FACULTY SENATE

MEETING #603 AGENDA
LIB 111
THURSDAY, December 13, 2019
12:50 PM to 2:20 PM

Call to Order

1. **Approve Faculty Senate Meeting #602 Minutes from November 21, 2019**

2. **Accept FSEC Report from December 5, 2019**

3. **Administrative Reports**

4. **Officer and Committee Reports**

- President Laird Burns
- President-Elect Tim Newman
- Past-President Mike Banish
- Parliamentarian Monica Dillihunt
- Ombudsperson Officer Carmen Scholz
- Governance and Operations Committee Chair Lori Lioce
- Undergraduate Curriculum Committee Chair Laurel Bollinger
- Finance and Resources Committee Chair Jeff Weimer
- Undergraduate Scholastic Affairs Committee Chair Carolyn Sanders
- Faculty and Student Development Committee Chair Seyed Sadeghi
- Personnel Committee Chair Mike Banish

- Bill 437

- Handbook Chapter 9

5. **Miscellaneous/Additional business**

Adjourn

Proxies for Senate meetings must be a Senate-eligible individual from the same academic unit. No individual may carry more than one proxy.
PLEASE SEND PROXIES TO LAUREN BAKER: facsen@uah.edu

Senate Bill 438:
Institute a Copyright Notice on Canvas Courses

History: At FSEC Nov. 14, 2019

WHEREAS, UAH has an established Copyright Policy to protect the content that is developed by its instructors for their courses, and

WHEREAS, UAH has established Canvas as its certified method to distribute such course content, and

WHEREAS, UAH does not publish a Copyright Policy or its tenants anywhere on Canvas as a reference by instructors or students, and

WHEREAS, UAH also does not required students to acknowledge their awareness of or agreement with its Copyright Policy or with its foundations under the Copyright Guidelines as currently in place in the United States, and

WHEREAS, when they are not given the requisite information on copyright principles and are not required to acknowledge such, students may operate on the presumption that no copyright guidelines apply to any content that is offered by instructors through the on-line delivery resources (Canvas) at UAH, and

WHEREAS, the presumption of ignorance by students can lead to copyright violations that are subsequently deleterious to the need of instructors to be able to publish their course work openly,

NOW THEREFORE BE IT RESOLVED:

UAH will present

(1) the Copyright Guidelines,
(2) the UAH Copyright Policy, and
(3) their underlying tenants in practice in the USA

either fully or using reference URLs, and

UAH will develop a Survey Form on Canvas that will be presented to any student who signs into Canvas to take courses at UAH and that will require students to acknowledge that they have read the Survey Form before they can be allowed to continue to their Canvas courses, and

The authorization step will be required from a student anew every semester.

An example of a Copyright Guideline statement that has been used as a Canvas Survey in courses at UAH is provided for reference in this resolution's addendum (entitled Fair Use).

Proposed Amendments to Bill 437

There are three sentences in which there was no deadline included in the original interim policy. These have been added here:
Procedures:

b.ii. Upon request from the department chair, the instructor must explain the case, the charge, the evidence, the proposed academic sanction, and a response to the student's appeal via letter within five business days.

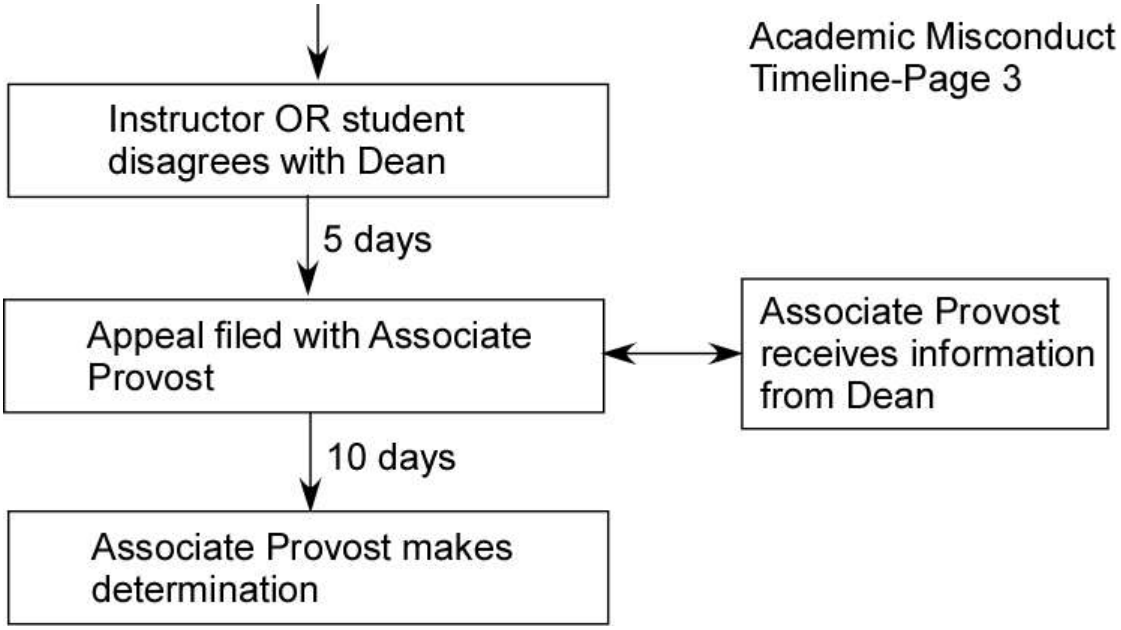
b. iii. Upon request from the academic misconduct monitor, the department chair must provide to the academic misconduct monitor all information and materials regarding the case and a response to the appeal within five business days.

b. iv. Upon request from the dean, the academic misconduct monitor must provide the dean with all information and materials regarding the case and a response to the appeal within five business days.

It was suggested that the appointment of an academic misconduct monitor in each college by the dean should have the concurrence of the faculty of that college. This addition has been made here:
Procedures:

1. The academic misconduct monitor will be a tenured faculty member at the rank of Associate Professor or above, appointed by the dean of the college, with the concurrence of the faculty of the college.

Regarding the steps for procedures in processing an academic misconduct case, it was suggested that a flow chart be included as part of the policy:



FACULTY SENATE EXECUTIVE MEETING
December 5, 2019
12:50 P.M. BAB 103

Present: Laird Burns, Monica Dillihunt, Jeff Weimer, Mike Banish, Tim Newman, Lori Lioce, Carmen Scholz, Seyed Sadeghi, Carolyn Sanders

Ex-Officio: Provost Christine Curtis

Guest: President Darren Dawson

- **Faculty Senate President Laird Burns called the meeting to order at 12:51 pm.**
- **Meeting Review:**
  - **Bill 437 passed.**
  - **Bill 438 passed.**
  - **Chapter 9 passed.**
- **Administrative Reports**
  - **President Darren Dawson & Provost Christine Curtis**
    - Facilities
      - Updates on Morton Hall (Targeted Completion Date: June 2020)
      - Shelby Center Basement (Targeted Completion Date: July 2020)
      - Spragins Hall Exterior (Targeted Completion Date: December 2019)
  - Senior Administrative Searches
    - VP for Diversity, Equity, and Inclusion (The committee has selected four candidates who will visit campus in early January)
    - VP for Advancement - Search committee selected; ad placed internally and externally for 30 days ending on December 16th; candidate review to begin after the holiday break
    - VP for Research and Economic Development - Search committee selected; approval to begin the search received from the System office on November 22nd; finalizing job description and PARF; preparing ad template for Dr. Curtis to review with the committee
    - Director of Athletics - search plan submitted to the System office on November 13th; waiting for approval to proceed with the search
  - Academic Affairs Dean Search and Dean Reviews
    - Dean of Science. Search Committee for the Dean of Science search is currently gathering applications with the next meeting scheduled for December 19 when the committee will select the candidates to come in for Airport interviews.
    - Dean of Engineering, Dean of Education, and Dean of Professional and Continuing Studies are currently undergoing their five-year reviews as required by the Faculty Handbook.
  - Board Items for February Currently Approved
    - Name and Curriculum Change

