

## UNIVERSITY OF PITTSBURGH POLICY 02-03-02

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**SECTION:** Academic Integrity  
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Obligations and Hearing Procedures  
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### Academic Integrity

This document contains a set of principles which shall be applicable to each of the academic units\* throughout the University. A student desiring information about an academic unit's specific procedures and the makeup of its Academic Integrity Hearing Board may obtain a copy of the procedures and other necessary information from the Office of the Dean, 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 by the deans to all instructional staff in each academic unit.

*\*"Academic unit" is used to refer to a college, academic unit, or regional campus.*

### Preface

Provided here are Academic Integrity Policy Guidelines based on the 1983-86 document which was 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.

In following the Guidelines, the faculty members of each academic unit of the University are 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 or academic unit hearing officer, and any individual may ask for any other guidance they need from the Office of the Provost.

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 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, 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 students.*

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 above 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 ensure 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.

In cases that involve a student registered in one academic unit, but in which the faculty member involved holds his or her appointment in another academic unit, the jurisdiction shall be held by the academic unit which offered the course (usually the academic unit in which the faculty member is appointed). 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 appropriate administrative officers may be appropriate.

### **Academic Integrity: Student Obligations**

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

A student has an obligation to exhibit honesty and to respect the ethical standards of the profession 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 faculty member.
2. Provides assistance during an academic evaluation to another person in a manner not authorized by the faculty member.
3. Receives assistance during an academic evaluation from another person in a manner not authorized by the faculty member.
4. Engages in unauthorized possession, buying, selling, obtaining, or use of a copy 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 faculty member, 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 faculty member, 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 faculty member'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 faculty member or fellow students.
15. Fails to cooperate, if called upon, in the investigation or disposition of any allegation of dishonesty pertaining to a fellow student.
16. Violates the canons of ethics of [here refer to relevant discipline or disciplines].

## **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 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 matters in which a faculty member 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 may bring to the attention of the faculty member 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 faculty member, the faculty member 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 faculty member accept a specific resolution offered by either of them, the matter shall be considered closed if both parties sign a written agreement to that effect and submit it to the Office of the

Dean. The Office of the Dean will maintain a written record of the argument, signed by the student and the faculty member. These records are not to be added to the student's individual file, and they are to be destroyed when the student graduates or otherwise terminates registration. The Office of the Dean may provide such information on an individual student for the following uses:

- a. to a faculty member 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 faculty member and the student or an academic integrity board hearing may be most appropriate, especially in the case of repeat offenders; and
  - b. to the Academic Integrity Hearing Board of an academic unit after a decision of guilt or innocence has been made in a case, but before a sanction has been recommended.
2. If an agreed-upon resolution between the faculty member and the student cannot be reached, the faculty member will file a written statement of charges with the appropriate administrative officer. 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 dean's designated academic integrity hearing officer will transmit the written statement of charges to the student, together with a copy of these regulations.
  4. The letter of transmittal to the student, a copy of which shall also be sent to the faculty member or charging party, will state a time and place when a hearing on the charges will be held by the Chair of the Academic Integrity Hearing Board.
  5. In proceedings before the academic unit's Academic Integrity Hearing Board, 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 Academic Integrity Hearing Board;
    - i. to have a record of the hearing (audio tape), at his or her own expense, upon request.

