ITEM: Review and Approval of the following Academic Affairs Policies:

MUBOG AA-12 Academic Dishonesty 12/19/19
MUBOG AA-31 Emeritus Status for Retired Professionals 03/08/06

COMMITTEE: Academic and Student Affairs

RECOMMENDED ACTION: Resolved, That the Marshall University Board of Governors does hereby take the following action as it relates to these policies. MUBOG Policy, AA-12, Academic Dishonesty, to be amended upon the recommendation of the Budget and Academic Policy Committee (BAPC), a standing committee of Marshall University’s Faculty Senate. The BAPC recommends that section 4, Sanctions, be expanded to align recommended sanctions to the seriousness of students’ violations of the policy. Furthermore, the BAPC’s recommended policy revisions emphasize using sanctions to educate students regarding the seriousness of academic dishonesty. For example, section 5, Repeat Offenses, provides an opportunity for students to complete an Academic Integrity Seminar within 30 days of their first offense. Successful completion of this seminar will result in removal of the academic dishonesty charge from the student’s record. Further sanctions for repeat offenses are outlined in this section.

MUBOG Policy, AA-31, Emeritus Status of Retired Professionals, to be amended in response to a public comment. Recommended changes include the addition of classified staff (from HR-46) to this policy, the increase in the years of service requirement for faculty and professional staff to be eligible for emeritus status from five to ten years, and the decrease in this requirement for classified staff from twenty to ten years. The policy includes a caveat regarding eligibility for emeritus status with fewer than ten years of service in section 2.1. The revision adds specificity to the emeritus title (2.3) and adds a provision for previously retired classified staff who had at least ten, but fewer than twenty, years of service at the time of retirement to apply for emeritus status within the next year. The recommendation includes a name change from “Emeritus Status for Retired Professionals” to “Emeritus Status for Retired Employees.”

STAFF MEMBER: Jaime R. Taylor
Provost & Senior Vice President for Academic Affairs
BACKGROUND:

The MU BOG last voted to amend MUBOG Policy AA-12, Academic Dishonesty, at its meeting of December 19, 2019. Since that time, the Budget and Academic Policy Standing Committee of the Faculty Senate voted to amend the policy as outlined in the recommended action section. MUBOG Policy AA-31, Emeritus Status for Retired Professionals, was tabled at the June 25, 2020 meeting of the MU Board of Governors following a public comment asking that classified staff, whose criteria and procedures for emeritus status are currently covered in HR Policy-46, be added to MUBOG Policy AA-31. The rationale was that combining all retiring employees into a single policy would streamline and bring fairness to the criteria and procedures used.

MUBOG AA-12  **Academic Dishonesty**  12/19/19
See attached. We recommend that this policy be updated as described in the recommended action section (above).

MUBOG AA-31  **Emeritus Status for Retired Professionals**  03/08/06
See attached. We recommend that this policy be updated as described in the recommended action section (above).

Fiscal Note: There are no more than minimal anticipated costs associated with these changes.

Upon approval of this resolution, a comment period will open and remain open until 10:00am on Monday, January 18, 2021. If substantive comments are received, a final policy will be presented to the Board for approval at a subsequent meeting. The policy changes for any individual policy are approved as final at the conclusion of the comment period if no substantive comments are received for that policy.

Comments should be sent via paper mail only (USPS mail or campus mail) to:

*Michael McGuffey*
*Office of the President*
*Marshall University*
*Huntington, WV 25755*
1. Academic Dishonesty
   1.1. Scope: Academic policy regarding student academic dishonesty.
   1.2. Authority: WW Code § 18B-1-6
   1.3. Passage Date: December 19, 2019
   1.4. Effective Date: January 28, 2020
   1.5. Controlling over: Marshall University
   1.6. History: (FS-02-03-(37)37 BAPC, February 27, 2003) As described in the Marshall University Creed, Marshall University is an “Ethical Community reflecting honesty, integrity, and fairness in both academic and extracurricular activities.” Therefore, academic dishonesty is something that will not be tolerated. A student, by voluntarily accepting admission to the institution or enrolling in a class or course of study offered by Marshall University accepts the academic requirements and criteria of the institution. It is the student’s responsibility to be aware of policies regulating academic conduct, including the definitions of academic dishonesty, the possible sanctions, and the appeal process. This policy was updated and approved by the Marshall University Board of Governors on December 19, 2019. Recommended changes in this document were passed by Faculty Senate (SR-19-20-27 BAPC, February 27, 2020).

