

Guidelines on Academic Integrity
University of Pittsburgh, Johnstown Campus

Approved by Johnstown Faculty Senate

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ACADEMIC INTEGRITY AT THE UNIVERSITY OF PITTSBURGH

This document contains a set of principles which shall be applicable to each of the academic units (college, school, or regional campus) throughout the University. A student desiring information about an academic unit's specific procedures and makeup of its academic integrity hearing board may obtain a copy of the procedures and other necessary information from the office of the dean, chair, or vice president 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 to all instructional staff.

I. Preface

Academic Integrity Policy Guidelines are based on the 1983-86 document 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 of the University.

In following the Guidelines, the faculty of each academic unit of the University is 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 and faculty may consult with the individual or office responsible for administering the academic integrity guidelines on the specific campus or in the specific school. Faculty may also ask for any other guidance they need from the Office of the Provost (University of Pittsburgh – Oakland).

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 perforce 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, and provided in either hard copy or electronic form.

- 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, sexual orientation, gender presentation, 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 student.*
- 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/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 in the above six points 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 Campus President 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 insure reasonable conformity with the principles and procedures of the attached model codes. The President 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 consultation with the President, the Vice President for Academic Affairs (VPAA) can suspend or dismiss a student from the University in cases involving academic integrity.

II. Student Obligations at Pitt-Johnstown

A student at the University of Pittsburgh at Johnstown (Pitt-Johnstown) has an obligation to exhibit honesty, and to respect ethical standards in carrying out his/her academic obligations. Without limiting the application of this principle, a student may be found to have violated this obligation if the student:

1. Either refers during an academic evaluation process to materials or sources, or employs devices, not authorized by the instructor.
2. Provides assistance during an academic evaluation process to another person in a manner not authorized by the instructor.
3. Receives assistance during an academic evaluation process from another person or source in a manner not authorized by the instructor.
4. Engages in either unauthorized possession, buying, selling, obtaining, distributing, or using of any materials intended to be used as an instrument of academic evaluation process 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 process.
7. Practices any form of deceit in an academic evaluation process.
8. Depends on the aid of others in a manner expressly prohibited by the instructor, in either the research, preparation, creation, writing, performing, or publication of work in any academic evaluation process.
9. Provides aid to another person, knowing such aid is expressly prohibited by the instructor, in either the research, preparation, creation, writing, performing, or publication of work in any academic evaluation process.
10. Presents as one's own, for academic evaluation, either the ideas, representations, or words of another person or source without customary and proper acknowledgment of sources.
11. Submits the work of another person or source 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 instructor's authorization.
13. Submits work which the student produced for another class without instructor authorization.
14. Attempts to influence or change either one's academic evaluation or record for reasons other than achievement or merit.
15. Indulges, during a class session and any academic evaluation process, in conduct so disruptive that the rights of the instructor or fellow students are infringed upon.
16. 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.
17. Violates the canons of ethics (refer to relevant discipline or disciplines).

There may be instances in which the charging party may more appropriately invoke another University procedure, such as the *University of Pittsburgh at Johnstown Student Code of Conduct and Judicial Procedures*. If so, the matter should be referred to the individual responsible for administering that procedure.

III. Procedures for Adjudication of Charges to a Student

No student should be subject to an adverse finding that the student committed an offense related to academic integrity, and no sanction should be recommended 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(s), 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 charging party and then with designated administrators. It is the responsibility of all parties, including administrative officers, to take prompt action in order that charges be resolved quickly and fairly. Failure of the instructor to utilize these procedures diligently may constitute grounds for dismissal of charges.

These Guidelines address ways in which an instructor deals with a student regarding an alleged breach of academic integrity. In matters of academic integrity, the succeeding procedural steps should be followed.

Establish Charges

1. 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 either one or more respects, to meet the obligations of academic integrity. If the instructor either elects not to pursue an alleged violation, or is not able to pursue the matter, the alleged violation can be submitted either to the department head, the division chair, or to the Office of Academic Affairs/AVPAA (Assistant Vice President for Academic Affairs), who can pursue the matter in place of the instructor. Before a charge is established, a preliminary conversation with the student about the alleged violation may be useful.
2. Acting on one's own evidence, and/or on the basis of evidence submitted to the instructor, including evidence solicited by the instructor, the charging party will, in writing, charge the student with committing an offense related to academic integrity. Such statements 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 a description of all evidence, and the information and signature (including electronically via email) of the charging party. This written charge should be delivered to the student as soon as possible.
3. A copy of the written charge should immediately be given to the division chair and to the AVPAA who will check for prior resolutions (informal or formal) involving the student. If there are prior resolutions, the matter will be directly referred to the AVPAA who will move the process directly to an AIR Board hearing.
4. If the charges occur either near or at the end of a term, a "G" grade should be assigned for the course until the matter is resolved. In situations involving the student's last term before graduation, degree certifications can be withheld pending the outcome of any resolutions, which should be expedited to the extent possible.

