

Academic Offense Procedures

This is a summary of Senate Rule 6.4. Summaries, though helpful, are not intended to supplant the original rules.

Initiating a Complaint

The instructor and the chair review the evidence, and the instructor determines if the evidence may warrant an allegation. If so, within ten days after the evidence is received the instructor invites ([template for invitation](#)) the student to discuss the evidence with the instructor and the chair and sets a deadline of no less than seven working days for the student's response to the invitation. Effort must be made to schedule the meeting as soon as possible.

After the meeting is held, the instructor considers the evidence and the student's response to determine whether the student committed an academic offense. Any such finding shall be made within seven working days after the meeting with the student unless the student consents in writing to an extension of this time.

If the student fails to respond to the meeting request, the instructor may determine whether the student committed an academic offense and, in consultation with the chair, the penalty that should be imposed.

JURISDICTION

Instructor not faculty employee

If an instructor is not a faculty employee (for example, the instructor is a teaching assistant), then the Instructor of Record shall normally assume the role of the instructor. However, with the agreement of the responsible Instructor of Record, the chair may decide either to allow the actual instructor to retain this role or to ask another employee who is directly involved with the course (for example, a course coordinator) to assume this role. In any case, the actual instructor should retain an important consultative role and shall participate in all University Appeals Board meetings as far as possible. [US:3/9/2015]

Responsible chair and dean

In general, the prefix of the course in which a student is enrolled determines which chair and dean are responsible for handling a case of an academic offense alleged to have been committed by that student in that course. However:

1. If the chair is also the instructor, then the dean of the chair's college shall assign the chair's role to an associate dean.

2. If the responsible dean is also the instructor, then the dean shall assign his or her responsibility for the case to an associate dean.
3. If the Provost is also the instructor, then the Provost shall assign his or her responsibility for the case to an associate provost.
4. If a student in postbaccalaureate status, a student enrolled in a program or curriculum of the Graduate School, or a postdoctoral scholar or fellow is suspected of committing an academic offense in a course, the responsible dean shall be the dean of the Graduate School.
5. When a student enrolled in a program that has instituted an honor code, pursuant to SR **Error! Reference source not found.**, is suspected of committing an offense in any course, the offense shall be prosecuted and the penalty shall be imposed according to the rules of the student's program's honor code. Conversely, a student who is not enrolled in a program that has instituted an honor code shall be prosecuted only under the rules in this SR 6.4. If a student is concurrently enrolled in a professional program governed by an honor code and a program of the Graduate School, the rules of the professional program shall take precedence.

Role of the Dean of the Graduate School

If an academic offense is alleged to have occurred outside of a course in work that is related to fulfilling requirements of a program or curriculum of the Graduate School (for example, a master's examination, doctoral qualifying examination, master's thesis, doctoral dissertation, or formally submitted dissertation proposal), or if an academic offense is alleged to have been committed by a postdoctoral scholar or fellow outside of a course, the offense shall be considered to have occurred in the Graduate School, and the rules of the Graduate School regarding academic offenses shall apply.

Students not in a college or who have not matriculated at UK

In the cases of students who have not registered in a college or are not matriculated at the University, the Provost shall assign a dean of a college to handle the case. [US: 11/13/2017]

* SR 6.4.2.4 does not apply to students who have registered in a college in an 'undeclared major' or 'non-degree-seeking' status. [SREC: 1/5/2016]

DETERMINING THE PENALTY

A. If the instructor determines the student did not commit an academic offense, the instructor notifies the student.

B. If the instructor determines the student's action can be construed as an academic offense, but is so slight or inconsequential that it does not warrant the minimum penalty of zero on the assignment, the instructor should not treat the action as an academic offense, but as an ordinary error that may earn the student

a lower grade on the assignment. The instructor shall notify the student of such a determination.

C. If the instructor determines the student committed an academic offense, the chair asks the registrar, Kimberly Taylor (kim.taylor@uky.edu), whether the student has received a letter of warning or prior offense and informs the instructor whether such is the case. The registrar will need the student's name and UKID.