6. The hearing should provide a fair inquiry into the truth or falsity of the charges, with the charged party and the faculty member or charging party afforded the right to cross-examine all adverse witnesses. At the level of the academic unit's Academic Integrity Hearing Board, legal counsel shall not be permitted, but a non-attorney/law student representative from within the University community shall be permitted for both faculty and students. A law student cannot be used as a representative at the Academic Integrity Hearing Board.
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 shall be requested to appear, at a hearing. When necessitated by fairness or extraordinary circumstances, the Chair of the Academic Integrity Hearing Board 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 Academic Integrity Hearing Board 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 Chair of the Academic Integrity Hearing Board 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 Chair of the Academic Integrity Hearing Board;
  - c. objections to procedure shall be entered on the record, and the Chair of the Academic Integrity Hearing Board 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(s) for the 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 representative(s) 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 Chair of the Academic Integrity Hearing Board when his or her presentation is completed, at which time the Academic Integrity Hearing Board members shall be given an opportunity to ask questions of the persons participating in the hearing;
  - i. the Academic Integrity Hearing Board shall recess, and the Chair of the Academic Integrity Hearing Board 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 Chair of the Academic Integrity Hearing Board;
  - j. depending upon the determination of the Chair of the Academic Integrity Hearing Board, 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 Chair of the Academic Integrity Hearing Board when his or her presentation is complete, and the Academic Integrity Hearing Board members shall have an opportunity to ask questions of the accused as well as the accused's witnesses;
  - p. the Chair of the Academic Integrity Hearing Board 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, shall include a determination of whether the 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 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 Chair of the Academic Integrity Hearing Board should find out from the appropriate dean(s) whether prior offenses and sanctions imposed have occurred.
11. The proposed decision shall be submitted to the dean, who will make an independent review of the hearing proceedings. The dean 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 dean shall issue a final decision. The dean may reject any findings made by the Academic Integrity Hearing Board adverse to the student, and may dismiss the charges or reduce the severity of any sanction imposed, but the dean 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 Chair of the Academic Integrity Hearing Board shall then transmit to the charged party and the faculty member copies of all actions taken by the Academic Integrity Hearing Board and the dean. If a sanction is imposed, the notice to the student will make reference to the student's opportunity, by petition filed with the provost, to appeal to the University Review Board.

### **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 faculty member to utilize these procedures diligently may constitute grounds for dismissal of charges. Parties have the right to seek review by the Provost or to petition the University Review Board for an appeal from a decision of an Academic Integrity Hearing Board or investigatory committee 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. Individual academic units can add other sanctions approved by the dean of the academic unit and the Provost. Such sanctions must be made known to students.

In administering sanctions, academic units must strive to achieve consistency in their application. That is, within the same units, 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 the academic unit 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 Hearing Board***

The Academic Integrity Hearing Board shall be composed of both faculty and students and consist of: [Here state the number of persons on the board; the manner and criteria of selection; the terms of service; the means for choosing individuals to serve in particular cases, if a panel of the entire board is to have this responsibility; and other related organizational matters.]

In electing or appointing members to the Academic Integrity Hearing Board, 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 dean to provide all new Academic Integrity Hearing Board members with an orientation designed to familiarize the new members with the academic integrity guideline for the given unit. Hearing Board members should be elected or appointed in a way to ensure continuity of membership as well as an orderly turnover of the membership.

## ***VI. Review and Appeal***

A student or faculty member may seek to have a dean's final decision (or a determination that the charges are not subject to adjudication) reviewed by the Provost, who may seek the advice of the University Review Board, or the student may appeal to the University Review Board, whose recommendation shall be made to the Provost.\*\*\* The action of the Provost, taken with or without the advice of the University Review Board, shall constitute an exhaustion of all required institutional remedies.\*\*\*\*

### **Academic Integrity: Faculty Obligations**

#### ***I. Faculty Obligations***

A faculty member 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, (as well as those of the profession).

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.\*\*\*\*\*
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.\*\*\*\*\*
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.\*\*\*\*\*
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.\*\*\*\*\*

## ***II. Grievance Procedures***

Any member of the University community having evidence may bring to the attention of the department chair and/or dean a complaint that a faculty member has failed, in one or more respects, to meet faithfully the obligations set forth above. The chair or dean, at 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 faculty members.

## ***IV. Procedures***

Where an individual student alleges with particularity that the actions of a faculty member have resulted in serious academic injury to the student, the matter shall (if requested by

