

ACMS PhD PROGRAM APPEAL PROCEDURES: Academic Integrity and Dismissal

Scope of this policy

This policy concerns academic integrity, dismissal and the process for appealing a decision. Issues of personal misconduct are handled by Student Affairs. For issues of sexual or discriminatory harassment or disability-related grievances please consult du Lac: A Guide to Student Life at <http://orlh.nd.edu/dulac/>.

An appeal is a two-step process; the first is through the program. If the student does not agree with the program's decision, she or he may appeal to the Dean of the Graduate School, who makes the final determination. The Graduate School's grievance process can be found at: <http://graduateschool.nd.edu>.

The following is intended to provide guidance for the first appeal or the local appeal.

Violations of Academic Integrity

A commitment to honesty is expected in all academic endeavors, and this should be continuously emphasized to students, research assistants, associates, and colleagues by mentors and academic leaders.

Violations of academic integrity may occur in classroom work and related academic functions or in research/scholarship endeavors. Classroom-type misconduct includes the use of information obtained from another student's paper during an examination, plagiarism, submission of work written by someone else, falsification of data, etc. Violation of integrity in research/scholarship is deliberate fabrication, falsification, or plagiarism in proposing, performing, or reporting research or other deliberate misrepresentation in proposing, conducting, reporting, or reviewing research. Misconduct does not include errors of judgment, errors in recording, selection, or analysis of data, differences in opinions involving interpretation, or conduct unrelated to the research process. Misconduct includes practices that materially and adversely affect the integrity of scholarship and research.

A violation of academic integrity is a serious accusation. The punishment of a student who is found to be in violation is determined by the Department of Applied and Computational Mathematics and Statistics CAP, which consists of all tenured faculty members. Depending on the severity of the incident, the student may be dismissed.

If a student is charged with a violation of academic integrity, he or she may appeal the program's decision.

Academic Integrity Appeal Process (as reflected in the Graduate Bulletin)

Any person who has reason to believe that a violation of this policy has occurred shall discuss it on a confidential basis with the department chair. If a perceived conflict of interest exists between the chair and the accused, the Dean of the College of Science shall be notified of the charge.

The chair shall evaluate the allegation promptly. If it is determined that there is no substantial basis for the charge, then the matter may be dismissed with the fact of dismissal being made known to the complainant and to the accused if he or she is aware of the accusation. A written summary of charges, findings, and actions shall be forwarded to the dean of the Graduate School as a matter of documentation. Otherwise, the chair will select an impartial panel

consisting of three members, one of whom may be a graduate student, to investigate the matter.

The chair will inform the accused of the charges. The panel will determine initially whether to proceed directly to a hearing to further investigate the case, or to dismiss the charges. If the panel decides to proceed directly to a hearing, the hearing will be held within 10 business days of the original notification. If the panel decides that further investigation is necessary, it shall immediately notify the chair. If it decides that a hearing is not warranted, all information gathered for this investigation will be destroyed. The utmost care will be taken to minimize any negative consequence to the accused.

The accused party must be given the opportunity to respond to any and all allegations and supporting evidence at the hearing. The response will be made to the appointed panel. The panel will make a final judgment, recommend appropriate disciplinary action, and report to the chair in writing. The report will include all of the pertinent documentation and will be presented within 30 days after meeting with the accused. Copies of the report are to be made available to the accused, the chair, and the dean of the Graduate School. If a violation is judged to have occurred, this might be grounds for dismissal from the University; research/scholarship violations might be reported to the sponsor of the research effort (e.g., NSF, NIH, Lilly Foundation, etc.), if appropriate.

Dismissal

Students may be dismissed after failing the written or oral candidacy examination or through poor performance. Expectations concerning the candidacy examinations are found in the descriptions of those examinations.

If a student fails to pass one of the examinations, the Director of Graduate Studies will write the student informing him or her of the failure and provide information about any recourse of action that the student might have. If a student is performing poorly, the DGS will provide the student with a written notice about the poor performance; indicate the expectations necessary to remain in the program, and give the student a specific time when he or she will be re-evaluated.

Dismissal Appeal Process

If a student is dismissed for academic reasons, he or she may appeal the program's decision.

Complaints must be initiated by a written statement from the student to the chair of the department within 10 business days from the time when the student is informed of dismissal. To hear the appeal, the department chair appoints an *ad hoc* committee composed of three members: him/herself and at least two faculty members unconnected factually with the case or the reasons for the appeal. A graduate student can replace one of the two faculty members on the committee if the nature of the appeal warrants such. If the department chair has been involved in the case, the Dean of the College of Science, or the Dean's designate, should appoint the committee and designate the person to serve as its chair.

The student's statement should indicate details on the nature of the problem, the date(s) the problem occurred, the grounds upon which the appeal is based, background information that the student considers important and the relief requested.

The appeals committee will promptly and thoroughly investigate the appeal to determine whether the relief requested is warranted. The investigation may include interviews and/or written statements from the student, any student witnesses, faculty or staff members who may be able to provide pertinent information about the facts, as well as a review of any pertinent documents.

In most situations, the appeals committee will complete the investigation in 30 business days. There may be some reports that cannot be investigated within 30 business days. In such cases, the chair of the appeals committee will communicate to the student that the investigation is going to take longer than 30 business days and will also include a statement indicating when the committee anticipates completing the investigation. The department chair will notify the student in writing of his/her decision. If the chair has been involved in the case, the decision will be made by the designated chair of the *ad hoc* committee.