- BS in Cybersecurity to BS in Cybersecurity Engineering
- Associate Professor Emerita — Holly Jones
- Professor Emerita — Laurel Bollinger
- Distinguished Professor Emeritus — Yuri Shtessel
- Eminent Scholar — Tommy Morris

- Commencement
  - December 16, 2019 10:00 AM
    - Engineering and Nursing
      - Speaker: Dr. Dale Thomas
  - December 16th, 2019 2:30 PM
    - Science, Business, Arts, Humanities and Social Sciences, Education, Professional and Continuing Studies
      - Speaker: Dr. Gary Zank
- Grade Processing
  - Grading Processing for Fall semesters has a particularly short because of the holiday break. We will have 2 1/2 days to award as many degrees as we can before the break.
  - Numerous departments depend on final grade processing before they can begin their own work, including: financial aid, athletics, graduate school, Student Success Center, checking for failed prerequisites, etc. In addition, transcripts need to be available for students with jobs that start the first of January.
  - Grading begins, Wednesday, December 4
  - Exams begin, Thursday, December 5 and continue to Friday, December 13
  - Commencement, Monday, December 16
  - Grading will be turned off at 9:00 a.m. on Tuesday, December 17

- **Officer/Committee Reports**
  - Laird Burns, President
    - December meeting with President Dawson, Provost Curtis, and President-Elect Newman
      - Trends over time for replacing tenured and tenure track positions with clinical, clinical with lecturers, common concern across all 3 UA System campuses
      - Discussion on moving academic positions and notice/involvement of the Faculty senate and Academic Units
      - Laird and Tim meet with Provost Curtis and Dean Sean Lane next week
      - UA – SUG faculty salary data – UAH well below SUG weighted average, need data by discipline
      - Workforce development metrics for legislature and Governor
      - UAH strategic plan – real strategic plan with goals, metrics, milestones, resources, faculty participation
    - January meeting – Chancellor St. John, Ron Gray, Britt Sexton
      - Shared governance, transparency – Chancellor, BOT members support us and shared governance, making progress with Administration
      - Support for President Dawson's initiatives on resolving revenue challenges over time
      - Concern on benefits, conversations with UAH and Dr. Dana Keith at UA System office

        - Faculty Senate view on future budget – increase emphasis on instructional support, faculty salaries as high priorities
- Data analysis
    - ISR data on faculty positions and rank – need to analyze for Faculty Senate representation, trends over time for tenure/clinical/lecturers/instructors, diversity
    - Staff Senate – joint resolutions conversations
    - Faculty and staff clinic – they are revising their resolution, we await their revisions
    - Campus security – increased building security
    - Resources for online accessibility, long term "home" and administration buy in
    - Others?
- Parking, Beville Center USCOE (U.S. Army Core of Engineers)
- Tuesday, Dec 109, VTC with ACHE, on workforce development
- Open issues
    - Reclassification of senior lecturer to clinical positions without posting the position not allowed per Faculty Handbook, violation of shared governance
    - COS – imposed metrics schemes without faculty collaboration and voting, not ties to FAR, biased toward some and against others
    - Activating University committees – in progress, need to continue
    - Benefits – still working on FAQ's
    - Continue to improve communication between Faculty Senate and Administration
- Tim and I met with the President and Provost about replacing tenured and tenure track positions. We are just now starting that conversation. In January, the Chancellor comes with our two trustees. We want to discuss revenue challenges. I received data regarding senate representation. President Dawson, I want to bring this parking issue up to you. It turns out the Corps of Engineers have been partners with us for a while. They have two lanes for parking, they are full. Beville Center is 15% full. They have 53 staff and up to 150 students. They have parking issues that we weren't aware of.
    - Provost – It has. The Beville Center parking has been assigned for the students there. The parking is for Beville and Central.
- We have a VTC with ACHE on Tuesday. I think they are asking our views on workforce development.
    - Provost – We are undergoing outcome based funding reviews. They sent out a survey, which I shared with Laird and Tim Monday. They want to know what our views are on the metrics we saw. We also asked the Deans for their input. At this point, Peggy is putting the responses in. They are due at 5 pm. We will send you a copy of the final results.
    - Carmen – We keep hearing about outcome based funding. Can we identify a state that this system works well and copy?
    - Provost – There are 35 states that have some form of outcome based funding. We have asked the consultants that question. There is no one that can say the positive or negative impact. It has caused agony. Has it done any good? No one to date has indicated that. Todd's thought is the

legislature is hoping it will relieve the pressure on them. Todd thinks that is a misplaced expectation. That wasn't the case when he was in Louisiana, it only worsened.
        - Carmen – Interesting you mention Louisiana, you are echoing exactly what I have heard.
        - Laird – They have told us there will be model by ACHE or we can frame our own model. We aren't going to stop the ship, we can only help direct the ship.
        - Provost – We are trying our best to do it in a manner that won't hurt us.
        - Tim – President Dawson, when you were at Kansas, did you have this?
        - President – No.
- Tim Newman, President-Elect
    - No report.
- Monica Dillihunt, Parliamentarian
    - I want to thank Dr. Dawson and Dr. Curtis for working with Counseling Services. They are allowing students in crisis to charge their account and not asking for it upfront. They are working on a mechanism for crisis students. We did find out that we have a food pantry for students on campus.
- Carmen Scholz, Ombudsperson
    - Ombudsperson still has four cases. As I mentioned in the senate last time, I stand confused over the evaluation system in the College of Science. I don't know the resolution that will come for that. I hope this gets resolved.
        - Provost – My understanding is the Dean will be meeting with each department to explain it.
        - Carmen – Claiming you have to have $100K in overhead is unacceptable. That was a breakdown of shared governance.
- Jeff Weimer, Finance and Resources Committee Chair
    - The student portal closes December 13th for RCEU. Please remind faculty who have proposals to solicit for their students. We have 64 initial proposals. The faculty portal will close shortly thereafter. Joey has gone through the distinguished speakers.
        - Provost – The speakers are selected.
        - Laird – Could you ask Joey to send me the list?
- Carolyn Sanders, Undergraduate Scholastic Affairs Committee Chair
    - No report.
- Seyed Sadeghi, Faculty and Student Development Committee Chair
    - We are continuing to work on student health especially mental health. We did a little work on the subject of Faculty and Staff Clinic resolution. I serve on the library committee, no subscriptions are going to cancel.
        - Provost – Did they say anything about furnishings?
        - Seyed – Yes, they are going to buy nice furniture for students.
        - Provost – It will be on the second floor. It will be a quiet study center.
- Mike Banish, Past President/Personnel Committee Chair
    - Carolyn and I sat down yesterday to generate a flowchart. We tried to capture and make it simple. Also, Tim, you have a new version that should be voted on.
    - Tim – You want to introduce those as an amendment. I think you might want to have a piece of paper stating the changes and read them out for the date issue.

