

# Academic Code and Procedures for Due Process

Emory & Henry University, as a community of persons "mutually united in a quest for truth," supports the principles of academic freedom and academic due process for both students and faculty. Such rights imply a parallel responsibility for academic integrity. Students are expected to do their own work on individual assignments and to acknowledge the sources of information summarized or quoted in papers. Faculty should state course expectations clearly, evaluate work fairly and promptly, and deal honestly with intellectual positions. Failure to fulfill these responsibilities or to resolve disagreements about other academic matters impairs the effectiveness of the educational process.

The Academic Code of the university outlines specific rights and responsibilities of faculty and students in regard to academic matters. The code describes the procedures of informal resolution of academic grievances and of an official appeal to the Committee on Academic Standards.

## **I. Code of Academic Rights and Responsibilities**

### **A. Students**

#### **1. Rights**

- a. Freedom of expression. Students are responsible for learning thoroughly the content of any course of study, but are free to take exception to the data or views presented and to reserve judgment about matters of opinion.
- b. Fair evaluation of academic performance.
- c. Confidentiality and access to personal records.
- d. Due process for complaints against students.

#### **2. Responsibilities**

- a. Seek clarification where course objectives and procedures are unclear.
- b. Participate responsibly in the course through attendance and study.
- c. Work independently on tests, quizzes, examinations, or any other assignments used in determining the final grade, except as indicated by the instructor.
- d. State accurately intellectual positions which are used or related in course assignments, and give proper credit to sources of ideas which are not common knowledge or are not originated by the student, or wording that is not fully original with the student.
- e. Receive permission from both instructors before developing a paper or project for more than one course. Receive permission from the current instructor before using a previously prepared paper or project.

### **B. Instructors**

#### **1. Rights**

- a. Academic freedom.
- b. Fair evaluation of academic performance.
- c. Due process for complaints against faculty.

#### **2. Responsibilities**

- a. State basic course requirements and objectives.
- b. State grade scale and procedures of evaluation.
- c. Create a climate conducive to learning.
- d. State accurately intellectual positions which are used or refuted in coursework, and give references to specific authors.
- e. Evaluate objectively student work in a reasonable period of time so that the student may grow in understanding and ability.
- f. Protect against improper disclosure of information about students. Information about student views, beliefs, and associations which is privately acquired by instructors, advisors, and counselors, should be considered confidential. Judgements of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student.

**C. When a breach of the above rights and responsibilities is recognized by a member of the community, the following procedures should be implemented.**

## **II. Informal Resolution Procedures**

- A. Whenever possible, individual instructors and students should seek to resolve the issues themselves.
- B. If approach A fails, another appropriate person from the University community (e.g., faculty advisor, department chairperson) may be consulted to serve as an informal mediator.
- C. If approaches A and B are unsuccessful, either student or an instructor may request mediation by the Dean of Faculty or his/her designee.

### III. Formal Resolution Procedures

- A. If informal resolutions fail, students may submit a request to the Dean of Faculty or designee for consideration before the Committee of Academic Standards, which will serve as a final review board. **Students must submit appeals of grades of fall semester courses no later than January 3, and of spring semester by no later than May 15.** Students choosing to use electronic communications are responsible for confirming that the request has been received. At least five days before a hearing, the chair of the Committee on Academic Standards will notify all parties, in writing, of the complaint and the time of the hearing.
- B. The committee will seek information from appropriate persons. Each party will be permitted to provide names of such persons. The committee has the prerogative to determine a reasonable number of persons who may appear before the committee.
- C. Voting will be by secret ballot, with a majority vote of the full committee is required for decisions. The chairperson will, in writing, inform the accused and the plaintiff of the committee's decision and any possible appeals procedure.
- D. The committee will keep in confidence minutes of all its proceedings. The committee may review these minutes in deciding appropriate resolutions.
- E. Summer School and December Term: **Students must submit appeals of grades of summer and winter term courses no later than 14 days after the grade submission deadline of the course being appealed.**
1. If formal resolutions fail, any requests for formal resolutions will be presented to the Dean of Faculty or designee.
  2. A hearing will take place no earlier than three academic days after the request by the Dean of Faculty or designee. At least three academic days before the hearing, all parties will be notified, in writing, of the charges and the time and place of the hearing.
  3. The Dean of Faculty or designee will keep in confidence minutes of the appeals hearing and will submit these minutes to the Academic Standards Committee.
  4. For all problems arising during the summer sessions, the Dean of Faculty or designee will serve as arbitrator. The accused or plaintiff may request that the hearing of the complaint be delayed until the resumption of the fall session when the normal procedures would be followed. This request by the accused or plaintiff must be made before the Dean of Faculty or designee has begun to hear the case. Resolution of the charges by the Dean of Faculty or designee consistent with the policies of this document will be final.
  - F. Means of resolution will be chosen after review of records from previous hearings involving the accused and in light of the present circumstances. A means of resolution will be chosen from the list from Part IV below and will be communicated in writing by the chairperson of the Academic Standards Committee or the Dean of Faculty or designee to the accused and the plaintiff.

### IV. Resolutions

#### A. Informal and Formal Resolutions of Complaints Against a Student

1. Dismissal of complaint
2. Private directive to student
3. Repetition of work
4. Repetition of the work and a lower grade
5. F on work
6. Withdrawal from the course
7. Finish the course
8. Suspension from the University
9. Dismissal from the University

#### B. Informal and Formal Resolution of a Complain Against an Instructor

1. Dismissal of complaint
2. Private directive to instructor
3. Recommendation to Dean of Faculty
4. Recommendation that instructor's actions be considered in determining rank and/or salary
5. Dismissal recommendation to the President and the Dean of Faculty

#### C. Involving Academic Freedom

Students who perceive that a faculty member is interfering with their academic freedom should attempt to meet with that faculty member to reach a resolution. If such resolution is not achieved, the student may ask for a meeting with the faculty member's Department Chair (Division Chair - if the faculty member in question is the Department Chair and the Dean of Academic Affairs - if the complaint is against a Division Chair) in an attempt to reach a resolution. If the meeting does not result in a resolution, then the student may ask for a meeting with the Dean of Academic Affairs whose ruling can only be reviewed and overturned by the President. At this point, the student's complaint against the faculty member should be provided in writing to that faculty member and the Dean of Academic Affairs at least three working days prior to the meeting with the Dean of Academic Affairs. The Dean of Academic Affairs should have the right to meet with the faculty member against whom the complaint has been lodged and ask the faculty member to provide a written response within five working days to the charges brought by the student. If the Dean finds a breach in the student's academic freedom has occurred he/she may address the violation using the relevant means described in the above paragraph. Whatever the finding, the Dean of Academic Affairs should provide his/her decision to the faculty member in writing within 15 working days of having met with the accused faculty member.

## **V. Amendment**

Any proposed amendment will be submitted to the Committee on Academic Standards. After reviewing the proposal, the committee may submit it to the faculty and to the Student Government for consideration and recommendation. A majority vote by the faculty will adopt the amendment.