1. If the student previously received a penalty of at least an E or F in a course, the chair shall inform the responsible dean who shall determine an appropriate penalty (see "Cases Requiring Action by a Dean" below).
2. If the student previously received a letter of warning, the instructor shall assign a grade of E or F in the course and notify the student. If the offense is particularly egregious, and the chair approves, the instructor may forward the case to the responsible dean with a recommendation for a penalty of XE or XF, or a more severe penalty (see "Cases Requiring Action by a Dean" below).
3. If there are no prior offenses, the instructor must award a grade of zero on the assignment on which the offense occurred and notify the student. The instructor may choose to impose one of the following additional penalties:
 - require the student to perform extra academic work (failure to complete the work should result in a grade of E or F for the course);
 - reduce the final grade in the course by a specified number of levels;
 - assign a grade of E or F for the course; or
 - if the offense is particularly egregious and the chair approves, forward the case to the responsible dean with a recommendation for a penalty of a grade of XE or XF in the course or a more severe penalty (see "Cases Requiring Action by a Dean" below).

NOTICE OF PENALTY

If the penalty to be imposed is a zero on the assignment or an E in the course, the instructor must notify the student of the finding of an offense and the penalty as soon as possible after the penalty has been determined. Notice must be given in writing by regular mail and email to the student's address as it appears in the registrar's records.

Template letters are available from our office and contain information regarding the required subsequent penalties. If the penalty to be imposed is not harsher than an E or F in the course, the following template letters may be used. There are subtle differences in the letters; please choose the correct template letter based on the number of previous penalties, if any, and the penalty to imposed for the current offense.

If this is the student's third offense, the penalty to be imposed for this offense will be harsher than an E in the course, or the offense occurred outside a course, please email Academic Ombud Services (ombud@uky.edu) or call us at 859-257-3737 to request template letters. Under these circumstances, the Senate Rules require that the dean impose the penalty.

Notice, provided on the department's letterhead, shall include:

1. Student's name
2. Student's UK ID
3. College in which the student is enrolled
4. Course and section number in which the offense occurred
5. Date and nature of offense
6. Circumstances surrounding the offense
7. Penalty that is being imposed or recommended
8. Subsequent penalty should the student commit another academic offense
9. Student's right to appeal the finding or penalty

Cases Requiring Action by a Dean

A. If a student has not committed a previous academic offense or received a letter of warning for a previous offense and the instructor and chair recommend a penalty of XE or XF (or a more severe penalty), the dean has two options:

1. Return the case to the instructor and require the instructor to impose a penalty no more severe than a grade of E or F in the course. The instructor shall notify the student and the chair shall notify the ombud of the penalty (the instructor may notify the chair and the ombud via email).
2. Impose a penalty of XE or XF in the course and notify the student of the penalty. The dean may forward the case to the provost recommending a penalty of suspension, dismissal, expulsion, or revocation of a degree.

B. If the student has previously committed an offense that received a penalty at least as severe as an E or F in a course, the dean shall impose a grade of XE or XF in the course and notify the student. The dean shall forward the case to the provost recommending either the minimum penalty of suspension or a harsher penalty of dismissal, expulsion, or revocation of a degree.

C. If a student enrolled in the dean's college is accused of an offense outside of an enrolled course, then the dean shall assume both the roles of instructor and chair (see above) to determine if the student committed an offense. If the dean determines the student did not commit an offense, the dean shall notify the student. If the dean determines the student committed an offense, the dean shall either decline to impose a penalty and place a letter of warning with the registrar or shall forward the case to the provost recommending a penalty of suspension, dismissal, expulsion, or revocation of a degree. The student may appeal even if no

penalty is imposed.

D. Should concurrent inquiries be made to the registrar, the registrar will inform the dean. If the previous inquiry was later found not to have been committed, the dean will take no action. Otherwise, if the offense occurred in a course, the dean shall impose either a grade of E or F or the more severe penalty of XE or XF for the course. The dean may also forward the case to the provost recommending a penalty of suspension, dismissal, expulsion, or revocation of a degree. If an E or F was imposed for the prior penalty, the dean must impose a grade of XE or XF and recommend to the provost a penalty at least as severe as suspension.

Notice shall be given to the student with copies to the instructor, chair, and academic ombud.