        - Laird - We have passed Chapter 5 and sent it out. Where are we with Chapter 9?
        - Mike – Whenever you are ready.
        - Laird – Campus Planning, any activity?
        - President – Not right now. We may have some progress to discuss January/February.
- Approve agenda for FS meeting. Jeff motions. Mike seconds.
    - Tim – There are modifications that we want to get in. Bill 438 has a square bracket that needs to be removed.
    - Laird – All in favor of agenda. Ayes carry.
- Approve FS meeting minutes. Carolyn moves. Seyed seconds. Ayes carry.
- Jeff – I have looked back on bills that are waiting responses back. I would like to hear some responses on those bills. Bill 427 is one that has been there for a year. I am partial to this bill because I wrote this.
    - Tim – Yes, we are having the same issue this semester and students are speaking to it.
    - Mike – We need more study days.
- Chapter 9
    - Mike – Where are we on Chapter 9?
    - Tim – I have comments but I didn't bring those today.
    - Laird- Do you want to put this on next week's agenda?
    - Tim – I will have at least 8-10 comments. I think it will take a lot of time on the floor of the senate.
    - Monica – I think we need to put it off.
    - Tim – One is about leave, not faculty leave, but chair leave. Page 18, 9.14, this is partially a question before a modification. Do we have anyone on 10, 10.5, 11 appointments?
    - Provost – I know that we do. ELC are on 11 month. AMSTI is on 11 month. Some associate chairs are on 10 months. It ranges from 9-12.
    - Carmen – Do these people acquire vacation?
    - Provost – If it says calendar, they get annual and sick leave.
    - Tim – Then I think it needs to be massaged a little.
    - Mike – I leave this one to the Provost.
    - Provost – I can double check with them.
    - Mike – Sick leave also says calendar appointment.
    - Tim – Maybe the change we need in 9.14 is the same language.
    - Mike – Provost, is that okay with you?
    - Tim – I would like move that we remove Chapter 9 from the table. Mike seconds.
    - Laird – All in favor. Ayes carry.
    - Tim – I move that we amend 9.14 to say 12 month or calendar appointments. Also, there are two more instances in that same paragraph and two instances in the following paragraph that needs to follow the same language.
    - Laird - All in favor of amendment. Ayes carry.
    - Mike – I have a question, Provost. Top of page 14, it talks about benefits from teacher retirement. It says if you are on half time, you get both half credit for service and half credit for salary.
    - Tim – That isn't someone who takes a semester sabbatical. You don't have to choose that. I don't think many of our faculty chooses. The faculty members that use that to an advantage combine it with an IPA.
    - Mike – I hope that would be a leave of absence. I hope we aren't approving IPA's for sabbatical. You are losing a half year and service.

- Laird- There is probably a 32 hour requirement.
- Provost – This is the TRS, check with them. If they have rules, that is what they are.
- Tim – That is right. You worked for half a year making half salary.
- Laird – Do you care to look into that?
- Tim – I understand there is a loophole in this.
- Tim – There a bunch of numbers for the RSA. I think we need to caveat that they can change.
- Mike – It says that.
- Laird – Do you want to approve this for the next meeting?
- Tim – 9.7, I want to look at the wording. Sentence 2, this sounds like for a faculty member I can enroll in 16 hours and the first three are paid for and half for the remaining.
- Mike – You have to have permission to take a class. This was a change that came out of the personnel committee. You couldn't take a four hour course here. This is what it says in UA and UAB.
- Tim – The intent is to expand this benefit to faculty?
- Mike – Yes, and their dependents.
- Provost – There is a policy being discussed over this.
- Laird – A question did arise about people doing advanced degrees in their department.
- Mike – You can't do it.
- Laird – But they are.
- Monica – Just within your own department? If we add leadership in education that means the faculty can't take those courses?
- Jeff – To not count towards a degree. You can take all the courses but can't earn a degree.
- Monica – In order to have a department, you have to have someone that has a terminal degree. There are three of us that have courses that would count towards that.
- Tim – 9.12.2, there is a mention about 10% faculty sabbatical. We have a lot of units 10 or under faculty. There will always be the case where we would be 10%. Would we want to modify that?
- Provost – I have this fear but one time we had three faculty that got tenured promoted in the same department, then they wanted to all go on sabbatical the same semester. I had to send it back. I have asked the Deans to work with the faculty to stagger. We don't want a board member or chancellor to come back assuming we don't need them if they can all be on sabbatical. It isn't a policy but common sense.
- Tim - Do we want to say something to allow one to go?
- Mike - I can work on the language there.
- Tim – I move that we amend this. Mike seconds. Ayes carry.
- Tim – 9.17.4, the last sentence, we need another article needs to be added. Mike seconds. Ayes carry.
- Laird – I move that we place on agenda. Ayes carry.

- Meeting adjourned 2:07.

FACULTY SENATE MEETING
November 21, 2019
12:50 P.M. LIB 111

Present: ***Tobias Mendelson, Kevin Bao, David Allen, Dilcu Barnes, Amy Guerin, Candice Lanius, Laurel Bollinger, Joey Taylor, Rolf Goebel, Andrei Gandila, Jeremy Fischer, Christina Steidl, Mike Banish, Abdullahi Salman, Sherri Messimer, Gabe Xu, Kader Frendi, Christina Carmen, Elizabeth Barnby, Sheila Gentry, Melissa Foster, Leiqui Hu, Tim Newman, Huaming Zhang, Shangbing Ai, Paul Whitehead, Ron Schwertfeger, Laird Burns, Carmen Scholz, Jeff Weimer, Carolyn Sanders, Fat Ho***

Absent with Proxy: Sophia Marinova, Shuang Zhao, Darlene Showalter, Lori Lioce, Katherine Morrison, Harry Delugach

Absent without Proxy: Jose Betancourt, Jeff Neuschatz, Earl Wells, Seong-Moo Yoo, Ron Bolen, Eric Mendenhall, Gang Li, Monica Dillihunt

Ex-Officio: Provost Christine Curtis

Guest: President Darren Dawson, Boris Kunin

- **Faculty Senate President Laird Burns called the meeting to order at 12:53 pm.**
- **Meeting Review:**
  - **Handbook Chapter 5 passed unanimously.**
  - **Bill 437 passed second reading with one opposition, will need a third reading.**
- **Approve Faculty Senate Meeting Minutes #601 from October 17, 2019. Member moves. Carmen Scholz seconds. Laurel states to change Eric Smith to Derrick Smith. Also, Tobias Mendelson and Rolf Goebel were present. Ayes carry.**
- **Accept FSEC Report from November 14, 2019. Tim Newman moves. Ayes carry.**
- **Administrative Reports**
  - President Darren Dawson
    - Morton is on schedule. Shelby basement is on schedule. Spragins is on schedule for December 2019. We have future projects that we will move forward with once we receive approval. We have a consultant coming in to help with these projects. We have three VP searches going on.
      - Tim – Could you expound on the VP searches?
      - President – We have started three searches. We will do the AD search.
      - Laird – On campus planning, when you bring in the advisor will we have a campus planning meeting?
      - President – Absolutely.
      - Carmen – There was discussion earlier with Executive Plaza, is that still happening in the background?
      - President- Yes, in the background.

        - Laird – Will that be a part of the campus planning as well?
        - President – Yes.
        - Laird – On that project, Dr. Altenkirch was determining how much power we would have in the building?
        - President – Yes, the master developer will give us those options.
- Provost Christine Curtis
    - Commencement is on the 16th of December. In the afternoon it will be AHSS, Continuing Studies, Education, and Business. Dr. Gary Zank is the speaker. The morning is Engineering and Nursing. The speaker is Dale Thomas. I ask you to come out and support this event. We are engaging the faculty more in the commencement. We will have the reception after both commencements. If you see anything at this one, please send your recommendations for our meeting at the first of the year.
    - In regards to facilities, the Department of Alabama Forensic and Sciences, they access morgues and laboratories. The one in Huntsville is 50 years old and seeing the end of its life. Most of these have their facilities on campuses. They need a new facility in Huntsville. They have asked us if we are willing to lease land to them for 30 years, then potentially 10 more. They will build the building and maintain it. They pay all utilities, etc. They also proposed that we get involved in internships. We have talked with them and came to an agreement. This does have to go to the board. The good news is they want to start right away on internships. They do DNA and drug testing. This is an interesting career and do a small amount of research. It does look like a good opportunity. I will keep you informed as this goes forward.
        - Carolyn – Has there been discussion of the location?
        - Provost – Yes, the far side of Tech Hall. They want to be on campus but not central.
    - Mike – I have a couple of students come to me about degree audits. They put them in August and they are registering for last semester.
        - Provost – We had a lot leave the registrar's office. We have upgraded positions and in the process of hiring. We are doing everything we can.
        - Mike – Will they get priority for classes?
        - Provost – If you give me names.
    - You asked about Pinopto. We have 24/7 service now. I know the announcement needs to go out. I will ask for it. It should be up and running very soon. If there are issues, let us know. You also asked for a button to go monitors, they have been put on and are currently being tested.
    - The Cybersecurity Degree is going to the board to change to Cybersecurity Engineering. When the proposal was originally put in, there was an accredited area to take this on. They are asking for this change. The changes in curriculum will have the same charger foundation credit hours, 36 hours. That will go to the board in February.
    - We have mentioned outcome funding. They have gone through the common metrics that other universities used. A survey will be coming out soon for all participants to fine tune the metrics. They are what you would expect – graduation rate and number of graduate students. The number of credit hours earned. Possibly, students that have typically not been in the higher education arena. We

have pushed for research. UAB pushed for medical schools. We are in that discussion. We will hear what the system is thinking this afternoon.

