

POLICY GUIDELINES ON GRIEVANCE PROCEDURES FOR SCHOOL OF ENGINEERING

February, 2000

I. INTRODUCTION

The purpose of this document is to provide guidelines for School of Engineering faculty and students to resolve issues related to Academic Integrity. Academic integrity encompasses discrepancies between students and faculty involving classroom conduct and behavior. Action may be initiated by either the involved student(s) or faculty member(s). Incidents arising in non-engineering courses may fall under the jurisdiction of the School offering the course. The Engineering student or faculty member should immediately contact the responsible academic officer of that School if the matter is not resolved by a personal conference between the concerned parties.

A. 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 she¹:

1. Refers during an academic evaluation to materials or sources, or employs devices, not authorized by the instructor.
2. Provides assistance during an academic evaluation to another person in a manner not authorized by the instructor.
3. Receives assistance during an academic evaluation from another person in a manner not authorized by the instructor.
4. Engages in unauthorized possession, buying, selling, obtaining, or using 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 procedure.
7. Practices any form of deceit in an academic evaluation proceeding.

¹ 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.

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

B. Faculty Obligations – See Section III.

II. STUDENT ACADEMIC INTEGRITY

If a School of Engineering undergraduate or graduate student is advised by the faculty/instructor that there is reason to believe that he or she has committed an academic integrity offense, then the following procedure applies. Should these informal procedures and resultant decisions not meet with satisfactory results, the student has the right, by filing a petition with the Provost's office, to appeal to the University Review Board for those matters within that Board's jurisdiction and scope of review.

In all cases, no student will be subject to an adverse finding that he or she committed an offense related to academic integrity, and no sanctions will be imposed relating thereto except in accordance with procedures appropriate for disposition of the particular matter involved. However, this policy is not meant to address differences of opinion over grades issued by faculty in exercising good faith professional judgments of student work. Rather, it is meant to address ways 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:

Any member of the University community who has evidence may bring to the attention of the instructor a complaint that a student has failed, in one or more respects, to meet faithfully the obligations specified in the above Section I².

Acting on his or her own evidence, and/or on the basis of evidence submitted to the instructor, the instructor will advise the student that there is reason to believe that the student has committed an offense related to academic integrity. The instructor will describe the offense and the student will be afforded an opportunity to respond.

- A. The student should first make an attempt to resolve the matter by a personal conference with the concerned engineering faculty member.

If the accused student and the instructor accept a specific resolution offered by either of them, the matter shall be considered closed if both parties sign a written agreement to that effect, and submit it to the department or program chair's office. That office will maintain a written record of the agreement, signed by the student and the instructor. These records will not be added to the student's individual file and will be destroyed when the student graduates or permanently terminates registration. The department or program chair's office may provide such information identifying an individual student for the following uses:

1. To an instructor who is involved with a student integrity violation at the initial stage and who wishes to use this previous record in determining whether a resolution between the faculty member and the student or an academic integrity hearing board may be most appropriate, especially in the case of repeat offenders; and,
 2. To a School of Engineering Academic Integrity Hearing Board after a decision of guilt or innocence has been made in a case, but before a sanction has been recommended.
- B. If such an attempt by the faculty member does not resolve the issue; i.e., an agreed on resolution between the faculty member and the student cannot be reached, the faculty member will file a written statement of charges with the appropriate department or program chair for consideration and adjustment by informal means. Such statement should set forth the alleged offenses that 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, a "G" grade should be issued for the course until the matter is decided. In situations

² If the instructor elects not to pursue a complaint submitted by a member of the University community, the complaint can be submitted to an individual appointed by the dean who can pursue the matter in place of the instructor.

involving the student's last term before graduation, degree certifications can be withheld pending the outcome of this process that should be expedited as quickly as possible.

If the department or program chair is able to resolve the matter, a letter of agreement as described above (II. A.) must be signed by both the instructor and student and maintained in the department or program office until the student graduates or permanently leaves the School of Engineering.

- C. If the matter remains unresolved, it should be brought to the attention of the Associate Dean for Academic Affairs by the department or program chair. The chair should forward a copy of the faculty member's letter in addition to a cover letter detailing the chair's efforts to resolve the matter.

If the Associate Dean is able to resolve the matter, a letter of agreement as described above (II. A.) will be signed by both the instructor and student and maintained in the department or program office until the student graduates or permanently leaves the School of Engineering.

