

Student Academic Dishonesty Grievance Form

Informal Procedures: (must be initiated within **15** calendar days of the date the instructor notifies student of the alleged incident)

1. This form is to be used by students who wish to initiate an academic dishonesty grievance, that is, students who feel that they have been treated unfairly with respect to an academic matter and who have attempted to resolve the matter with the instructor.
2. Students may request assistance with the grievance process from the SGA Director of Student Rights and Grievances. The SGA Office is located in the Student Union. The telephone number is 985-448-4561, email is SGA.Rights@nicholls.edu
3. If the matter is not resolved with the instructor, the student may pursue the issue by completing this form and **submitting it to the department head within 15 calendar days of the date the instructor notifies student of the alleged incident**. If the matter is resolved with the instructor, the student is encouraged to keep this form for his/her records.
4. Calendar day is defined as all consecutive days, including weekends and holidays.

Grievance Information

Name of Student: _____ N Number: _____

Local Telephone Number: _____

Nicholls Email Address: _____

Type of Grievance: **Academic Dishonesty**

Name of Instructor: _____ Course: _____

Date of Alleged Incident: _____ Date Faculty Notified Student: _____
(Notification Date on Reporting Form for Academic Dishonesty)

Please provide a written description of the Grievance (attach to this form):

- a) detailed description of the nature of the grievance;
- b) description of the informal procedures taken by the student to resolve the matter, including date student met with instructor;
- c) description of documentary evidence to be used in support of the grievance (copies should be attached if available), and
- d) Remedial action requested by the student.

TO BE COMPLETED BY DEPARTMENT HEAD

Date student submitted copy of grievance form to department head: _____

Date student met with department head: _____

Matter satisfactorily resolved with department head: yes no

Summary of Department Head Action: _____

Department Head Signature: _____

Date

Forward this completed form and all documents to the Dean's Office to attach to the Reporting Form for Academic Dishonesty.

5. If the matter is not satisfactorily resolved, the student may request a hearing on the matter submitting a copy of the grievance form to the Dean within 30 calendar days of the date the instructor notifies student of the alleged incident.

Formal Procedures: (Formal grievances must be filed within 30 calendar days from the date of the alleged incident)

TO BE COMPLETED BY DEAN

Date grievance form submitted to Dean of the College: _____

Was the form received within the 30 calendar days of the date the instructor notifies student of the alleged incident? yes no

(Dean may consider university closures, holidays and natural disasters when accepting grievances within the 30-calendar day timeframe.)

Date Dean provided student a copy of the formal grievance procedures: _____

Date grievance referred to Chair of College Academic Grievance Committee: _____

Date of Committee Hearing: _____

Date Committee findings and recommendations forwarded to Dean: _____

Date parties notified of Dean's decision: _____

Matter satisfactorily resolved with Dean: yes * no

Dean's Signature: _____

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

6. Either party may appeal the decision of the Dean by submitting a petition to the Vice President for Academic Affairs. The petition must be filed with the Vice President within 10 days of the date of the Dean's letter of notification. The appeal must be based on one or more of the following:

- a) Published procedures were not published;
- b) There was insufficient evidence to support the decision;
- c) Sanctions imposed were inappropriate;
- d) Subsequent to the hearing, information was discovered which indicates that member(s) of the committee were not impartial

TO BE COMPLETED BY VICE PRESIDENT FOR ACADEMIC AFFAIRS

Date grievance form and petition received by Vice President for Academic Affairs: _____

Date grievance forwarded to Chair of Academic Appeals Committee: _____

Date Committee forwarded findings and recommendations to Vice President: _____

Date parties informed of Vice President's decision: _____

Matter resolved with Vice President: yes* no

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

7. The student or the faculty member may appeal the decision of the Vice President for Academic Affairs by submitting a petition to the President for review and recommendation by the President's Executive Council Appeals Committee within 10 days of the date of the letter from the Vice President for Academic Affairs.