- Kader – As we push this graduation rate issue more and more, we have less student support. We need to look at ways to help our students succeed.
- Provost – In the past, students weren't showing up. They attempted to be more generalized.

- I want to correct one thing. At the beginning of the semester the ACT score was 28.1. Since then we have learned that IPEDS requires that we poll individual section scores. Our number went up to 28.4 after this calculation.
- Kader – As we get involved more Dean reviews, we have done one a couple of years ago and we haven't heard any follow up.
    - Provost – Yes, I sent a note.
- Laird – Another question arose with our promotion and tenure process in the College of Business. There is a request to promote someone from a senior lecturer position to a Clinical Associate Professor, without going through the processes outlined in the Faculty Handbook and UAH Policy 022.01.06 (January 2003). I believe that position should have gone through the open announcement process. While, in my review of the handbook and the policy, I do not think the process being followed is correct, I am asking the Personnel Committee to review this for proper or improper process according to procedure.
    - Provost – One thing we looked at a year or two ago with our general counsel was the differentiation between different faculty and lecturer job classifications. The concern was that we would eat away at our tenure track and tenured faculty. We know that these faculty have a job description to teach research. Some lecturers were engaged in research as well. I pointed this out to the counsel and they said no. It has been a process where we have been looking at what people do. The reasons for their engagement in research varied for multiple reasons. If they are engaged in research, the research has to stop. We have to reclassify to keep that from happening. We have clinical track as a way to reclassify. Clinical requires research. Research can be done at a practical level or a basic level. It is a wide spectrum. When we have a lecturer outside the bounds of teaching. We have to contain them or reclassify. In the reclassification process, let's see what the faculty have to say. We do it constantly in nursing. We have done it in engineering.
        - Laird- My concern is it wasn't presented to us. It was presented as a promotion but it doesn't follow the faculty handbook. We need to find a path that doesn't work against the handbook. This is the first I have heard of "reclassification."
        - Mike – There is no policy or procedure through shared governance that allows for reclassification without advertisement. This process goes strictly against shared governance.
        - Laird- There is no policy that states how this works.
        - Tim – I am trying to understand. Is the statement that the lecturer's job description includes research or they voluntarily were doing research?
        - Laird – I can't speak to that.

- Tim – It seems the individuals were choosing to do research and need to be reclassified. I don't by that. We have freedom. If they want to perform research, as long as they get their duties done, it's perfectly fine. That shouldn't produce a reclassification. Moreover, if I do administrative work, am I now an administrator? I think we should take them up on this logic. I don't think that logic is correct.
- Laird – We are going to raise this.
- Member – Regarding classification, can it go the opposite way?
- Laird – I don't want to speculate but to look at the handbook for guidance. We are going to revising chapter 7 soon. We shouldn't violate shared governance. I didn't know this was a reclassification.
- Mike- That word doesn't exist. I should be a department chair or dean at this point.
- Laird – We have shared concerns about these issues with the other three universities. I spoke with other faculty senate at the board meeting.
- Kader – This is the steady attack on tenured track. Schools are trying to put them in to lecturer positions.

- **Officer/Committee Reports**
  - Laird Burns, President
    - In January, the Chancellor and Ron Gray/Brent Sexton, are coming to speak with us. An agenda item, is this very issue. We are quietly supporting our President to advocate that we have the lowest tuition and growth rate. We are pushing the collaboration for more resources.
      - Kader – How about faculty salary?
      - Laird – During the BOT meeting, I discovered that the UA system has done a salary study. We are well below the median here at UAH. I think we need to have conversations about that. I think faculty and student support needs to be priority.
      - Carmen – Do you know what the median was?
      - Laird – I have the study and will send that out.
      - Carmen – In my department, we are paying our graduation student assistants the same I received when I first came. They haven't received an increase. We aren't doing anything for them. Our GTA's work for $12K a year. I have brought this up to the board but it falls on deaf ears.
      - Laird – We have to do that through our administration.
      - Carmen – I brought this up in my speech as faculty senate president. I know we have to go through administration but they always fall through the cracks.
      - Laird – What committee could look into this?
      - Tim – Faculty and student development.
      - Laird – Seyed, are you overloaded?
      - Seyed – Yes.
      - Carolyn – I have been here for a lot of years. Raises have never been lower. I think that we agree that it is an important point. Maybe it would be wise to put in place an ad hoc committee.
      - Laird – I think that is a good idea.

- Joey – I understand blocking the board from sticking their nose in. I thought we had our own committee?
- Mike – Yes, it is a subcommittee.
- Laird – There are formal things they can do but informal things they can or cannot do. You are free to ask the questions. We are going to meet with them for lunch before the meeting.
- Jeff – We have talked through a lot of issues. Am I hearing correctly, you would like for us to send talking points?
- Laird – I think we should use the same subject line to keep track.
- Jeff – What action items should I carry back to my faculty that you would like as you meet with the board?
- Laird – If we subject line, UA System Conversation, we can group those together. I like the suggestion of an ad hoc committee on the salary side.
- Mike – Carolyn, would you like to be on the committee?
- Carolyn – Yes.
- Laird – The past four Presidents and Carolyn are anointed as the ad hoc committee.

▪ One challenge we have is benefits. We received our information one day before we needed to make decisions. We brought HR in at the FSEC. We asked them to draw up a FAQ set to explain the process of how decisions are made. We are going to start asking in May on what decisions are going to be made. We can't change January but we want to change the momentum and get us involved. They say they can't tell us if you go to the high deductible plan what will happen in regards to prescriptions. They are working on that and then will speak with the senate.
    - Mike – I don't get my insurance through UAH but through my wife. They have a gap insurance. It has been proven to be amazingly effective and proactive. It doesn't cost that much. I brought that up in the meeting last week. Sandra Parton called today asking for more information. They seemed to take the meeting seriously.
    - Laird – President Dawson has been very responsive on these issues. I give him credit on working to update the culture.
▪ Another issue in college of science, they have a new performance metrics. It didn't come through faculty. We are challenging them to see how they are measuring their faculty. This is a new measure that they didn't even realize that they were being measured by. My challenge to them is how is this changing how we are steering the university.

o Guest Boris Kunin
    ▪ For many years I was unhappy about the status of Lecturers in our department (mathematics). For two recent years, I have been an Interim Chair of the Math Dept. My talking to our Lecturers (at the time there were ten) convinced me that it was not just unfair that they were 'second class citizens', but that it was ultimately in students' and university's best interest if a formal communication channel were to exist between tenured faculty and Lecturers. Right now, at least in our department, there is no "communication channel", there is a communication chasm. It was natural for me to suspect that the situation was not much better in the majority of other departments. Whence my desire to talk to the Senate. Today, I would like to air arguments for having Lecturer representatives in the Faculty