2. Introduction
   2.1. As described in the Marshall University Creed, Marshall University is an “Ethical Community reflecting honesty, integrity and fairness in both academic and extracurricular activities.”
   2.2. Academic dishonesty is something that will not be tolerated, as these actions are fundamentally opposed to “assuring the integrity of the curriculum through the maintenance of rigorous standards and high expectations for student learning and performance,” as described in Marshall University’s Statement of Philosophy.
   2.3. A student, by voluntarily accepting admission to the institution or enrolling in a class or course of study offered by Marshall University accepts the academic requirements and criteria of the institution. It is the student’s responsibility to be aware of policies regulating academic conduct, including the definitions of academic dishonesty, the possible sanctions, and the appeal process.
   2.4. For the purposes of this policy, an academic exercise is defined as any assignment, whether graded or ungraded, that is given in an academic course or must be completed toward the completion of degree or certification requirements. This
includes, but is not limited to: Exams, quizzes, papers, oral presentations, data gathering and analysis, practica, and creative work of any kind.

3. Academic Exercises
3.1. An academic exercise is defined as any assignment, whether graded or ungraded, that is given in an academic course or must be completed toward the completion of degree or certification requirements. This includes, but is not limited to: Exams, quizzes, papers, oral presentations, lab reports, data gathering and analysis, practica and creative work of any kind.

3. Definitions of Academic Dishonesty
3.1. Below are definitions of some common types of academic dishonesty. Each instructor may modify the general definition of academic dishonesty to fit the immediate academic needs within that particular course of study, provided the instructor defines, in writing and preferably in the course syllabus, the details of any departure from the general definition.

3.1.1. Cheating: Any action which if known to the instructor in the course of study would be prohibited.
3.1.1.1. The unauthorized use of any materials, notes, sources of information, study aids or tools during an academic exercise.
3.1.1.2. The unauthorized assistance of a person other than the course instructor during an academic exercise.
3.1.1.3. The unauthorized viewing of another person’s work during an academic exercise.
3.1.1.4. The unauthorized securing of all or any part of assignments or examinations, in advance of distribution by the instructor.

3.1.2. Fabrication/Falsification: The unauthorized invention or alteration of any information, citation, data or means of verification in an academic exercise, official correspondence, or a university record.

3.1.3. Plagiarism: Submitting as one’s own work or creation any material or an idea wholly or in part created by another. This includes
3.1.3.1. Oral, written, and graphical material.
3.1.3.2. Both published and unpublished work.
3.1.3.3. It is the student’s responsibility to clearly distinguish their own work from that created by others. This includes the proper use of quotation marks, paraphrase, and the citation of the original source. Students are responsible for both intentional and unintentional acts of plagiarism.

3.1.4. Bribes/Favors/Threats: Attempting to unfairly influence a course grade or the satisfaction of degree requirements through any of these actions is prohibited.

3.1.5. Complicity: Helping or attempting to help someone commit an act of academic dishonesty.

4. Sanctions
4.1 Sanctions for academic dishonesty may be imposed by the instructor of the course, the department chairperson, or the academic dean. Sanctions for academic dishonesty may be imposed even if a student withdraws from an individual course or from the university entirely. The instructor may impose the following sanctions:

4.1.1. A lower or failing project/paper/test grade,
4.1.2. A lower final grade
4.1.3. Failure of the course
4.1.4. Exclusion from further participation in the class (including laboratories or clinical experiences)

4.2. The following sanctions may be recommended by the instructor but will need to be imposed by the department chair, academic dean or the Office of Academic Affairs.

4.2.1. Exclusion from an academic program
4.2.2. Academic probation for up to 1 year
4.2.3. Academic suspension for up to 1 year
4.2.4. Dismissal from the university.

4.3. In those cases in which the offense is particularly flagrant or where there are other aggravating circumstances, additional, non-academic, sanctions may be pursued through the Office of Student Conduct.