TO BE COMPLETED BY PRESIDENT'S OFFICE

Date petition received by President: _____

Date findings and recommendations from President's Executive Council Appeals Committee received by President: _____

Date President notifies parties of decision: _____

The Decision of the President is final.*

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

Student Academic Dishonesty Grievance Procedures

Formal Procedures

1. The Academic Dean shall verify that the 30 calendar days of the date the instructor notifies the student of the alleged incident deadline for filing the academic grievance has been met. If so, the Academic Dean shall refer the matter to the College Academic Grievance Committee within ten (10) work days after receipt of the grievance form and/or attempts to facilitate an informal resolution. If the form is not submitted to the Academic Dean within the 30 calendar days of the notification date for the alleged incident, the Academic Dean shall inform the student in writing that the period for acting on the matter has expired; therefore, the form (petition) is rejected and the matter closed.
2. If the student has met the deadline, the Academic Dean shall provide the chair of the committee with copies of all pertinent documents related to the academic grievance.
3. The hearing will be scheduled by the chair at a date and time agreed upon by the complainant, and the alleged offender. If an agreement is not reached, the chair will set the date and time for the hearing. The chair will make every attempt to schedule the hearing within 30 work days of receiving the grievance. The chair may postpone the hearing for good cause. The decision of the chair to postpone or reschedule a hearing is final and not subject to appeal.
 - a) Work Day – a day on which the University is officially open (Monday through Friday) except for official University holidays.
4. The chair will caution both parties that there should be no communication between them concerning the grievance. Both the grievant and the faculty member shall refer all matters pertinent to the academic grievance to the chair.
5. The grievant and the faculty member will provide the chair with a list of witnesses to be called. Each party is responsible for notifying his/her witnesses of the meeting. The chair may assist with summoning witnesses to the hearing; however, the responsibility of producing witnesses rests with the respective parties involved.

College Academic Grievance Committee Composition

The College Academic Grievance Committee will be appointed by the dean of each college. The Committee will consist of five members: three faculty members from the college and two students. An ad-hoc committee will be appointed to hear graduate student issues. Membership of the ad-hoc committee will be three graduate faculty and two graduate students. One alternate faculty member and one alternate student will be named in the event that a seated committee member finds it necessary to excuse themselves or is successfully challenged. The dean will appoint one of the three faculty members to serve as chair. The College Academic Grievance Committee will hear academic dishonesty cases as well as allegations of unfair/unacceptable treatment of students by faculty. Complaints involving discrimination or harassment will be handled in accordance with the Student Policy and Procedure Manual, **Title IX and Power-based Violence**. If the case concerns academic dishonesty, the procedures followed are the same as for disciplinary matters. When the student or student group lodges a formal academic grievance of unfair/unacceptable treatment against a faculty member, procedures for conducting a hearing will be followed as described below.

Hearing Procedures

Rules of evidence, disclosure, procedure, and the burden of proof for deciding issues found in a court of law do not apply to these procedures. The purpose of an administrative hearing in a university environment is to search for the truth and to make reasonable decisions regarding the pursuit of truth and recommendations regarding such matters. To that end, the weight of proof when deciding an issue is "more likely than not." For example, does the evidence and argument presented during the hearing weigh more for accepting or rejecting the allegation? The answer to that question will provide the basis for the committee's finding.

The committee may consider those issues that a reasonable employee or student would likely consider in making decisions. The committee will operate in the spirit of fairness to all parties and thus all reasonable evidence and testimony that the Committee deems appropriate may be heard in the committee's attempt to determine the merits of the allegation and to determine recommendations regarding such matters.