Senate. And yes, with full rights of other Senators. What follows is based on what I know about the Math department and its Lecturers. In your department, the situation may be different, but among such differences, are there any that specifically justify excluding Lecturers from the Faculty Senate? Lecturers serving as Senators would bring pressing needs and concerns to the attention of the Faculty Senate. Some are about students' well-being, some are about Lecturers' well-being. Here are a few examples. There is the need for the university to provide more mental health resources for students. Since Lecturers teach many more students, they are more likely, than TTE Faculty, to encounter such students and see the shortcomings of the existing system. There are consequential scheduling technicalities, over which Chairs have no control, *e.g.* having 4 classes in 3 buildings means saying "no" to numerous students who want to talk after class. There just isn't time for that. Only a fraction of those students will find you later to ask the same questions. This is not an issue for those who teach, say two courses. *or* CL is promoted, required, and it certainly works in lower level classes. But room assignments have to take CL needs into account (it's a matter of furniture sometimes). *Another general example*. Extra pay was eliminated for large classes (or large total number of students taught). This affected mostly Lecturers. Lecturers opine, and I agree, that some issues are not apparent to the Senate because the initial contact between freshman level students and faculty is mostly with Lecturers, not with TTE Faculty. Lecturers are full time faculty with good ideas, significant expertise, and many talents that they are willing to contribute to the organization. Their insights are valuable in matters of student success and retention. Presently, there is no mechanism for them to share opinions beyond one's department. Moreover, on no level are Lecturers involved in decision making. This often means that those who are making decisions do so without direct knowledge of what is happening 'in the trenches'. In a shared governance situation, Lecturers should have some representative input into the decisions of the organization that maintains their livelihood. Recognizing lecturers by granting them a path for input into the governance processes would send a clear message to each of them that the university recognizes their humanity. I believe that when morale is high people contribute more and in more ways. An intangible will be increased sense of loyalty and pride for the Faculty at UAH. Two thirds of Lecturers are women. Some might have considered doing research, but chose family instead. All of them are subject to a heavy teaching load that steals away their time for research or directing student research. Lectures that I know personally—and not only in the math department—carry huge load, have students' best interests in mind, and have quality education as their goal. They are loyal and work tirelessly. Many are PhD's. And yes, two thirds of them are women (41 out of 62 by my web count). As a university, do we want to deny representation to this class of employees? Finally, if you do not foresee some affirmative resolution to this proposal in the near future, then I move that the name of this Senate be changed to the accurate "Tenured and Tenure Earning Faculty Senate".

- Kader - This goes back to what I said earlier. It is an attack on tenured and tenure earning. We fought this battle with the Provost and previous President. They want to change the handbook and let lecturers be here.
- Boris – They are broad statements and need proof.

- Christina – I am clinical, I support Boris' statement. You do have non clinical in this senate. I think we need to provide information to counter.
- Member – Do lecturers have representation?
- Laird – No, they don't have staff.
- Mike – At other universities, they have a professional senate. They cover lecturers and research staff.
- Laird – The staff senate has given us the opportunity to serve on ADA…
- Tim – I don't want to debate this issue today. We have fought very hard over the years to get an administration that agrees the handbook can't be arbitrarily changed at the discretion of the president. As long as chapter 7 is in the handbook. You want someone that is in favor or tenure to speak. I think it is a mistake for tenure rights and academic rights as well.

- Tim Newman, Parliamentarian
  - No report.
- Mike Banish, Past President
  - No report.
- Carmen Scholz, Ombudsperson
  - I have four cases. In the last couple of weeks, I have been confused with the information I am getting. One is with the College of Science on the new ten point system. Where does it come from? The feeling is each department sets the metrics itself. This new metrics seems to push a new teaching load in science. You have the letter written by Jeff Weimer that points that out. If I follow this out, I don't get a point if I do anything for my students. Is that where we want to go? I stand confused on what is going on. I am equally confused with other things going on in the background.
- Carolyn Sanders, Undergraduate Scholastic Affairs Committee Chair
  - I have great respect for you, Anne Marie. Music will tell you that we feel it was fully vetted. There are two sides to this. We have been spending time revising the academic misconduct policy. You have a bill before you today.
  - Carmen – The issue is that it wasn't discussed openly.
  - Carolyn – On the music side it was.
  - Carmen – Their department chair finds out last.
  - Laird – It should be transparent.
  - Mike – We should've seen three clear votes. We should have seen the vote from music to accept theatre. A vote from theatre to move to music. A vote from communication faculty that it is in the best interest. Those do not exist. This one done without open transparency and shared governance. We still have a lawsuit in physics because there was a split behind the scenes. Whether it was more natural to go or not, procedures were not followed.
- Laurel Bollinger, Undergraduate Curriculum Committee Chair
  - We are still going through undergraduate curriculum.
- Jeff Weimer, Finance and Resources Committee Chair
  - We had 64 proposals for RCEU. I applaud the faculty for that. I must thank, Joey for the distinguished speaker's series.
- Seyed Sadeghi, Faculty and Student Development Committee Chair
  - We met two times. One issue is the mental health of a students. Also, a bill for the faculty/staff clinic.

- Laird – The staff senate asked us to join a joint resolution with them in regards to the faculty staff clinic. They are working on justification to prove they could pay for an additional NP.
- Mike Banish, Personnel Committee Chair
  - We passed Chapter 5 a couple of months ago. It went to administration and they went through it. They came back with some changes. The personnel went through those. As far as the research counsel, it was monthly. It does have $90M in research. They proposed it meet once a semester. We said no, at least twice a semester. There is faculty senate representation on this counsel.
  - Gang – They are meeting tomorrow.

- Chapter 5:
  - Tim – Motion to accept Chapter 5 on second reading. Carmen seconds. The senate has been through this chapter several times. Do you have any insurances that this is the last time we see this?
  - Mike – No. But I am tired of mistakes, so I am asking for these changes that apply to this chapter. I don't see a good reason why the research counsel can't meet five times a year.
  - Laird – I support these arguments. I have had similar issues with C&G.
  - Carmen – I support the language on Chapter 5. We have had the same issue with Sponsored Programs and cleaned it up. I think we put the same pressure on C&G. I think it is time we demand they support us not the other way around.
  - Laird – All in favor of Chapter 5. Ayes carry. Passed unanimously.
- Bill 437:
  - Mike – I move to introduce. Jeff seconds.
  - Laird – Any discussion?
  - Mike – I think we have captured a lot here. I will tell you Carolyn, I am going to vote against this on second reading. I think we want a flow chart inserted here. I think a timeline flow chart is critical.
  - Laird – We have that challenge in other policies and procedures. I support Mike's quest on this. Any other comments?
  - Jeff – Mike, are you voting against it for the request of a timeline? Is that the only reason?
  - Mike – Yes. It will then need a third reading.
  - Carolyn – I have no problem with a flow chart. We used to have judicial board, and don't have that anymore. There was clear interest in having a third party. This bill allows for that. The faculty has the discretion to deem it to move to the next level. I did a lot of studying on others policy. The current policy requires a student to agree with whatever punishment is decided upon. That has been taken out. Also paperwork deadlines have been expanded.
  - Jeff – Is it proper to make a friendly amendment that it be sent back to committee and brought back with the flowchart?
  - Tim – It's your choice. I think an advantage to the track we are on is to get this approved before the next semester is to pass on second reading and have another reading.
  - Laird – All in favor. 1 opposition. Passed second reading. Will need third reading.
- Meeting adjourned 2:21

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

ACADEMIC MISCONDUCT POLICY

-INTERIM-

Number 02.01.67

Division Academic Affairs

Date August 2019

Purpose The purpose of the Academic Misconduct Policy is to state our expectations for academic integrity, to define and describe different types of academic misconduct, and to establish due process procedures for handling student academic misconduct cases within the Division of Academic Affairs.