4.4. A student will be informed in writing by the instructor or responsible office, of any charges and subsequent sanctions imposed for academic dishonesty (See “Reporting” below). Written notification of academic dishonesty charges (and the inclusion of confirmed charges/sanctions in a student’s records) is designed to inform a student of the potential repercussions of repeat offenses and his/her rights of appeal.

4.5. If a student believes that charges of academic dishonesty have been erroneously levied, he/she should appeal such charges in accordance with the process outlined below.

4.6. Sanctions for repeated academic dishonesty offenses will be imposed by the Office of Academic Affairs after consultation with the appropriate department chairs and deans.

4.7. A student’s record of academic dishonesty offenses will be maintained throughout their enrollment at Marshall University, and the period of time between offenses may have no impact on sanctions for repeated offenses.

4.8. A student with a second academic dishonesty offense during his/her enrollment at Marshall University will be academically suspended for a period of time not to exceed one academic year (to include summer terms).

4.9.3.2. A student with a third academic dishonesty offense during his/her enrollment at Marshall University will be dismissed from the university.

4.10.——

4. Sanctions

4.1. Sanctions of academic dishonesty may be imposed by the instructor of the course, the department chairperson, the academic dean, or the associate provost.

4.2. Students may not withdraw from the course until all appeals are complete.
4.3. The appropriate sanction(s) for an act of misconduct must be decided on a case-by-case basis as appropriate by academic discipline, teaching method, course level, and degree of misconduct. When possible, the sanction should be selected with the aim of aiding the student in understanding the seriousness of their behavior and the consequences of ethical misconduct. The faculty member may issue any of the sanctions listed below. The instructor may impose at their discretion the following sanctions should the student choose not to appeal or loses an appeal of an academic dishonesty charge:

4.3.1. Warning letter

4.3.2. Retake/Replace Assignment: An appropriate sanction for minor violations in which the student admits culpability for a minor violation, generally poor citations, or other plagiarism without intent to defraud, is allowing a student to retake an assignment or to make-up an assignment with different work. These assignments should have a maximum score less than that of the initial assignment.

4.3.3. No Credit (“0”) for the Assignment: This is the recommended sanction for most minor academic dishonesty. This sanction is appropriate for collaborating on homework and/or minor plagiarism in a writing assignment. If this action affects the student’s final grade, a grade of “Incomplete” should be given at the end of a semester pending the completion of the appeal process. Upon completion, the appropriate grade change can be made.

4.3.4. Exclusion from class activities: When an individual student’s conduct may negatively impact another student’s academic performance, such as in labs or group work, the instructor may assign the identified student to work independently on any required assignments/labs. This action may be taken immediately, prior to the conclusion of the appeal.

4.3.5. Reduction of Final Course Grade/Failure of the Course: These sanctions are recommended for most major violations of academic integrity. Such violations include cheating on a midterm or final exam, plagiarizing a term paper, or other misconduct on a major cumulative experience. A grade of “Incomplete” should be given at the end of a semester pending the completion of the appeal process. Upon completion, the appropriate grade change can be made.

4.3.6. Temporary Prohibition from Retaking the Class: A student who is appealing a charge of academic dishonesty may not retake the same course in which the charge was made, with the instructor who made the charge, until the appeal is complete, unless such a prohibition would necessarily delay the student’s graduation.

4.4. In those cases in which the offense is particularly flagrant or where there are other aggravating circumstances, additional non-academic sanctions may be pursued through the Office of Student Conduct.

4.5. The instructor or responsible office must notify any student accused of an offense within five (5) instructional days of the discovery of the incident, in writing, and outline any charges and subsequent sanctions imposed for academic dishonesty. Written
notification of academic dishonesty charges (and inclusion of confirmed charges/sanctions in the student’s records) is designed to inform a student of the potential repercussions of repeat offenses and their rights of appeal.

4.6. Any time an accusation of academic dishonesty is made and a sanction imposed (or a sanction will be imposed with the submission of final grades), a notice should be sent to the Office of Academic Affairs within five (5) instructional days of the accusation.

4.7. In addition, the Office of Academic Affairs will inform the student and the student’s dean of the accusations made, the sanctions prescribed, the repercussions of repeat offenses, and their right of appeal. A copy of the report will go into the student’s college file. Any subsequent action taken (additional sanctions imposed, the lessening of sanctions, the withdrawal of accusations, the result of appeals, etc.) must be reported to the Office of Academic Affairs within ten (10) instructional days of the action.