the student) be presented to the Academic Integrity Hearing Board 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 faculty member concerned, and, if such attempts are unavailing, to call the matter to the attention of the (department chair, associate dean, etc., as appropriate) 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 dean's designated Academic Integrity Administrative Officer.
2. If the dean's designated Academic Integrity Administrative Officer determines that the charges are subject to adjudication under the terms of the Academic Integrity Guidelines, he or she will transmit the charges to the faculty member, together with a copy of these regulations.
3. The letter of transmittal to the faculty member, a copy of which shall also be sent to the student, will state the composition of a committee that has been named to 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 faculty member.
4. The committee shall meet with the faculty member, the student, and others as appropriate, to review the nature of the problem in an attempt at reaching a settlement of the differences. This is not a formal hearing, and formal procedural rules do not apply. Upon completion of this meeting, 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 faculty member take some corrective action on behalf of the student, its recommendations shall be provided to the faculty member. As promptly as reasonable and at least within five (5) working days after the faculty member receives the recommendations of the committee, the faculty member 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 faculty member need not take corrective action on behalf of the student, this finding shall be forwarded to both the faculty member 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 faculty member or the conclusion of the committee, he or she should discuss this intent with the chair of the committee, who should review the procedures to be followed with the student. If the student wishes to proceed with a formal hearing, the chair of the committee shall advise the Chair of the Academic Integrity Hearing Board 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 faculty member and the student afforded the right to cross-examine. At the level of the Academic Unit Academic Integrity Hearing Board, legal counsel shall not be permitted, but a representative from within the University community shall be permitted for both faculty 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, 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 dean, who will make an independent review of the hearing proceedings. The dean 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 dean may limit the scope of any further proceedings or require that part or all of the original proceedings be reconvened. Upon completion of such additional proceedings, if any, the dean shall issue a final decision. The dean may reject any findings made by the Academic Integrity Hearing Board, may dismiss the charges, or may reduce the extent of the remedial action to be taken. If the dean 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 Senate Committee on Tenure and Academic Freedom (TAF) before issuing his or her own decision. The decision of the dean 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 dean shall then transmit to the faculty member and to the student copies of all actions affecting them taken by the hearing authority and the dean. Suitable records shall be maintained as confidential and retained in the Office of the Dean.

#### ***V. Remedial Action***

Remedies on a student's behalf should usually be those agreed to willingly by the faculty member. Other remedial action to benefit a student may be authorized by the dean only upon recommendation of the Academic Integrity Hearing Board 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 a faculty member from the transcript; changing of 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 penalty, schedule and program permitting.

If some action is contemplated that might be deemed to infringe upon the academic freedom of the faculty member, the dean will seek an advisory opinion from the Senate Committee on Tenure and Academic Freedom (TAF). In such cases, TAF may identify other acceptable remedies or render such advice as may be appropriate in the particular situation.

No action detrimental to the faculty member 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 faculty member was in any way negligent or derelict.

#### ***VI. Review and Appeal***

A student or faculty member may seek to have a dean's final decision (or a determination that the charges are not subject to adjudication) reviewed by the Provost, who may seek the advice of the University Review Board, or the student may appeal to the University Review Board, whose recommendation shall be made to the Provost. The action of the Provost, taken with or without the advice of the University 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 Tenure and Academic Freedom Committee of the University Senate.

#### ***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 Provost or to petition the University Review Board for an appeal from a decision of an Academic Integrity Review Board or investigatory committee within five (5) working days of the date of the decision letter.

### ***VIII. Investigatory Committees and Hearing Boards***

The informal investigatory committees and the formal hearing boards shall be composed of both students and faculty and shall consist of [here state the number of persons on the board; the manner of criteria of selection; the terms of service; the means for choosing individuals to serve in particular cases, if a panel of the entire board is to have this responsibility; and other related organizational matters].

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

A student complaint of arbitrary or unfair treatment against the principal officer of an academic unit (e.g., the dean) should be made to the Provost or appropriate Senior Vice Chancellor. 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 jurisdiction of the administrator against whom the charge is made.

### **Footnotes**

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

\*\* If the faculty member 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 dean who can pursue the matter in place of the faculty member.

\*\*\* The University Review Board and its jurisdiction are described at the end of this document.

\*\*\*\* In implementation, the decision of the Provost 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.

\*\*\*\*\* As each academic unit develops its code, it should recognize that 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 practices, the students should be so advised. By academic evaluation is meant a measurement or grading of a student's academic performance, such as in written or oral examinations or papers, research reports, or class or laboratory participation.

\*\*\*\*\* If the student charges such discrimination, the [designated administrative officer] will consult with the unit affirmative action officer to ensure compliance with civil rights legislation and regulations. In such cases, the University Senate Tenure and Academic Freedom Committee may be consulted at any time.

\*\*\*\*\* References or recommendations may be given in good faith by a faculty member on his or her 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 academic unit, or for a professional license. See fuller statements concerning University records in the "Student Code of Conduct and Judicial Procedures."