Policy As an academic community of scholars and students, the University of Alabama in Huntsville values learning, discovery, freedom, opportunity, and responsibility. UAH seeks to develop students into independent thinkers and global citizens. In addition, the University has standards of behavior in which it believes strongly. In their academic endeavors, UAH students are expected to embrace and uphold such principles as integrity, respect, diligence, excellence, inclusiveness, and diversity. Academic misconduct infringes upon these principles and inhibits the flourishing of academic discussion and inquiry. UAH will not tolerate academic misconduct by students. Any form of academic misconduct explained in the following provisions may result in academic sanctions up to indefinite suspension or expulsion from the University.

Definitions

A. Forms of Academic Misconduct
Academic misconduct includes all forms of activity by students that aim to deceive, coerce, or disrupt instructors and staff and/or fellow students in matters of academic course sessions, coursework, capstones, projects, theses, dissertations, and university-related research.

1. **Academic Dishonesty**
   Academic misconduct includes **academic dishonesty**, defined, here, as any activity that attempts to deceive instructors and staff and/or students relative to academic coursework, capstones, projects, theses,

dissertations, and university-related research, and includes, but is not restricted to, the following:

a. **Cheating:** copying from another student's work on an assignment or exam; engaging in activities or using materials not authorized by the person administering the assignment or exam; colluding or knowingly failing to prevent collusion on an assignment or exam with any other person by receiving information without authorization; buying, stealing, or otherwise obtaining all or part of an assignment or exam; bribing any other person to obtain an assignment or exam or information about an assignment or exam; permitting any other person to substitute for oneself, to take an exam or do the work on an assignment.

b. **Abetting cheating:** collaborating or knowingly failing to prevent collusion during an assignment or exam with any other person by giving information without authorization; selling or giving away all or part of an assignment or exam; selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, or other written work; any speech or other oral presentation; any painting, drawing, sculpture, musical composition or performance, or other aesthetic work; any computer program; any scientific experiment, laboratory work, project, protocol, or the results thereof, etc.; substituting for another student to take an exam.

c. **Plagiarism:** the use of any other person's work (such work need not be copyrighted) and the unacknowledged incorporation of that work in one's own work offered in fulfillment of academic requirements. Plagiarism includes the use and incorporation, without acknowledgement, of the wording or expressions (even if paraphrased), information, facts, arguments, analysis, or ideas of another.

d. **Misrepresentation:** submitting in fulfillment of academic requirements, if contrary to course regulations, any work previously presented, submitted, or used in any other course; submitting as one's own, in fulfillment of academic requirements, any theme, report, term paper, essay, or other written work; any speech or other oral presentation; any painting, drawing, sculpture, musical composition or performance, or other aesthetic work; any computer program; any scientific experiment, laboratory work, project, protocol, or the results thereof, etc., prepared totally or in part by another.

e. **Fabrication:** falsifying records including grades, laboratory results, or other data associated with a course for oneself or any other person.

2. **In-Course Disruptive Activity and Academically Disruptive Activity:** Academic misconduct includes **in-course disruptive activity** and **academically disruptive activity**. In-course disruptive activity is action by a student in course or lab session(s) and/or in any university-sanctioned study sessions, tutoring and PASS sessions, etc., that inhibits instruction in-class or online and that interferes with facilitation of course materials in-class or online. Academically disruptive activity includes physical or electronic tampering with instructor-produced or student-produced course material in-class or online and, further, includes any action by a student that physically or electronically interferes with, or tampers with, student research, such as that pertaining to capstones, projects, theses, dissertations, and university-related research. Academically disruptive activity also comprises of any actions aimed at copying, stealing, or compromising instructors and students' electronic data or intellectual property relative to academic and research activity at the University. Any in-course disruptive or academically disruptive activity perceived by instructors or students as threatening should be reported to UAH Police and the UAH Provost Office immediately. Note that in-course disruptive activity or academically disruptive activity differs from the more general, non-academically related behaviors defined in the UAH Code of Student Conduct policy.

3. **Coercive Activity:** Academic misconduct includes **coercive activity**, including *quid pro quo* (this for that), by a student that seeks to positively or negatively affect student grades relative to any coursework, student coursework loads, or student work--or instructors' review of that work--relative to capstones, projects, theses and/or dissertations. Coercion occurs when a student puts pressure on another student, instructor, or staff member to act in a particular way, or attempts to do so, with the intention of gaining an academic advantage. Examples include, but are not limited to, using intimidation or favors to have others complete work, threats designed to have an instructor change a grade or assign a higher grade, or attempts to bribe an instructor or student to gain academic advantage. Any coercive activity perceived by instructors or students as threatening should be reported to UAH Police immediately. Any coercive activity perceived as sexual harassment should be reported to the Title IX Coordinator (see UAH Title IX explanation).

B. Sanctions for Academic Misconduct
Sanctions for academic misconduct are intended to be developmental, educational, preventative, or restorative. Academic sanctions range from verbal reprimand and assignment grade-reduction, dismissal from an academic program, to suspension and/or expulsion from the University. A student found guilty of academic misconduct a second time may face suspension or expulsion from the University. Suspension requires a minimum of one academic semester, after which a student may appeal for reinstatement. For any student facing academic misconduct charges in her/his final semester, the awarding of a degree may be contingent on the resolution of the case.

C. Course Withdrawal in Cases of Academic Misconduct
When an accusation of academic misconduct is made prior to the course withdrawal date for the semester of the course in which academic misconduct has occurred, the student will not be allowed to withdraw from this course until the academic misconduct resolution process is complete. If it is determined that the student did not engage in academic misconduct, then the student will be allowed to withdraw from that course even if the drop period has expired. If the student does not respond within ten business days to notifications of accusation of academic misconduct from the accusing instructors, then a hold will be placed on the student's university transactions. If the student does not respond to a notice of the accusation before the end of the semester in which the alleged academic misconduct occurred, then the instructor will assign a grade of "F to the student.

D. Records of Academic Misconduct
In order to maintain confidentiality, the name, A-number, academic department and college of any student who admits to, or is found guilty of, academic misconduct shall be forwarded to the Office of Academic Affairs together with a brief description of the offense and the penalty imposed. The records in Academic Affairs will serve as a central repository for tracking of repeat offenses by a student. In cases that involve suspension as a sanction, the Office of the Registrar will be notified immediately of the suspension and a hold will be placed on the student's record to prevent further enrollment. In cases of successful appeals, the record and all supporting documentation shall be removed from the student's file after one semester. All documents removed will be destroyed.

E. Burden of Proof in Misconduct Procedures
The "preponderance of the evidence" standard is used in all academic misconduct cases. This means that one must prove that it is more likely than not that the accused student committed the misconduct for which she or he is accused.

Procedures

Cases of academic misconduct shall be resolved by instructors or by academic misconduct monitors appointed by the deans of each college. The instructor for the course in which the alleged incident occurred, and/or an academic misconduct monitor will determine based on "preponderance of the evidence" standard whether an academic sanction is appropriate.