- D. If the Associate Dean for Academic Affairs cannot resolve the matter, then an informal Academic Integrity hearing will be held. The Associate Dean will transmit the written statement of charges to the student, together with a copy of these regulations. The letter of transmittal to the student, a copy of which shall also be sent to the instructor or charging party, will state a time and place when a hearing on the charges will be held by the Chair of the Academic Integrity Hearing Board.

In proceedings before the School of Engineering's Academic Integrity Hearing Board, the student shall have the right:

1. To be considered innocent until found guilty by clear and convincing evidence of a violation of the Student obligations of academic integrity;
2. To have a fair disposition of all matters as promptly as possible under the circumstances;
3. To elect to have a private or public hearing;
4. To be informed of the general nature of the evidence to be presented;
5. To confront and question all parties and witnesses except when extraordinary circumstances make this impossible;
6. To present a factual defense through witnesses, personal testimony and other relevant evidence;
7. To decline to testify against himself or herself;
8. To have only relevant evidence considered by the Academic Integrity Hearing Board; and
9. To have a record of the hearing (audio tape) at his or her own expense, upon request.

The hearing should provide a fair inquiry into the truth or falsity of the charges, with the charged party and the instructor or charging party afforded the right to cross-examine all adverse witnesses. Under no circumstances will legal counsel be permitted, but a non-attorney 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.

E. Academic Integrity Hearing Board

1. Membership: The School of Engineering Academic Integrity Hearing Board will consist of an engineering department or program chair, two members of the engineering faculty and two representatives of the executive board of either the Engineering Student Council (if the student is an undergraduate) or the Engineering Graduate Student Organization (if the student is a graduate student). The Associate Dean for Academic Affairs will select the department or program chair and faculty members. The President of the appropriate student governing body will select the students. None of the committee members will be from the involved parties' department or program. The department or program chair will serve as the chair of the Hearing Board.
2. 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 Chair of the Academic Integrity Hearing Board shall read the alleged offense or offenses upon which the complaint is based.
 - c. Objections to procedure shall be entered on 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/her case and shall offer evidence in support thereof.
 - e. The accused or representative 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 representatives for the accused shall be given the opportunity to question each witness of the charging party after he/she testifies.

- h. The charging party shall inform the Chair of the Academic Integrity Hearing Board when his/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/her case and offer evidence in support thereof.
 - k. The accused may testify or not as he/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 a representative 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/she testifies.
 - o. The accused shall inform the Chair of the Academic Integrity Hearing Board when his/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.
 - q. The hearing shall be continued and the members of the hearing board shall deliberate in private until a decision is reached and recorded.
3. A suitable record shall be made of the proceedings, exclusive of deliberations to arrive at a decision. If requested by the student, an audio recording of the proceedings, exclusive of deliberations, will be made at the student's expense.
4. The proposed decision, which shall be written, shall include a determination whether the charges have been proven by clear and convincing evidence, together with findings with respect to the material facts. If any charges are established, the proposed decision shall state the particular sanction or sanctions to be imposed. Prior violations or informal resolutions of violations may be considered only in recommending sanctions, not in determining guilt or innocence. Once a determination of guilt has been made, and before determining sanctions, the Chair of the Academic Integrity Hearing Board should find out from the Associate

Dean for Academic Affairs whether any prior offenses have occurred and sanctions imposed.

5. Sanctions that may be imposed upon a finding that an academic integrity offense has been committed include:
 - a. Dismissal from the University without expectation of readmission.
 - b. Suspension from the University for a specific period of time.
 - c. Reduction in grade, or assignment of a failing grade, in the course in which the offending paper or examination was submitted.
 - d. Reduction in grade, or assignment of a failing grade, on the paper or examination in which the offense occurred.

The imposition of such sanctions may be considered by the School of Engineering 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.

6. The proposed decision shall be submitted to the Dean of Engineering, 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. 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.

The Dean will notify both the student and instructor in writing as to his or her final decision. If a sanction is imposed, the notice to the student will make reference to the student's opportunity to appeal to the University Review Board by filing a petition with the Provost.

A copy of the Dean's decision will be placed in the student's permanent record.

- F. If the student or instructor elects to pursue the matter further, because he or she is dissatisfied with the conclusion of the Integrity Hearing and the Dean's decision, they both have a right to proceed with a formal review and hearing. Specifically, all parties have the right to seek review by the Provost or to petition the University Review Board for an appeal from a decision of the School of Engineering Academic Integrity Hearing Board within five working days of the date of the decision letter from the Dean.

In such cases, the Provost 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.