\*\*\*\*\* 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 Procedures*.

## **UNIVERSITY REVIEW BOARD**

The University Review Board (URB) is the duly authorized appellate body which serves as an advisor to the Provost and Senior Vice Chancellor and the Chancellor. (Regional Campuses may establish similar appellate bodies which serve as an advisor to their President and whose appellate jurisdiction shall be limited to non-academic matters).

The URB may exercise appellate jurisdiction for academic and non-academic matters and shall have sole appellate jurisdiction for matters originating from judicial bodies within the University Student Judicial System.

The URB shall also exercise limited jurisdiction for matters referred directly from the Chancellor and the Provost, the Senior Vice Chancellor for the Health Sciences, or the Vice Provost and Dean of Students.

The University Review Board may meet from time to time for the purpose of orienting new members and reviewing prior decisions and shall meet at such other times as are necessary to conduct appellate hearings.

### **URB STRUCTURE**

The URB shall be a standing body of fifteen members of the University community appointed for staggered terms of two years. Appointment shall be made in the following manner:

1. Five faculty members elected by the University Senate.
2. Five graduate and professional students appointed by the Graduate and Professional Student Association.
3. Five undergraduate students:
  - a. two appointed by the General Studies Student Council; and
  - b. three appointed by the Undergraduate Student Government Board.

A matter properly submitted for review shall be heard by a Review Board of five members of the URB. Review Boards shall be composed as follows:

1. In academic cases, three faculty members and two students.
2. In non-academic cases, two faculty members and three students.

### **URB MODERATOR**

An attorney appointed by the Chancellor who shall serve as URB Moderator is authorized to:

1. Conduct the administrative and procedural operations of the URB.
2. Determine the appropriateness and completeness of Petitions to the URB in consultation with one student and one faculty member of the URB.
3. Provide advice and assistance to members of the University community regarding the processing of an appeal.
4. Select members from the URB membership to serve on Review Boards.
5. Moderate all proceedings before the URB.

6. Serve as legal advisor to the URB.
7. Provide legal advice related to URB proceedings and recommendation, if requested, to the Chancellor or other referring authority.

## **BASIS FOR APPEAL**

The URB shall hear an appeal whenever requested by the Chancellor, Provost and Senior Vice Chancellor, Senior Vice Chancellor for the Health Sciences, or the Vice Provost and Dean of Students.

The URB shall also hear appeals on the petition of a faculty member, student, or student organization when either petition, together with supporting documentation, presents a substantial question within the scope of review of the URB and either the prior adjudication or action resulted in:

1. Suspension or dismissal from the University for violation of the Student Code of Conduct.
2. Suspension or dismissal from the University or the imposition of a serious academic sanction for violation of academic integrity standards.
3. Grant or denial of a remedy in an academic grievance proceeding.
4. Suspension or dismissal from the University residence halls.
5. Procedural rulings or substantive interpretations which have an important continuing impact upon the University Student Judicial System or the University community.

## **SCOPE OF REVIEW**

The scope of review of the URB shall be limited to consideration of the following questions:

1. Whether rights affirmed by the Board of Trustees have been denied.
2. Whether the adjudicatory process of an initial hearing was conducted fairly and in conformity with properly prescribed procedures.
3. Whether the adjudication was supported by substantial evidence.
4. Whether the regulations involved were lawful and proper and whether they were properly applied in the particular case.
5. Whether the sanction or remedy imposed was in due proportion to the gravity and nature of the conduct.

## **URB PROCEDURES**

Any faculty member or student adversely affected by the decision of a judicial body within the University Student Judicial System may institute an appeal before the URB by filing a petition in the Office of the URB Moderator.

A petition must set forth the following:

1. The name and address of the petitioner adversely affected by the prior adjudication.
2. The name and address of the respondent.
3. The result of the prior adjudication.
4. One or more of the questions within the scope of review of the URB.
5. A statement supporting, through factual narrative and argument, the petitioner's position.

The Moderator, in consultation with one student and one faculty member of the URB, shall review petitions and determine whether all requirements set forth for the filing of an appeal are satisfied and whether the petition sets forth the basis for an appeal and raises a question within the scope of review.