Letter of Resolution

1. If there is no previous resolution, the accused student and the charging party may agree to a specific resolution offered by either of them and recorded in a Letter of Resolution (LoR) (see Appendix A for a sample letter), and the matter shall be considered resolved.
2. The charging party should meet with the student and either the department head or the division chair to discuss the charge(s) and the resolution.
3. If the student agrees to the charges and the resolution, a signed copy of the LoR, along with a copy of all evidence, should be sent to the office of the AVPAA.
4. The AVPAA will maintain a written record of the LoR. This record will not be added to the student's permanent academic record, and so long as there is not a subsequent offense, will be destroyed when the student graduates.

Establish an AIR Board Hearing

1. If the charging party and the student cannot resolve the matter via a LoR or if there are one or more previously established charges and sanctions, the charges will be directly referred to an AIR Board hearing.
2. The AVPAA will first determine in consultation with the division chair if sufficient evidence exists and if so, refer the matter to the AIR Board chair for a hearing. If the AVPAA in consultation with the division chair decides that sufficient evidence does not exist and there is disagreement with this finding by the charging party, the matter should be referred to the VPAA. If the VPAA determines that sufficient evidence exists, the matter will again be referred to an AIR Board hearing.
3. The AVPAA will communicate the written statement of charges, any evidence collected, and a copy of these regulations to the student, to the charging party, and to the chair of the AIR Board. The AVPAA will consult with the charging party, the student, and the AIR Board Chair to set up a mutually convenient time and place for an AIR Board hearing.
4. The AVPAA will be available to the charging party and to the student to discuss all matters, including rights and procedures, regarding the hearing.

Academic Integrity Review Board (AIR Board) Overview

The Pitt-Johnstown AIR Board shall be composed of non-administrative faculty and students. The board shall comprise seven faculty members (one representative selected from each division), and seven students (the chair of the appropriate designated committee of the Student Government Association as well as six students from the student body selected by the Student Government Association). A fifteenth person, a member of the faculty, shall be elected by the Faculty Senate as per the Faculty Senate Bylaws to serve as Chair of the AIR Board. The AIR Board shall be impaneled annually at the beginning of the fall term. It is the responsibility of the Chair of the AIR Board to provide all new AIR Board members with an orientation designed to familiarize the members with the academic integrity guidelines.

The hearing should provide a fair inquiry into the truth or falsity of the charges, with the student and the charging party afforded the right to question all witnesses and evidence. At the level of the AIR Board, legal counsel shall not be permitted, but a non-attorney representative from within the University community shall be permitted for both the student and the charging party. A law student cannot be used as a representative at the AIR Board.

Any member of the University community may, upon showing relevancy and necessity, request to the AIR Board Chair witnesses to appear at the hearing. Witnesses who are members of the University community shall be required to appear. When necessitated by either fairness or extraordinary circumstances, the AIR Board may make arrangements for either recorded or written testimony for use in a proceeding.

Reasonable rules of relevancy will guide the AIR Board Chair 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. The Chair of the AIR Board will neither 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.

Students have the following rights at AIR Board Hearings:

1. The student will be considered innocent unless found responsible by clear and convincing evidence of a violation of the student obligations of academic integrity.
2. The student will have a fair disposition of all matters as promptly as possible under the circumstances.
3. The student will be informed of the general nature of the evidence to be presented.
4. The student will be given the opportunity to confront and question all parties, witnesses, and evidence except when extraordinary circumstances make this impossible.
5. The student will be given the opportunity to present a factual defense through witnesses, personal testimony, and other relevant evidence.
6. The student will be allowed to decline to testify against himself/herself.
7. Only relevant evidence against the student will be considered by the AIR Board.
8. The student will be given the opportunity to have a record of the hearing, at the student's expense, upon request (audio tape).