III. 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 circumstances) to conduct themselves in a professional manner, including the following:

- A. To meet their classes when scheduled.
- B. To be available at reasonable times for appointments with students, and to keep such appointments.
- C. To make appropriate preparation for classes and other meetings.
- D. To perform grading duties and other academic evaluations in a timely manner.
- E. To describe to students within the Add-Drop period 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.
- F. To base all academic evaluations upon good-faith professional judgment.
- G. Not to consider, in academic evaluation, such factors as race, color, religion, sex, sexual orientation, age, national origin, and political or cultural affiliation, and lifestyle, activities, or behavior outside the classroom unrelated to academic achievement.
- H. 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.
- I. Not to exploit their 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.

- J. To give appropriate recognition to contributions made by students to research, publication, service, or other activities.
- K. 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.
- L. To respect the dignity of students individually and collectively in the classroom and other academic contexts.

IV. GRIEVANCE PROCEDURES RELATIVE TO FACULTY OBLIGATIONS

Any member of the University community having evidence may bring to the attention of the appropriate School of Engineering department or program chair and/or the Dean of Engineering 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, in his or her discretion, will take such action by way of investigation, counseling, or action-in accordance with applicable University procedures-as may appear to be proper under the circumstances. The faculty member's and student's interest in confidentiality, academic freedom, and professional integrity in such matters will be respected.

A. Procedure – First Steps at Informal Resolution

Where an individual student alleges with particularity that the actions of a faculty member have resulted in serious academic injury to the student, and the student has exhausted the procedure described below, then the student may request that the matter be presented to the Academic Integrity Hearing Board for adjudication. This procedure 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

1. First to the student's department or program chair as appropriate for consideration and adjustment by informal means. If the chair is not able to resolve the matter, then
2. To the Associate Dean for Academic Affairs. If a matter remains unresolved after such efforts have been made, the following grievance procedures shall be employed.

B. Informal and Formal Hearing Procedures

1. The aggrieved student will file a written statement of charges with the Associate Dean for Academic Affairs.
2. If the Associate Dean for Academic Affairs determines that the charges are subject to adjudication under the terms of the Academic Integrity Policy, 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 to reach a settlement of the differences. This is not a formal hearing and formal procedural rules do not apply. On completion of these meetings if no mutually agreeable resolution results, the committee may produce its own recommendation for a solution to the conflict.
5. Should the committee recommend that the 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 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 chairman of the committee of that action.
6. Should the committee conclude that the faculty member take no corrective action on behalf of the student, this finding should 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. 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 shall be made of the proceedings, exclusive of deliberations to arrive at a decision. If requested by the student, an audio recording of the proceedings, exclusive of deliberations, will be made at the student's expense.

10. The proposed decision, which shall be written, shall include a determination 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 of Engineering, 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 a 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 reduce the extent of the remedial action to be taken. If the Dean believes 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 before issuing his 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.

C. Remedial Actions

1. Remedies in 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:
 2. Allowing a student to repeat an examination;
 3. Allowing a student to be evaluated for work that would otherwise be too late to be considered;
 4. Directing that additional opportunities be afforded for consultation or instruction;
 5. Elimination of a grade that had been assigned by a faculty member from the transcript;
 6. 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 paying tuition or any other penalty, schedule and program permitting.

If some action is contemplated that might be deemed to infringe upon the academic freedom of the faculty member, the Dean will seek an advisory

opinion from the Senate Committee on Tenure and Academic Freedom (TAF). In such cases, the Senate 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.

D. Review and Appeal

A student or faculty member may seek to have the 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. 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.

E. 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 the School of Engineering's Academic Integrity Hearing Board or investigators committee within five working days of the date of the decision letter.

F. Investigators Committees and Hearing Boards

The informal investigators committee shall be appointed by the Associate Dean for Academic Affairs and will consist of a department or program chair or will chair the committee, a faculty member and either an undergraduate or graduate student (as appropriate) chosen from the respective student governing board. The formal School of Engineering Academic Integrity Hearing Board shall be composed of both students and faculty as described in Section II.E.1 of this document. In no case should members of either panel be

from the departments or programs of the involved faculty member and student(s).

V. GRIEVANCE PROCEDURES AGAINST SENIOR ADMINISTRATORS

A student complaint of arbitrary or unfair treatment against either a department or program chair or an Associate or Assistant Dean of the School of Engineering should be made to the Dean of the School of Engineering. There must be a prompt review and decision on the grievance by the Dean of Engineering.

A student complaint of arbitrary or unfair treatment against the Dean of the School of Engineering 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 by the Provost to review and advise on the grievance should be drawn from outside the jurisdiction of the administrator against whom the charge is made.