4.8. The Office of Academic Affairs will maintain a file of academic dishonesty incidents. These will be reported in summary form (no student or faculty names will be included) to the Academic Deans and the Faculty Senate at the end of each academic year.

5. Repeat Offenses

5.1. The Office of Academic Affairs will impose sanctions for repeated academic dishonesty charges after consultation with the appropriate department chairs and deans.

5.1.1. A student’s record of academic dishonesty charges will be maintained throughout their enrollment at Marshall University. As a result of the first offense, a student can choose to be enrolled in an Academic Integrity Seminar within thirty (30) instructional days of the sanction. The first offense will be expunged from the student’s record upon successful completion of the Academic Integrity seminar, but a record of this offense will remain with Academic Affairs. Students who appeal the academic dishonesty charge can enroll in the seminar if the appeal is unsuccessful. Again, the student must enroll within thirty (30) instructional days of the end of the appeal. Specific information regarding the Academic Integrity Seminar can be obtained in the Office of Student Advocacy, Memorial Student Center, Room 2W40.

5.1.2. A student who has successfully completed the Academic Integrity Seminar, and is charged with a second offense, may not retake the seminar. This student will be placed on academic probation for a period of one calendar year. If this student is charged with a third offense, they will be suspended for a period of one academic year. If this student is charged with a fourth offense, they will be expelled from the university.

5.1.3. If a student elects not to complete the Academic Integrity Seminar, they will be suspended after their second offense and expelled after their third offense.
5.1.4. A suspension issued due to academic dishonesty must be served prior to any degree being awarded to the student.

6. Reporting
6.1. Any time an accusation of academic dishonesty is made, and a sanction imposed (or a sanction will be imposed with the submission of final grades), a notice should be sent to the Office of Academic Affairs within fifteen (540) days of accusation.

6.2. Notice of an act of academic dishonesty will be reported to the Office of Academic Affairs through the completion of an “Academic Dishonesty Report Form” (described below). The “Academic Dishonesty Report Form” will include:
   6.2.1. Instructor’s Name
   6.2.2. Course Information (Term, Number, Section)
   6.2.3. Student’s Name
   6.2.4. Student’s University Identification Number
   6.2.5. Brief Description of the Charge
   6.2.6. Date of Accusation
   6.2.7. Brief Description of the Sanction

6.3. Instructors are encouraged to give a copy of the “Academic Dishonesty Report Form” to a student accused of an offense. However, with ten (10) days of receipt of the “Academic Dishonesty Report Form” the Office of Academic Affairs will inform the student and the student’s dean of the accusations made, the sanctions prescribed, the repercussions of repeat offenses, and their rights of appeal. A copy of the report will go into the student’s college file.

6.4. Any subsequent actions taken (additional sanctions imposed, the lessening of sanctions, the withdrawal of accusations, the results of appeals, etc.) should be reported to the Office of Academic Affairs within ten (10) days of the action.

7. Recording
7.1. The Office of Academic Affairs will maintain a file of academic dishonesty incidents. These will be reported in summary form (no student or faculty names will be included) to the Academic Deans and the Faculty Senate at the end of each academic year.

8. Undergraduate Appeals Process
8.1. In cases where the instructor imposes sanctions and does not refer the matter to the department chairperson for additional sanctions, the student may appeal the sanction in accordance with the procedures described for grade appeal (see listing under “Grade Appeal” described in the Undergraduate Catalog). This includes lowered grades, exclusion from class activities and failure of the course.
8.2.7.2. If allegations of academic dishonesty are referred to the department chairperson for additional sanctions, it must be within thirty-ten (3010) days from the date of the alleged offense. The process starts with the dean if there is no department chairperson.

8.2.1.7.2.1. The department chairperson will bring together the student involved, and the faculty member, and/or other complainant within ten (10) days from the date of referral.

8.2.2.7.2.2. If the student denies guilt or disagrees with the sanction imposed, or if the faculty member, other complainant, or chairperson feels that the penalties are insufficient for the act complained of, the case will be forwarded in writing by the chairperson to the student’s academic dean within fifteen (510) days from the date of the meeting. The academic dean will bring together the student, faculty member or other complainant, and the department chairperson to review the charges within fifteen (510) days from the date of referral. The academic dean may impose any sanction permitted by this policy.