AIR Board Hearing Proceeding

1. The AIR Board Chair will convene the board and discuss procedural matters as necessary. The AIR Board Chair will then invite all other parties into the room and begin the audio recording.
2. The alleged offense(s) upon which the complaint is based will be read by the AIR Board Chair.
3. Objections to procedure will be entered on record, and the AIR Board Chair will make any necessary rulings regarding the validity of such objections.
4. The charging party will state the case and shall offer evidence in support thereof.
5. The accused (or representative for the accused) will have the opportunity to question the charging party.
6. The charging party will be given the opportunity to call witnesses.
7. The accused (or representatives for the accused) will be given the opportunity to question each witness of the charging party after testimony is given.
8. The charging party will inform the AIR Board Chair when the presentation is completed, at which time the AIR Board members shall be given an opportunity to ask questions of the persons participating in the hearing.

9. The accused (or representative for the accused) will state the rebuttal, if any, and will offer evidence in support thereof.
10. The charging party will have the opportunity to question the accused (or representative for the accused).
11. The accused (or representative for the accused) will be given the opportunity to call witnesses.
12. The charging party will be given the opportunity to question each witness of the charging party after testimony is given.
13. The accused (or representative for the accused) will inform the AIR Board Chair when the presentation is completed, at which time the AIR Board members will be given an opportunity to ask questions of the persons participating in the hearing.
14. The charging party, the individual(s) being charged, and any other parties will then be excused from the hearing by the AIR Board Chair and the audio recording stopped.
15. The hearing will be continued and the members of the hearing board will deliberate in private.
16. The AIR Board will first determine whether or not they believe the accused is responsible for the charge.
17. After this determination, the AIR Board Chair will present the board with information about any prior resolutions involving the student to be considered *only* in recommending sanctions, not in determining responsibility.
18. The AIR Board will then recommend a suitable sanction(s) (see section on “Sanctions”).

Findings and Recommendations of the AIR Board

1. The proposed AIR Board recommendations, which will be written by the AIR Board Chair, will include a determination of whether the charges have been proven by clear and convincing evidence, together with findings with respect to the material facts. If any charges are determined to be proven, the letter will include the recommended sanction(s).
2. The recommendation will be submitted directly to the AVPAA, along with the audio recording. The AVPAA will transcribe the audio recording and determine that all procedures and protocol were followed.
3. The AVPAA will forward the letter from the AIR Board Chair outlining the AIR Board recommendation, a transcript of the hearing (audio files sent electronically), a copy of the notification to the student of the charge in question, and copies of any previous resolutions (either formal or informal) involving the student to the VPAA.
4. The VPAA will make an independent review of the hearing proceedings. The VPAA may require that the charges be dismissed, or that the case be remanded for further proceedings. Upon completion of such additional proceedings, if any, and within a reasonable timeframe, the VPAA will issue an independent decision that may support, reject, or reasonably alter the recommendations of the AIR Board.
5. The VPAA will communicate the decision to the AVPAA, who will include all information about the matter in the student’s file, and to the AIR Board Chair, who will then transmit to the student and the charging party copies of all decisions made by the AIR Board and the decision of the VPAA. If a sanction(s) is part of the decision, the notice to the student will make reference to the student's opportunity, by petition filed with the VPAA, to appeal to the Pitt-Johnstown President.

Sanctions

Sanctions should be applied fairly. That is, similar sanctions should be applied to similar offenses, unless extenuating circumstances can be documented, e.g. the student is a repeat offender. The findings of responsibility and ensuing sanctions may be considered by Pitt-Johnstown in the preparation of any report concerning a student in accordance with the law. The sanctions which may be recommended upon a finding that an offense of academic integrity has been committed include but are not limited to:

1. Dismissal from the University without expectation of readmission.
2. Suspension from the University for a specified period of time.
3. Dismissal from the major.
4. Reduction in grade, including a failing grade, in either the assignment, the course, or both in which the offense occurred.
5. Imposition of monitored remedial action to inform and correct the student in order to prevent future violations.

Review and Appeal

Either a student or a charging party may seek to have the VPAA's decision (or a determination that the charges are not subject to adjudication) reviewed by the Pitt-Johnstown President, who may or may not choose to compose and convene a review board for recommendations. Parties have the right to appeal to the Pitt-Johnstown President within five (5) working days of the date of the communication of the VPAA's decision. Action taken by the Pitt-Johnstown President, with or without a recommendation from a review board, will constitute an exhaustion of all institutional remedies and be considered final.