Cases Requiring Action by the Provost

If the provost receives a recommendation from the dean or registrar to suspend, dismiss, or expel a student or revoke a student's degree, the provost shall wait until receiving notice from the academic ombud or hearing officer for the University Appeals Board that the finding of an offense stands and a penalty at least as severe as suspension is recommended.

The provost may implement the penalty or a less severe penalty, subject to the following limitations:

1. If the offense occurred outside a course in which the student was enrolled, the provost may implement either no penalty or a penalty at least as severe as suspension.
2. If the offense occurred in a course in which the student was enrolled and the offense is the student's first or second, the provost shall implement a penalty at least as severe as an XE or XF in the course.
3. For all other cases, the minimum penalty is suspension.

Notice shall be provided to the student and copied to the instructor, chair (if related to a course), responsible dean, dean of the student's college, registrar, and academic ombud. In addition:

- If the penalty is recommended by the University Appeals Board, the hearing officer for the University Appeals Board should receive a copy of the notice.
- If the student is an international student, the director of International Student and Scholar Services should be notified.
- If the student receives a penalty at least as severe as suspension, the dean of students should be notified.

Student Fails to Appeal to the University Appeals Board

For every offense, the academic ombud notifies the student, instructor and chair (if the offense was related to a course), responsible dean, and dean of the student's college. In addition:

- If the penalty is less severe than suspension, the registrar shall be notified.
- If the offense was committed by an international student, the director of ISSS shall be notified.
- If the offense involves a violation of the Student Code of Conduct the dean of students shall be notified.
- If the offense is at least as severe as suspension, the provost shall be notified.

Student Appeals to the University Appeals Board

Students have the right of class participation and attendance during the consideration of any appeal.

Preliminary Consideration by the Academic Ombud

The academic ombud may try to resolve the issue informally to the satisfaction of all parties within 20 days of receiving the student's written request. Appeals must be filed in writing with the Appeals Board within ten days after the date that the ombud notifies the student that the case cannot be resolved without recourse to the Appeals Board.

To the University Appeals Board

A student has the right to appeal any finding of an academic offense.

A student may also appeal the severity of the penalty only if:

1. the offense is the student's first, or
2. the offense occurred in a course and the penalty is at least as severe as XE or XF, and the student previously received only a letter of warning, or
3. the offense occurred outside of a course and the penalty is at least as severe as suspension, or
4. the penalty is dismissal, expulsion, or revocation of a degree.

The hearing officer for the University Appeals Board will schedule a hearing to begin within 20 days of the receipt of the appeal unless the student consents to an extension of the time. The hearing officer will notify the student, complainant, and the academic ombud of the time and date of the hearing. The student may withdraw the appeal at anytime.

If the student appeals only the severity of the penalty for a minor offense and the academic ombud has determined the appeal lacks merit, the Appeals Board may

refuse to hear the appeal by majority vote.

Once the Appeals Board makes a decision, the hearing officer for the University Appeals Board will notify the student, complainants (instructor, chair, responsible dean), registrar, and academic ombud of the decision as soon as is reasonable and within five days. In addition:

If the Appeals Board finds the student committed the academic offense, the following circumstances apply:

- The dean of the student's college shall be notified.
- If the Appeals Board supports a penalty at least as severe as suspension, the provost shall be notified.
- If the student is an international student, the director of International Student & Scholar Services shall be notified.
- If the offense involves a violation of the Student Code of Conduct, the dean of students shall be notified.

If the Appeals Board finds the student did not commit an academic offense, the following circumstances apply:

- If the penalty recommended was at least as severe as an XE or XF, the responsible dean is notified.
- If the offense occurred in a course, and the allegation was lodged on or before the last day of regularly scheduled classes, the student shall be permitted to withdraw from the course through the last day of classes or five days after the Appeals Board has made its decision, whichever is later.

If the University Appeals Board recommends a penalty no more severe than a grade of E or F, the instructor shall implement the penalty. If the Appeals Board recommends a penalty of XE or XF, the responsible dean shall implement the penalty. If the Appeals Board recommends a harsher penalty, the case shall be forwarded to the provost who will take further action.

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