7.2.3. Should the student, faculty member, or other complainant be dissatisfied with the determination of the academic dean, the case may be appealed in writing within fifteen (510) instructional days of the dean’s written decision to the Budget and Academic Policy Committee, who will refer the case to the University Academic Appeals Board which determines if an appeal hearing is justified. If the University Academic Appeals Board determines a hearing is justified, the Board will schedule the hearing. The University Academic Appeals Board has the right to seek additional documentation if necessary. The University Academic Appeals Board has thirty (30) days to convene the members of the Hearing Panel to hear the appeal (once the requested documentation is provided by the appellant student) and five (5) instructional days after the hearing to make written notification of the determination to the student and instructor. It may not always be possible to meet the above conditions because many of these appeals occur at times when school is not in session. However, every effort will be made to schedule appeal hearings in a timely and reasonable manner for resolution.

8.3.7.2.4. Should the student, faculty member, or other complainant be dissatisfied with the determination of the Academic Appeals Board or the Hearing Panel, then they may file an appeal with the Chief Academic Officer (CAO) within fifteen-ten (1530) days from the receipt of the written decision of the Board. The decision of the CAO shall be final.

8.4.7.2.5. Only individual allegations of academic dishonesty may be appealed. If a previous offense was not appealed within the time limit, or was appealed unsuccessfully, then subsequent offenses will be counted as repeat offenses and additional sanctions will be levied by the Office of Academic Affairs as described under the section on “Sanctions.”

9.8. Graduate Student Appeal Process

9.8.1. Sanctions resulting from an Academic Disciplinary Action as defined in Section 3-4 of these rules, shall take effect immediately, regardless of whether the student appeals
the sanction. Provided that; in exceptional circumstances, the graduate dean or the CAO may suspend the imposition of sanctions pending the resolution of an appeal.

9.2.8.2. The burden of proof will be with the appealing graduate student.

9.3.8.3. The Graduate College has adopted Administrative Procedure, PERFORMANCE APPEAL that outlines the appeal process.

9.4.8.4. The director/coordinator of the graduate program, department/unit head, or graduate dean will notify a graduate student in writing of the academic action.

9.4.8.4.1. The academic action may be prescribed by those departments that publish a student handbook that includes sanctions its faculty may impose for academic dishonesty or other actions in violation of the ethical guidelines of the discipline.

9.5.8.5. Before initiating a formal appeal, the graduate student must first seek informal resolution from the person who imposed the sanction.

9.6.8.6. If there is no informal resolution, the graduate student must submit an appeal to the Dean of the Graduate College with ten (10) days of attempting the informal resolution.

9.7.8.7. Within ten (10) days of receiving the appeal, the Dean of the Graduate College will issue a written decision and provide copies of the decision to the student and person who imposed the sanction.

9.8.8.8. If the graduate student is not satisfied with the decision of the graduate dean, within ten (10) days of receiving the decision, the graduate student may request a hearing of an ad hoc committee of the Graduate Council by contacting the Chair of the Graduate Council.

9.9.8.9. Upon receipt of the request for a hearing, the graduate dean will forward the decision and all attachments to the Chair of the Graduate Council.

9.10.8.10. The Chair of the Graduate Council will convene an ad hoc committee and will schedule a hearing and give all parties ten (10) days written notice of the hearing.

9.11.8.11. The ad hoc committee will review the appeal with all attachments and provide the graduate student and the individual who imposed the sanction the opportunity to review and respond to all evidence. The participants may bring an advisor or legal counsel to the hearing who may not participate in the proceedings but may advise the student.

9.12.8.12. The ad hoc committee will operate with due respect to the rights of graduate students, faculty, and administrators including the conduct of interviews, the right of all parties to review and address allegations, and the right to a fair hearing.
9.13.8.13. Within ten (10) days of the hearing, the ad hoc committee will render a written decision and forward it to the graduate student, individual imposing the sanction, the Dean of the Graduate College, and the CAO.

9.14.8.14. If the graduate student is not satisfied with the ad hoc committee’s decision, within ten (10) days of receipt of the decision the graduate student may submit an appeal to the CAO.