IV. Faculty Obligations at Pitt-Johnstown

A faculty member at Pitt-Johnstown accepts an obligation, in relation to his/her students, to discharge his/her duties in a fair and conscientious manner in accordance with the ethical standards generally recognized within the academic community. Without limiting the application of the above principle, members of the faculty are expected (except in cases of either illness or other compelling circumstance) to conduct themselves in a professional manner as summarized below:

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/drop a course, either 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 evaluations and, in advance of any evaluation, either 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 either race, color, religion, sex, sexual orientation, gender presentation, age, national origin, political affiliation, cultural affiliation, lifestyle, 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 either intra-University business, or with student consent, or as may be permitted by law.
9. 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 that infringes upon such students' freedom of choice.
10. To give appropriate recognition to either 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.

There may be instances in which the charging party may more appropriately invoke another University procedure, such as the *University of Pittsburgh at Johnstown Student Code of Conduct and Judicial Procedures*. If so, the matter should be referred to the individual responsible for administering that procedure.

V. Procedures for Adjudication of Charges to a Faculty Member

Any member of the University community having evidence of a violation of faculty obligations to the guidelines on academic integrity may bring to the attention of either the department head, the division chair, the AVPAA, or the VPAA a written complaint that an instructor has failed, in either one or more respects, to meet faithfully the obligations set forth above. The department head, the division chair, the AVPAA, or the VPAA, may take such action by way of investigation, counseling, and/or recommended action--in accordance with applicable University procedures--as may appear to be proper under the circumstances. This action may include the recommendation of an appointment of an ad hoc faculty review committee to investigate the complaint. The faculty member's and charging party's interest in confidentiality, academic freedom, and professional integrity in such matters will be respected.

In order to provide a means for students to seek and obtain redress for accusations of violations to the faculty obligations outlined above, the following procedures should be followed. These procedures are not intended and should not be used to provide recommended sanctions against instructors. These procedures are only to be used to establish a resolution. When resolution is either not possible or acceptable to either party, parties may appeal as outlined under "Review and Appeal" below.

Practice Due Process

Where a charging party alleges that a violation(s) of the faculty obligations has occurred, the charging party should attempt to resolve the matter by personal conference with the instructor concerned. If such attempts are unavailing, the charging party should call the matter to the attention of either the department head, the division chair, or the AVPAA for resolution by informal means. Third-party monitoring may be requested by the charging party and is encouraged in all cases. If the charge is against the department head, the matter should be called to the attention of the division chair; if the charge is against the division chair, the matter should be called to the attention

of the AVPAA or VPAA; if the charge is against the AVPAA, the matter should be called to the attention of the VPAA; and if the charge is against the VPAA, the matter should be called to the attention of the President.

Establish Charges

If a matter remains unresolved after such efforts toward due process have been made, the following procedures shall be employed:

1. The charging party will file a written statement of charges with the AVPAA.
2. The AVPAA in consultation with the division chair will first determine if sufficient evidence exists in which the instructor has violated faculty academic integrity obligations, and if so, refer the matter to a review committee for a hearing. If the AVPAA in consultation with the division chair decides that sufficient evidence does not exist and there is disagreement with this finding by the charging party, the matter should be referred to the VPAA. If the VPAA determines that sufficient evidence exists, the matter will again be referred to a review committee for a hearing.
3. The AVPAA will transmit the charges and any evidence to the instructor together with a copy of these guidelines. The letter of transmittal to the instructor, a copy of which should also be sent to the charging party, will state that the AVPAA will form a review committee.

Review Committee

The AVPAA will convene a review committee to meet with the instructor, the charging party, and others as appropriate. This is not a formal hearing and formal procedural rules do not apply.

1. The AVPAA will convene a review committee of three tenured faculty members neutral to the charges. A mutually-convenient time and place for all parties involved for the review committee meeting will be established by the AVPAA and communicated to all parties.
2. The review committee will meet with the involved parties to make an informal inquiry into the charge(s) and assist with developing an informal resolution.
3. Upon completion of this meeting, the AVPAA will transmit any resolution to the VPAA. Resolutions may include recommendations of corrective action on behalf of the instructor.
4. If an informal resolution is not reached, the AVPAA will initiate an AIR Board hearing procedure.

AIR Board Hearing Proceeding

For a full description of the AIR Board, see the section on “Academic Integrity Review Board (AIR Board) Overview” above. Reasonable rules of relevancy will guide the AIR Board Chair 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. The Chair of the AIR 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. The hearing will be conducted as outlined below.