~~Cases of academic misconduct shall be resolved by instructors, students, and other members of the university community. These members are determined by the type of academic misconduct alleged. The instructors, students, and other members of the university community will determine based on "preponderance of the evidence" standard whether an academic sanction is appropriate.~~

1. **Reporting and Facilitating Cases of Academic Dishonesty**
   Academic misconduct cases shall be resolved by each college in which the alleged incident took place. Faculty members possess the well-established prerogative to deal with academic misconduct committed by a student in a course by applying an academic penalty within the context of that course. Faculty members may also at their discretion report a case of academic misconduct to an academic misconduct monitor within each college. The academic misconduct monitor will be a tenured faculty member at the rank of Associate Professor or above, appointed by the dean of the college, with the concurrence of the faculty of the college. The academic misconduct monitor will determine whether an academic sanction is appropriate and what academic sanction shall be assessed. ~~These shall be resolved by the instructor for the course in which academic dishonesty occurred, or, upon student appeal, by the department chair or dean or dean's designee of the academic college in which the alleged misconduct took place.~~ Documentation of the incident must be kept on file for a period of four years. Documentation will be kept with either the instructor, department chair, academic misconduct monitor, or dean of the academic college, determined by where the resolution took place. For any student who admits to or is found guilty of academic misconduct, the record of the academic misconduct must be sent to the Office of Academic Affairs as stated in D. Records of Academic Misconduct. Students and instructors may appeal the department chair's decision, the academic misconduct monitor's decision, and/or the dean's decision. Appeals of the department chair's decision or the academic misconduct monitor's decision may be made to the dean. ~~-~~Appeals of a dean's decision will be heard by the Associate Provost in the Office of Academic Affairs, who will conclude the case with her/his decision.

a. **Members of the University Community Reporting Academic Dishonesty**

i. **Instructors** may report academic dishonesty pertaining to a student in her/his course or under her/his supervision to the academic misconduct monitor for the college. Upon suspicion, using the evidentiary standard of "preponderance of the evidence" that academic dishonesty has occurred, the course instructor must report suspicion to both the student and her/his department chair within ten ~~five~~ business days. If a report cannot be filed within ten ~~five~~ business days, there must be an explanation for the delay. The delay does not imply that there has not been a case of academic dishonesty. The report must be in a written format and contain the student name, date of alleged infraction, and type of alleged infraction. This report will be sent to the student, the chair of the department within which the course is offered and, at the discretion of the instructor, to the academic misconduct monitor.

~~i. both the student and the chair of the department within which the course is offered.~~

ii. Any member of the university community, including students, may report academic dishonesty. Upon suspicion of academic dishonesty and using "preponderance of the evidence standard," a member of the university community must report her/his concern to the instructor~~s~~ of the relevant course in which academic dishonesty took place, or to the chair of the department within which the course is offered, within ten ~~five~~ business days. The report must contain the name of the student alleged to have committed academic dishonesty, date of alleged infraction, type of alleged infraction and the name of the individual who is reporting the suspicion of academic dishonesty. This report will be provided to the instructor of the relevant course and must be treated confidentially to avoid reprisal toward the reporting party. The instructor then will contact the chair of the department within which the course is offered. At the discretion of the instructor, the report may be forwarded to the academic misconduct monitor for that college.

~~iii.~~

b. **Facilitating Cases of Academic Dishonesty**

i. Instructors possess the prerogative to address academic dishonesty committed by a student in a course by applying an academic sanction within the context of that course ~~and~~

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~~in agreement with the accused student~~. The alleged academic misconduct by the student may also be reported to the academic misconduct monitor within the college in which the course is offered. Using the "preponderance of the evidence" standard, the instructor must report suspicion that academic misconduct has occurred to the student as soon as reasonably possible, but not more than five business days. The instructor will meet with the student, explain their suspicion, share any evidence of misconduct in the instructor's possession, and hear the student's response. Based on the student's response, the instructor will determine whether an academic sanction is appropriate and what academic sanction shall be assessed. The instructor must inform the student of the academic sanction within five business days after meeting with the student. The instructor will produce a brief written document that includes the student's name, the infraction, and the terms of resolution. The instructor will send the document to the chair of the department within which the course is offered as a record of the resolution. The chair will keep a copy of the document and send copies to the academic misconduct monitor, dean and Office of Academic Affairs.

ii. If the student wishes to dispute the charge or the academic sanction, then the student may file a written appeal by contacting the department chair within five ~~three~~ business days of receiving notice of the academic sanction. Upon request from the department chair, the instructor must explain the case, the charge, the evidence, the proposed academic sanction, and a response to the student's appeal via letter within five business days. Within ten business days of receiving the appeal materials, the department chair will examine the case to determine whether the charge of academic dishonesty and/or the academic sanction holds or whether a new academic sanction, or no academic sanction, shall be assessed. The department chair will notify the student and the instructor of the decision and send copies of the decision to the academic misconduct monitor, dean and the Office of Academic Affairs.

iii. If the student or instructor wishes to dispute the determination of the department chair, then she/he must file a written appeal by contacting the academic misconduct monitor ~~dean~~ of the college within five ~~three~~ business days of receiving the department chair's letter. Upon request from the- academic misconduct monitor~~dean~~, the department

chair must provide to the academic misconduct monitor ~~dean~~ all information and materials regarding the case and a response to the appeal within five business days. ~~.~~ Within ten business days of receipt of the case, the academic misconduct monitor ~~dean or dean's designee~~ will examine the case to determine whether the charge of academic dishonesty and/or the academic sanction holds or whether a new academic sanction, or no academic sanction, shall be assessed. The academic misconduct monitor ~~dean~~ will notify the student, instructor, and department chair of the decision and send a copy of the decision to the Office of Academic Affairs.

iv. If the student or instructor wishes to dispute the decision of the~~-~~ academic misconduct monitor~~dean~~, she/he must file a written appeal to the dean of the college ~~Associate Provost within the Office of Academic Affairs~~ within five ~~three~~ business days of receiving the academic misconduct monitor's~~dean's~~ decision. Upon request from the dean~~Associate Provost~~, the academic misconduct monitor ~~dean~~ must provide the ~~Associate Provost~~dean with all information and materials regarding the case and a response to the appeal within five business days. Within ten business days of receiving the appeal, the ~~Associate Provost~~dean will determine the outcome of the case, including any academic or other sanctions. If the student is a graduate student, the dean of the college in which the alleged incident occurred ~~the Associate Provost~~ will consult with the Graduate School dean prior to making a decision.

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v. If the student or instructor wishes to dispute the decision of the dean, she/he must file a written appeal to the Associate Provost within the Office of Academic Affairs within five business days of receiving the dean's decision. Upon request from the Associate Provost, the dean must provide the Associate Provost with all information and materials regarding the case and a response to the appeal. Within ten business days of receiving the appeal, the Associate Provost will determine the outcome of the case, including any academic or other sanctions. If the student is a graduate student, the Associate Provost will consult with the Graduate School dean prior to making a decision. The decision made by the Associate Provost is final.

~~**iv.** The decision made by the Associate Provost is final.~~

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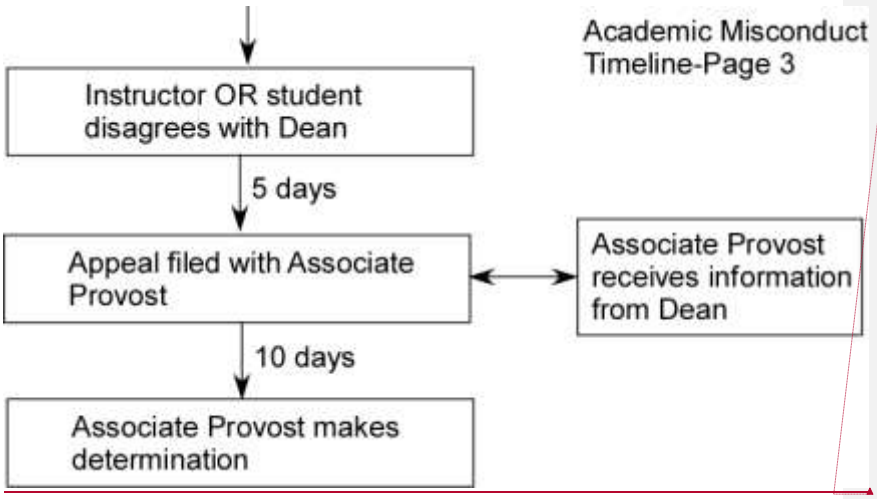
~~v.~~vi. If a student is **charged with academic dishonesty in an online learning course**, then the aforementioned procedures must be facilitated via telephone (conference call) or online visual communication (such as Zoom, SKYPE or FACETIME). Before proceeding via teleconference or video conference, the student's identification must be verified by members of the university community facilitating the case. Materials concerning the case, including evidence against the student, should be distributed electronically to all parties. The procedures should continue, otherwise, as with on-campus students.

vii. Cases that involve fabrication or falsification of student academic records (e.g., fraudulently changing one's own grades or the grades of others, unlawful access to accounts, hacking into University record systems, etc.) or that involved multiple courses, shall be reported directly the Office of Academic Affairs. The Office of Academic Affairs will conduct the investigation and administer appropriate sanctions.