1. Any member of the committee who is directly involved with the academic grievance before the committee shall excuse himself/herself in order to ensure a fair hearing.
2. Either the student or the faculty member may challenge any member of the committee for lack of impartiality. The challenging party shall present grounds for the challenge. The chair will rule on such challenges. The decision of the chair is final.
3. All parties concerned with the academic grievance shall appear in person and remain until they are released by the chair.
4. Parties may appear alone or with one other person. This person may be either a friend, an advisor, or an attorney. If any party chooses to be accompanied by an attorney, he/she must so inform the chair of the committee at least 3 days in advance of the hearing. The attorney, advisor or friend may not address the committee, witnesses or the other party(ies) directly. If the student chooses to invite the SGA Director of Student Rights and Grievances to attend the meeting, this person will be permitted to attend the meeting as the advisor.
5. The student and the faculty member may present documentary evidence, witnesses, and testimony. Only three witnesses may appear for each side. Exceptions to the number of witnesses will be granted by the committee only upon demonstration that a party's case cannot be adequately presented by three witnesses. The chair will rule on all exception requests. The decision of the chair is final.
6. The following sequence shall be followed for the presentation of testimony:
 - a) Grievant opening statements
 - b) Faculty opening statements
 - c) Testimony and cross examination of witnesses
 - d) Student closing statement (10 minute limit)
 - e) Faculty closing statement (10 minute limit)
 - f) Student rebuttal (5 minute limit)
 - g) Faculty rebuttal (5 minute limit)
7. The committee reserves the right to question any party appearing before the committee at any time.
8. All testimony on behalf of the student and the faculty member shall be heard unless judged by the chair to be repetitious or irrelevant. The decision of the chair is final.
9. Neither the student nor faculty member shall question the other directly but may suggest questions to the chair.
10. A tape recording of the proceedings, except for the committee deliberations in executive session, will be maintained along with the written record.
11. After all evidence has been presented, the committee will move into executive session to evaluate the testimony, including documentary evidence presented, and will reach a decision on the validity of the academic grievance and action to be taken. The committee may take notes or materials with them into executive session. All individual notes will be collected and destroyed at the conclusion of the hearing. The committee will review the findings and cast ballots in executive session. Each member is allowed one vote. The weight of proof for deciding an issue is "more likely than not." See first paragraph of section titled "Hearing Procedures."

12. The committee will reconvene in regular session for the purpose of informing the student and the faculty member of its findings and recommendation(s).
13. The committee will report its findings and recommendations to be taken to the dean of the college within ten (10) work days of the hearing. The chair will forward the records of the hearing and minutes of the meeting to the dean.
14. The dean will conduct a procedural and substantive review of the matter. The dean will either accept the findings and implement the recommendations of the committee, or if the dean determines that a procedural or due process error has been made, reject the findings and/or recommendations of the committee and impose appropriate action or refer the matter back to the committee for reconsideration.
15. The dean will notify the student and faculty member in writing of his/her decision(s) regarding the matter within 10 days of receipt of the report from the college Academic Grievance Committee. The dean's letter will advise the student of his/her right to appeal and the procedures for submitting an appeal.

Appeal Procedures

The student or the faculty member may appeal the decision of the dean of the college by petitioning the Provost/Vice President for Academic Affairs in writing within 10 work days from the date of the letter sent by the dean. The Provost/Vice President shall forward the petition to the Chair of the Academic Appeals Committee (undergraduate) or Graduate Council (graduate student appeals).

The petition must indicate the basis for the appeal one or more of the following:

1. Published procedures were not followed;
2. There was insufficient evidence to support the Committee's decision(s);
3. Sanctions imposed were inappropriate;
4. Subsequent to the hearing, information was discovered which indicates that member(s) of the committee were not impartial.

No new evidence may be presented. The decision on appeal will be based on the records of the College Academic Grievance Committee hearing, the contents of the official file including the letter of notification issued by the Dean, and the appeal petition submitted by the student or faculty member. The Academic Appeals Committee (Graduate Council) will, within 10 work days of the receipt of the petition by the Provost/Vice President for Academic Affairs, complete a review of this matter and send its findings and recommendation(s) to the Provost/Vice President for Academic Affairs for review, implementation, rejection or referral back to the appropriate committee or academic administrator for further consideration. The Vice President will notify in writing the student, faculty member, and other appropriate parties of the decision in this matter.

The student or faculty member may appeal the decision of the Provost/Vice President by submitting a petition to the President for review and recommendation by the President's Executive Appeals Committee. The petition must be filed with the Office of the President within 10 work days of the letter sent by the Vice President for Academic Affairs. The petition must indicate the basis for the appeal as noted in items 1, 2, 3 and 4 above. No new evidence may be presented. The review will be based on the records of the case and the appeal petition submitted by the student or faculty member.

The President will notify the appropriate parties of the decision. The decision of the President is final.

A copy of the **Student Academic Dishonesty Grievance Form** documenting the outcome of the grievance procedure will be forwarded to the Academic Dishonesty Data Warehouse in the Office of Academic Affairs.