1. The AIR Board Chair will convene the board and discuss and procedural matters as necessary.

2. The AIR Board Chair will then invite all other parties into the room and begin the audio recording.
3. The alleged offense(s) upon which the complaint is based will be read by the AIR Board Chair.
4. Objections to procedure will be entered on record, and the AIR Board Chair will make any necessary rulings regarding the validity of such objections.
5. The charging party will state the case and offer evidence in support thereof.
6. The faculty member (or representative for the faculty member) will have the opportunity to question the charging party.
7. The charging party will be given the opportunity to call witnesses.
8. The faculty member (or representative for the faculty member) will be given the opportunity to question each witness of the charging party after testimony is given.
9. The charging party will inform the AIR Board Chair when the presentation is completed, at which time the AIR Board members will be given an opportunity to ask questions of the persons participating in the hearing.
10. The faculty member (or representative for the faculty member) will state the rebuttal, if any, and offer evidence in support thereof.
11. The charging party will have the opportunity to question the faculty member (or representative for the faculty member).
12. The faculty member (or representative for the faculty member) will be given the opportunity to call witnesses.
13. The charging party will be given the opportunity to question each witness of the charging party after testimony is given.
14. The faculty member (or representative for the faculty member) will inform the AIR Board Chair when the presentation is completed, at which time the AIR Board members will be given an opportunity to ask questions of the persons participating in the hearing.
15. The charging party, the faculty member, and any other parties will then be excused from the hearing by the AIR Board Chair and the audio recording stopped.
16. The hearing will be continued and the members of the hearing board will deliberate in private.
17. The AIR Board will first determine either whether or not they believe the faculty member is responsible for the charge.
18. After this determination, the AIR Board will then recommend a suitable remedy(s) (see “Remedies” below).

Findings and Recommendations of the AIR Board

1. The proposed AIR Board recommendations, which will be written by the AIR Board Chair, 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 determined to be proven, the letter will include recommended remedy(s).
2. The recommendation will be submitted directly to the AVPAA, along with the audio recording. The AVPAA will transcribe the audio recording and determine that all procedures and protocol were followed.
3. The AVPAA will forward the letter from the AIR Board Chair outlining the AIR Board recommendation, a transcript of the hearing (audio files sent electronically), and a copy of the notification to the faculty member of the charge in question.

4. The VPAA will make an independent review of the hearing proceedings. The VPAA may require that the charges be dismissed, or that the case be remanded for further proceedings. Upon completion of such additional proceedings, if any, and within a reasonable timeframe, the VPAA will issue an independent decision that may support, reject, or reasonably alter the recommendations of the AIR Board.
5. The VPAA will communicate the decision to the AVPAA and to the AIR Board Chair, who will then transmit to the faculty member, the charging party, and to the division chair copies of all decisions made by the AIR Board and the decision of the VPAA. If a remedy(s) is decided, the notice to the faculty member will make reference to the faculty member's opportunity, by petition filed with the VPAA, to appeal to the Pitt-Johnstown President.

Remedies

Remedies should ideally be those agreed to willingly by the instructor. Remedial action to benefit a charging party may be authorized by the VPAA, such as 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 either consultation or instruction, eliminating a grade that had been assigned by an instructor from the transcript, changing either a failing letter or numerical grade to either a "pass" or "satisfactory" grade so as not to adversely affect a student's grade average, or allowing a student to repeat a course (program permitting).

If some action is contemplated that might be deemed to infringe upon the academic freedom of the instructor, the VPAA will seek an advisory opinion from the Pitt-Johnstown Faculty Senate Officers. No action detrimental to the instructor will be taken except when such action is in strict accordance with established University procedures. An adjustment hereunder in the student's behalf shall not be deemed a determination that the instructor was in any way either negligent or derelict.

