the full report of the hearing panel, stating its recommendation and his or her own decision. The review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the Board of Trustees on review shall be final. It shall be communicated to the president and through him or her to the person involved.