9.15.8.15. The CAO’s review shall be limited to substantive or procedural issues regarding the hearing. The decision of the CAO is final.
MARSHALL UNIVERSITY BOARD OF GOVERNORS

Policy No. AA-31

EMERITUS STATUS FOR RETIRED PROFESSIONALS EMPLOYEES

1. General Information

1.1. Scope: Academic Policy regarding the award of emeritus status of retired employees to include faculty, classified staff, adjunct faculty and non-classified staff.

1.2. Authority: WV Code § 18B-1-6

1.3. Passage Date: March 8, 2006

1.4. Effective Date: Upon passage

1.5. Controlling over: Marshall University


2. Policy

2.1. Emeritus status shall be conferred upon any faculty member regardless of rank and any professional staff who have served Marshall University for a minimum of five years and who has demonstrated meritorious service to the institution. Marshall University grants emeritus status to retired employees (faculty, classified and non-classified staff) whose service to the institution has been meritorious. For purposes of this policy, meritorious service is defined as going above and beyond basic job duties. All employees who have completed at least ten years of employment at Marshall University and are coded in Banner as “retired” may be nominated by a supervisor or colleague, or may self-nominate, for emeritus status. In granting emeritus status, length of employment, quality of job performance, overall contribution to the university, and service to society beyond the university will be considered. In extraordinary cases (e.g., employees with a history of service to their professions who joined Marshall University late in their careers) retiring employees with fewer than ten years of employment at Marshall University may be nominated or may self-nominate.

2.2. Emeritus status shall be conferred upon any faculty member who qualifies under one of the three following categories:

2.2.1. Regular full-time faculty who will hold the title of Faculty Emeritus

2.2.2. Clinical faculty who will hold the title of Clinical Faculty Emeritus

2.2.3. Adjunct faculty who will hold the title of Adjunct Faculty Emeritus

2.2.4. The Emeritus title shall be conferred upon the faculty member by the President at the recommendation of the appropriate chairperson, dean and vice president.
2.3. Emeritus status shall be conferred upon any staff member whose title and responsibility meet the requirements as designated by the institution.

2.3.1. Such staff members shall hold the title of Professional Staff Emeritus.

2.3.2. Those entitled to consideration for the rank of Professional Staff Emeritus will include members of the executive staff, deans, directors, coordinators, or the equivalents as well as officers subordinate to any of these administrators with such titles as associate dean, assistant dean, librarian and other such titles if their principal activity is administrative.

2.3.3. The Emeritus title shall be conferred upon staff members by the President at the recommendation of the appropriate director and vice-president. Members of the executive staff shall be granted the title upon the recommendation of the President.

2.4.2.2. The President will confer emeritus status upon the retiring employee at the recommendation of the employee’s immediate supervisor and the appropriate vice-president. Members of the executive staff will be granted the title upon the recommendation of the President.

2.5.2.3. Retired employees granted emeritus status will retain their titles at the time of retirement followed by “Emeritus.” In cases where staff members hold faculty rank, their faculty title will precede their staff title. Selected examples include Professor Emeritus; Professor and Dean Emeritus; Adjunct Faculty Emeritus; Senior Vice President Emeritus; Director Emeritus; Academic Advisor Emeritus; Counselor Emeritus; Administrative Assistant Emeritus, etc.

2.6.2.4. Those holding Emeritus rank status will be entitled to the following benefits such privileges as:

2.6.2.4.1. Use of the University Libraries;

2.4.2. Use of the Memorial Student Center;

2.6.2.4.3. and reduced rates for University administered functions including athletic events and cultural activities, where available;

2.6.2.4.4. Special Mailings;

2.6.4.2.4.5. Marshall University employee rate for membership in the Marshall Recreation Center; Recreational Facilities

2.6.5.2.4.6. A free parking permit for all general parking areas; (all areas)

2.6.6.2.4.7. An emeritus identification card.

2.7.2.5. Classified staff with at least ten (10), but fewer than twenty (20), years of service to Marshall University who retired before this revised policy was adopted may apply for emeritus status within a year of the passage of this policy. To apply,
the employee must submit their nomination form to the Office of Human Resources, which will forward it to the retired employee’s supervisor.