Review and Appeal

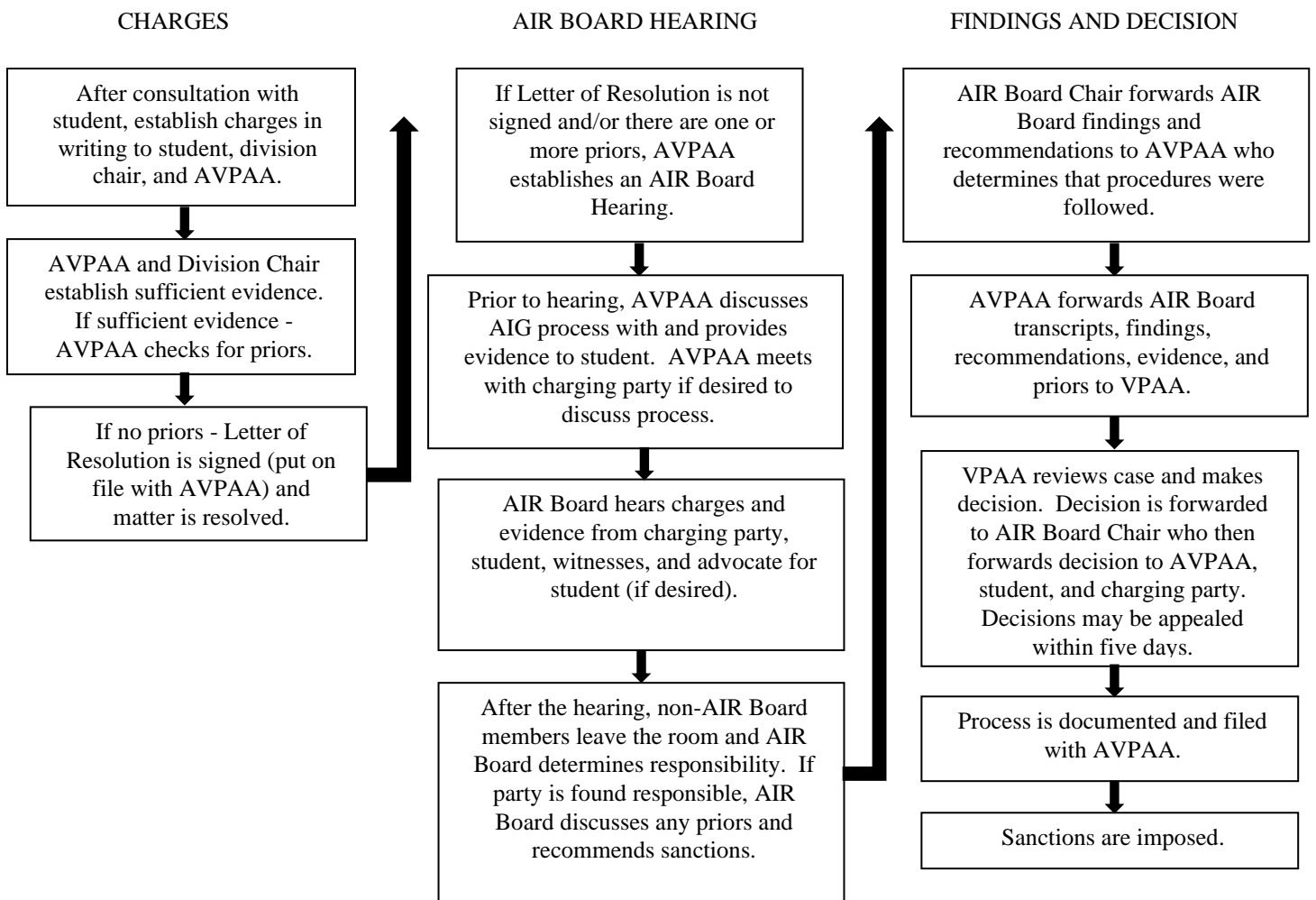
A charging party or instructor may seek to have the VPAA's decision (or a determination that the charges are not subject to adjudication) reviewed by the Pitt-Johnstown President, who may choose to compose and convene a review board for recommendations. Parties have the right to appeal to the Pitt-Johnstown President within five (5) working days of the date of the communication of the VPAA's decision. Action taken by the Pitt-Johnstown President, with or without a recommendation from a review board, shall constitute an exhaustion of all institutional remedies and be considered final.

VI. Summary

As stated above, there may be instances in which the charging party may more appropriately another appropriate University procedure. These guidelines are not intended to replace or change any other more appropriate policy, procedure, or guideline. Finally, it is the responsibility of all parties, including administrative officers, to take prompt action in order that charges be resolved quickly and fairly. Failure to utilize these procedures diligently may constitute grounds for dismissal of charges.

Appendix B: Concept Maps

Adjudication of Charges to a Student



(Appendix B: Concept Maps Continued)

Adjudication of Charges to a Faculty Member