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~~vi.~~

2. **Reporting and Facilitating Cases of Disruptive or Coercive Academic Misconduct**

   a. **Members of the University Community Reporting Disruptive or Coercive Academic Misconduct**

      i. Instructors may report academic misconduct of a coercive or disruptive nature pertaining to a student in her/his course or

under her/his supervision. Upon suspicion that disruptive or coercive academic misconduct has occurred the course instructor must report suspicion to both the student and her/his department chair within five business days. The report must contain the student name, date(s) of alleged behavior, type of alleged behavior, and the name of the individual reporting the behavior. This report will be provided to the chair of the department within which the course is offered.

ii. **Any member of the university community, including students,** may report disruptive or coercive academic misconduct. Upon suspicion of such academic misconduct, a member of the university community must report her/his concern to the instructor of the relevant course in which disruptive or coercive academic misconduct took place, or to the chair of the department within which the course is offered, with five business days. The report must contain the student's name, date(s) of alleged behavior, type of alleged behavior, and the name of the individual reporting the behavior. This report will be provided to the instructor of the relevant course. The instructor, then, will contact the chair of the department within which the course is offered. The report must be treated confidentially to avoid reprisal toward the reporting party.

b. Threatening Disruptive or Coercive Behavior

i. If an instructor thinks that a student's disruptive or coercive behavior poses a threat to the instructor, to other students, or to the disruptive student, and then she/he must report this behavior immediately to UAH Police, adhering to the Behavior Evaluation Threat Assessment (BETA) Policy.

c. Facilitating Cases of Disruptive or Coercive Academic Misconduct

i. Instructors possess the prerogative to address disruptive or coercive academic misconduct committed by a student in a course in an unofficial manner. After meeting with the student to attempt resolution, instructors may elect to apply a sanction within the context of that course.

~~i.and with the agreement of the accused student.~~

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ii. If informal resolution is not achieved or if the student persists in the disruptive or coercive behavior, instructors shall report the behavior to the chair of the department within which the course is offered and through which the student is registered

(in the case of cross-listed courses). A conference will be held within ten business days between the student, instructor~~s~~, and chair in order to resolve the case. The instructor and/or the student may wish to solicit testimony from other students in the course in which misconduct is alleged. Academic sanctions may be suggested by either the instructor or department chair. The department chair will determine whether misconduct has occurred and contact both instructor and student within three business days. When the department chair issues a determination, the instructor will produce a brief report of the charge and the conference, including clarification on any academic sanctions. The instructor, department chair, and student must sign this report. ~~Resolution of the case requires instructors and student agreement in the form of each person's signature on the report.~~ The report will be sent to the department who will send copies of the document to the dean of the college and the Office of Academic Affairs.

1. If the student or instructor wishes to dispute the determination of the department chair, then she/he must file a written appeal by contacting the dean of the college within three business days of receiving the department chair's letter. Upon request from the dean, the department chair must provide to the dean all information and materials regarding the case and a response to the appeal. Within ten business days of receiving the report, the dean/associate dean will hold a conference with the instructor and the student. The dean/associate dean will determine whether academic misconduct has occurred and contact the instructor, student, and department chair within three business days. The dean/associate dean may choose to keep the original report, amend the previous report, or produce her/his own new report on the case of academic misconduct. ~~Resolution of the case requires instructors and student agreement in the form of each person's signature on the report .~~ The dean must report the resolution and send documentation to the Office of Academic Affairs.

2. If the student or instructor wishes to dispute the decision of the dean, she/he must file a written appeal to the Associate Provost within the Office of Academic Affairs within three business days of receiving the dean's decision. Upon request from the Associate

Provost, the dean must provide the Associate Provost with all information and materials regarding the case and a response to the appeal. Within a period determined by the Associate Provost, she/he will determine the outcome of the case, including any academic or other sanctions. The decision of the Associate Provost is final.

iii. If a student is charged with in-course disruptive academic misconduct in a distance learning course, then the aforementioned procedures must be facilitated via telephone (conference call) or online visual communication (such as Zoom, SKYPE or FACETIME). Before proceeding via teleconference or video, the student's identification should be verified by members of the university community facilitating the case. Materials concerning the case, including evidence against the student, should be distributed electronically to all parties. The procedures should continue, otherwise, as with on-campus students.

iv. If the instructor does not feel the student an immediate threat to other students, but, nevertheless, requests that the student be removed permanently from in-course activity because of disruptive or coercive behavior, then the case will be referred immediately to the Associate Provost in the Office of Academic Affairs. A student may appeal the decision to remove her/him from in-course activity by submitting a letter of appeal to the Associate Provost.

v. Due to the gravity of **coercive academic misconduct** and due to the potential for cross-course and extra-course disruption, cases of academically coercive or disruptive activity that require a student to be removed from the classroom or occur in multiple instances will be facilitated at the level of the Associate Provost and the Office of Academic Affairs.

1. The Associate Provost will convene a panel to resolve cases of coercive or academically disruptive academic misconduct. The panel will consist of a person designated by the Vice President for Student Affairs, a person designated by the Provost (not the official convening the panel), one student (appointed by the President of the SGA), and one course instructor (appointed by the President of the Faculty Senate or by the Provost Office in the case of

lecturers); both the student and the instructor will come from the college holding jurisdiction for resolving the alleged misconduct if it is possible to find such people who have no prior connection with the case. In cases involving graduate students, the instructors and student members of the appeal panel should hold graduate faculty or graduate student status, respectively. The person designated by the Provost will serve as hearing administrator and will coordinate and preside at all meetings conducted to resolve the academic misconduct appeal. The hearing by a panel is an administrative hearing and the proceedings will be informal rather than those used in courts of law. The panel may admit any evidence, which is of probative value in determining the issues, subject to the panel's judgment as to the relevance, credibility, and weight of the evidence. The panel may ask the parties to produce evidence on specific issues, may examine witnesses, and may call and examine its own witnesses.

Both the student and the instructor have the right to be advised during the proceedings. The advisor may assist in the preparation of any written presentation of their respective cases. The faculty member and the charged student may choose one advisor to be present at the hearing. The faculty member and the student may choose any university or non-university person as his/her own advisor or may select, at his or her own expense, an attorney to serve as his/her advisor. The advisor or attorney cannot present statements, arguments, or question witnesses or participate directly in the panel hearing. If the advisor disregards the rule of not speaking and decides to speak at the hearing, the administrator will ask the advisor to leave the proceedings.

2. Each party will have the right to question and cross-examine all opposing witnesses. The panel will review each of the issues raised in the appeal and make recommendations in writing to the Associate Provost. Recommendations contrary to the student's position must be supported by the votes of at least three of the four panel members. The Associate Provost will issue a decision on each issue within the appeal and give written notice to the student, the course instructor, the

dean/associate dean, the Vice President for Student Affairs and the panel.

3. If the student is found responsible and wishes to appeal the panel's decision, she/he may do so in writing to the Provost or her/his designee within 10 business days of receipt of the findings. The decision of the Provost is final.

3. Student Rights for Conferences, Meetings, and Hearings Pertaining to Academic Misconduct Cases

a. The student is not required to make any statement at all regarding the matter under investigation.

b. The student may make a voluntary statement if she/he chooses.

c. The student has a right to present any evidence, supporting witnesses, and other information to support her or his case.

d. The student has the right to request a delay in order to seek the advice or to allow the presence of an advisor.

Review This policy will be reviewed by the Office of Academic Affairs every five years or sooner if needed.

Approval

_____ _____
Campus Designee Date

_____ _____
University Counsel Date

_____ _____
Provost and Executive Vice President for Academic Affairs Date

APPROVED:

_____ _____

President Date