Upon receipt of a properly filed petition, the Moderator shall notify the parties that an appeal has been instituted. Notice shall include:

1. A copy of the petition.
2. A copy of the relevant regulations and procedures.

After determining the appropriateness and completeness of a petition and allowing a reasonable amount of time for preparation and review of any documents and recordings, the Moderator shall schedule an appeal. All parties shall receive written notification of the time, date, and place.

The Moderator shall convene a Review Board at the time, date, and place scheduled, and the appeal shall be conducted under the procedural guidance of the Moderator.

*\* The URB, at its discretion, may elect to decide an appeal based on the submission of briefs by the parties without oral argument. In such cases, the Moderator will provide written instruction to the parties.*

## **POSTPONEMENT OF SANCTION PENDING APPEALS**

A sanction or remedy which has been recommended by a judicial board and approved by the appropriate administrative officer may be postponed upon petition by the affected party or parties upon a determination that pending the final examination of an appeal it would be unfair not to postpone imposition of the sanction or remedy.

Persons wishing to postpone a sanction or remedy may petition the URB by separate petition setting forth reasons why the imposition of a sanction or remedy would unfairly prejudice a party. Petition for postponement shall be reviewed by the Moderator, one student, and one faculty member of the URB. The criteria to be applied in determining whether to postpone a sanction or remedy are as follows:

1. Whether the issues raised in the appeal may be resolved in favor of the petitioning party.
2. Whether the petitioning party will be unfairly prejudiced pending a final determination of the appeal by the immediate imposition of the sanction or remedy.
3. Whether the responding party will be unfairly prejudiced by the postponement of the sanction or remedy.

All decisions regarding the postponement of sanctions shall be made within five (5) days of the receipt of such a petition and shall be communicated to all parties in writing through the office of the Moderator.

## **REPRESENTATION**

A party may be represented or assisted by whomever he or she wishes, but only one representative may take an active part.

## **ARGUMENT FORMAT**

Each party in interest shall be given ample time to present his or her position. In support of a position, a party may refer to any records, documents, or recordings from a prior proceeding and may present an oral or written argument.

Each party may question the other about his or her argument. Members of the URB may question the parties.

The URB shall make factual findings and shall render a final adjudication in the form of a written opinion. A majority shall control all decisions, but there may be an accompanying minority opinion.

### **URB ACTION**

The URB may remand a matter to the initial adjudicatory authorities for further proceedings if it determines there are insufficient written findings or prejudicial procedural error. In other cases, the URB shall render a written opinion and recommend action to the Chancellor, Provost and Senior Vice Chancellor, Senior Vice Chancellor for the Health Sciences, or the Vice Provost and Dean of Students, accompanied by the complete record.

The Moderator shall be responsible for promptly communicating any formal action of the URB to the parties, transmitting remanded cases to the initial adjudicatory authorities, and forwarding the recommendations to the Chancellor and his or her representatives.

### **ACTION BY THE CHANCELLOR OR OTHER REFERRING AUTHORITY**

The Chancellor and/or his or her representatives shall consider the opinions and recommendations of the URB, the record, and such other advice as they may deem necessary and proper. He, she, or they may remand the matter to the initial adjudicatory authority or to the URB for further proceedings or may enter a final decision, accepting or rejecting the recommendations in part or in their entirety. (A sanction imposed by an initial adjudicatory authority may not be increased.)

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The University of Pittsburgh, as an educational institution and as an employer, values equality of opportunity, human dignity, and racial/ethnic and cultural diversity. Accordingly, the University prohibits and will not engage in discrimination or harassment on the basis of race, color, religion, national origin, ancestry, sex, age, marital status, familial status, sexual orientation, disability, or status as a disabled veteran or a veteran of the Vietnam era. Further, the University will continue to take affirmative steps to support and advance these values consistent with the University's mission. This policy applies to admissions, employment, access to and treatment in University programs and activities. This is a commitment made by the University and is in accordance with federal, state, and/or local laws and regulations.

For information on University equal opportunity and affirmative action programs and complaint/grievance procedures, please contact: William A. Savage, Assistant to the Chancellor and Director of Affirmative Action (and Title IX and 504, ADA Coordinator), Office of Affirmative Action, 901 William Pitt Union, University of Pittsburgh, Pittsburgh, PA 15260. (412) 648-7860.