

APPEALS OF ACADEMIC VIOLATIONS

Introduction

Incidents of academic dishonesty and misconduct which occur within the context of a specific course are resolved by the academic department in accordance with the College academic honesty policy. In such a case, the instructor or academic department determines whether academic dishonesty or misconduct occurred, and if so, the appropriate academic penalty.

Lying, misrepresenting, or omitting relevant facts otherwise known at the time may subject students, faculty, or staff to disciplinary action, possibly up to and including dismissal or termination.

Sanctions for academic dishonesty or misconduct may include but are not limited to:

- a. Requiring the student to resubmit the assignment
- b. A lower or failing grade on the assignment, exam, or in the course;
- c. Removal from the course
- d. Referral for other disciplinary actions

A student who receives a penalty for academic dishonesty or misconduct may not avoid the academic penalty by withdrawing from the course.

Procedure

Step 1: Informal Resolution

If the student and faculty member have been unable to informally resolve an academic honesty determination and sanction, the student may appeal either the determination of guilt, the sanction, or both as provided herein. Students who are not satisfied with the outcome of their protest to the faculty member may submit an appeal to the division chair of the department. The written complaint should contain the following:

1. A complete description of the appeal of the determination of guilt, the sanction, or both;
2. any supporting documents; and
3. the redress (desired outcome) sought.

The division chair shall attempt to resolve all cases referred by student appeal to the satisfaction of the instructor and the student.

Division Chairs:

Jacqueline Hawkins	Arts & Humanities Division	Jhawkins0045@kctcs.edu	117B JSO	270-706- 8538
Mike Hazzard	Technical Division	Mikew.hazzard@kctcs.edu	107F OTB	270-706- 8686
Ramona Barrow	Social & Behavioral Sciences Division	rbarrows0001@kctcs.edu	103C ATB	270-706- 8486
Dr. Shawn Kellie	Mathematics and Physical Sciences Division	shawn.kellie@kctcs.edu	213 SCI	270-706- 8549
Lois Chandler-Cousins	Biological Sciences Division	lchandlercousin0001@kctcs.edu	322 RPC	270-706- 8567

Step 2: Formal Appeal

If no resolution is reached within 15 business days, or if the student does not accept the decision of the division chair, the student may within fifteen (15) business days appeal the division chair's decision to the Provost, Dr. Tiffany Evans: 200E RPC, 270-706-8406, tevans0138@kctcs.edu. Such appeal must be in writing and shall contain the following:

1. A complete description of the appeal of the determination of guilt, the sanction, or both;
2. any supporting documents;
3. why the appeal should be granted; and
4. the redress (desired outcome) sought.

No new matter may be appealed which was not included in the student's original appeal to the division chair.

The Provost will consider the appeal and issue a written decision within 15 business days.

Step 3

Upon reviewing the basis of the student appeal, the Provost shall attempt to resolve the matter. If no resolution is reached within 15 business days, the student may submit a written appeal to the College Appeals Board (CAB).

Step 4: CAB Hearing

If no decision is rendered by the Provost at Step 3 within 15 business days or if the student does not accept the decision of the Provost, the student has fifteen (15) business days to submit a written request for a hearing before the College Appeals Board. Such appeal must be in writing and shall contain the following:

1. A complete description of the appeal of the determination of guilt, the sanction, or both;
2. any supporting documents;
3. why the appeal should be granted;
4. the belief as to why the Provost's decision was wrong; and
5. the redress (desired outcome) sought.

No new matter may be appealed which was not included in the student's original appeal to the division chair. The CAB shall consider all matters and render its decision in accordance with the process below or as soon thereafter as practicable.

CAB Review Process

- a. Within five (5) business days of receipt of a request for hearing the CAB will meet to determine if the issue on appeal is properly before the hearing panel. If the CAB decides that the request for a hearing is not properly before the body, the Chair of the CAB will notify the student and the appropriate college officials in writing within five (5) business days, including the reasons for the CAB's decision not to hear the matter.
- b. If the CAB determines that it is proper to consider the appeal, within five (5) business days the Chair will request statements related to the appeal from the appropriate college officials. Those statements are due for submission to the CAB within five (5) business days. The CAB then has five (5) business days to review the appeal and associated statements and decide by majority vote whether to grant a hearing or to make a decision based on the record provided by each party.
- c. The CAB's decision as to the hearing will be communicated in writing within five (5) business days of the decision to the student and the appropriate college officials. If the CAB does not grant a hearing, the student has no further right to appeal within the system except in cases of suspension or expulsion, which may be appealed to the Board of Regents.
- d. If the CAB decides to hear the case, it will establish procedures (including a schedule) and notify the student and the appropriate college officials. All parties shall have the reasonable opportunity to appear at the hearing and to present oral and written evidence in support of their positions. The CAB may call for further evidence as it deems appropriate. CAB hearings are not legal processes and do not follow the rules applicable to court or outside administrative proceedings. Students do not have a right to have counsel represent them, but may bring any one person they desire as an advisor at the hearing. The advisor will not address the hearing or "represent" the student. The hearing shall be held, and a final decision made by the CAB within 15 business days after the decision to hear the case. The decision of the CAB is final and the student has no further right to appeal within the system except in cases of suspension or expulsion of a student.
- e. If the CAB hears the case because of some question about the fact of the student's guilt, it shall have the authority to impose a final decision as to guilt or innocence. If the CAB decides not to hear the case, the student has no further right of appeal within the system except in cases of suspension or expulsion.

- f. If the CAB hears the case because of an appeal of the severity of the sanction, it shall recommend an appropriate sanction to the appropriate college official(s). If the CAB does not support the sanction, the CAB shall submit its decision and a recommendation of appropriate sanction to the Provost who shall consult with the appropriate college official(s) involved to find an appropriate sanction. The final decision is the responsibility of the College President.

Student Rights during the Appeals Process (Academic Rights/Academic Offenses):

In cases of academic rights and academic offenses, the student shall have the right of class attendance and participation during the consideration of any appeal except that such attendance and participation may be limited when:

- a. outside agencies are used as a part of the student's educational experience, in which case precedence will be given to the terms of any agreement(s), which have been negotiated between the college and the agency; or
- b. patient/client contact is involved in the student's educational experience, in which case only patient/client contact may be limited or excluded at the discretion of program faculty.

If the appeal is decided in the student's favor, the college must provide an opportunity for the student to complete any essential experiences missed due to the appeals process. An appeal of a grade after the class has been completed, a grade change by the CAB will only be for a P grade or a W grade.

To view the entire KCTCS Code of Student Conduct, go to the following web address:
<https://elizabethtown.kctcs.edu/about/media/pdfs/college-at-a-glance/policies-procedures/code-of-student-conduct.pdf>