

## Student Grievance Policy - Academic

### A. Informal Procedure

1. Alleged infractions of the Code of Student/Faculty Academic Integrity & Responsibility may be handled informally through discussion of the matter with the student or faculty member involved.
2. The Associate Dean for Academic and Student Affairs shall be requested to act as an intermediary in the informal discussion.
  - a. by the accusing party if he/she wishes to bypass the above discussion.
  - b. by either party if the discussion in A. 1. is not resolved to the satisfaction of both parties.
3. Time Limits. The part of the informal procedure involving the Associate Dean for Academic and Student Affairs must begin within seven (7) days (excluding weekends and holidays) of the discovery of the alleged violation.

### B. Formal Procedure

If informal discussions prove to be unsatisfactory, either party may request that the Associate Dean for Academic and Student Affairs begin formal proceedings to resolve the matter.

The formal procedure is initiated when either party makes an official request to the Associate Dean for Academic & Student Affairs within five days (exclusive of weekends and holidays) of the informal meeting. Student requests for the formal procedure must be made in writing and should outline the basic allegations being made. Faculty requests for the formal procedure must be made by completing a "Notice of Charges and Plea Response" form that can be obtained from the Office of the Associate Dean for Academic and Student Affairs. Upon receipt of the "Notice of Charges and Plea Response" form, the student will have five days (exclusive of weekends and holidays) to respond.

Formal Hearings will be held before the USC Lancaster Academic Honor Code Council. The Council shall consist of three USCL faculty representatives (one from each Academic Division), a USC Lancaster staff representative, and a USCL Student representative. Members will serve for a term of one academic year, including summer sessions. Staff and student representatives (and alternates) are administratively appointed by the Dean of the USCL Campus, upon recommendation by the Associate Dean for Academic & Student Affairs and the Assistant Dean of Students, where appropriate.

### RULES GOVERNING FORMAL HEARINGS

1. When a student chooses an option of a formal administrative hearing, or when a case is referred to a hearing, the Office of Academic and Student Affairs shall set a date and place for a hearing and notify those charged, the Council, and relevant participants as to the scheduling of the hearing.
2. The Associate Dean for Academic & Student Affairs will provide each party with the names of faculty, staff, and student representatives to the Academic Honor Code Council. Each party shall have the right to exclude any member of the Council in the event of a

conflict of interest. In such cases, the alternate member will serve for the duration of the hearing.

3. The Academic Honor Code Council is charged with hearing and reviewing cases involving USC Lancaster students charged with violations of the Code of Student/Faculty Academic Integrity & Responsibility and will recommend sanctions based on USC and USCL policies and procedures.
4. Hearings shall be considered closed and confidential. All statements, information, or comments given during hearings shall be held in strictest confidence by Council members, University staff, witnesses, advisors, and observers before, during, and after deliberation in keeping with relevant law and policy. Video, audio, stenographic, or photographic recording of hearing proceedings are prohibited, except as authorized by University policy.
5. If any material facts are in dispute, testimony of witnesses and other evidence shall be heard. Each party is responsible for securing the presence and participation of witnesses relevant to its case.
6. A party charged with a violation is responsible for presenting his/her own case. Advisors are not permitted to speak or to participate directly in any hearing.
7. Prior to the first convening of the hearing, the Academic Honor Code Council will select one member to serve as Chair for the hearing. Any member of the hearing Committee may require the Committee to go into private session to discuss and decide a matter by majority vote. The Chair can recess the hearing at any time.
8. The party(ies) charged with a violation(s) and the Council members shall have the right, within reasonable time limits set by the Chair, to present questions for witnesses who testify orally. The Chair may require that questions by the charged party(ies) be addressed to Council members who can ask these questions of the witnesses.
9. All hearings shall be conducted in an informal manner and technical rules of evidence will not be applied. Witnesses (except for the charged party or parties) shall be present during a hearing only during the time they are testifying.
10. If the charged student chooses not to attend the formal hearing, that student may be considered as having waived his/her right to represent themselves in the hearing, and the Council may proceed with the hearing and reach decisions and impose sanctions without the student's participation.
11. An audio recording of the hearing shall be kept by the Office of Academic & Student Affairs until any appeal has been concluded, or ninety (90) days from the date of the hearing, whichever is longer. No typed record shall be required. The charged party(ies) and advisor shall have the right, upon request, to listen to the recording in the presence of a staff member from the Office of Academic and Student Affairs . The charged student

or student organization representative may request a duplicate copy of the recording at his/her/its own expense within a period of ninety (90) days from the date of the hearing.

#### DELIBERATION AND DECISIONS OF THE COUNCIL

1. After hearing the evidence, the Council may choose to continue the hearing at a later date if additional evidence or witnesses are needed.
2. After all information has been presented and the charged party has made a final statement, the Council shall meet in private to discuss the case, reach its decision, and if appropriate, recommend a sanction.
3. The Council must render its decision within six hours of actual deliberation time, which may be spread over a period of one week, unless additional time is approved unanimously by the Council.
4. Decisions must be by majority vote, with the Chair voting only in the event of a tie. If the student(s) is(are) found guilty of violating the Code of Faculty/Student Academic Integrity & Responsibility, the Council may request any information concerning any past disciplinary record(s) of the student(s) in determining an appropriate sanction(s). The decision will result in a “hung” council if no majority vote for either principal may be obtained within the time limits outlined above.
5. Within three days of reaching its decision, the hearing Chair will submit its written decision (and, if appropriate, recommendations for sanction) to the Associate Dean for Academic & Student Affairs.
6. Within 24 hours of receiving the Council’s decision and recommendations, the Associate Dean for Academic & Student Affairs will send a written notification of the Council’s decision and sanctions to both principals and to the Dean of the Campus. The notice will include relevant information regarding the right to appeal and appeal procedures.

#### RECOMMENDATIONS FOR SANCTIONS

Each faculty member retains the right and authority to determine the appropriate “in class” sanction for students violating the Code of Faculty/Student Academic Integrity & Responsibility.

In addition to any sanctions imposed by the professor, the Council may recommend that the Associate Dean for Academic & Student Affairs impose the following disciplinary sanctions upon students found responsible for a violation of the Code of Faculty/Student Academic Integrity & Responsibility.

All sanctions may be imposed either singularly or in combination. The purposes of imposing sanctions are twofold: one, to protect the University community from behavior which is detrimental to the community and/or the educational mission of the University; and two, to assist

students in identifying acceptable parameters and consequences of future behavior. The sanction(s) imposed is (are) intended to correspond with the severity or frequency of violations, as well as the student's willingness to recommit himself or herself to good citizenship through behaviors that fall within the guidelines of the Carolinian Creed:

**Expulsion:** Dismissal from the University without the ability to apply for re-admittance.

**Suspension:** Denial of enrollment, attendance, and other privileges at the University for a specified period of time. Permission to apply for re-admission upon termination of the period may be granted with or without conditions or restrictions. Students may be required to complete a period of disciplinary probation upon their return to the University. **NOTE:** Any student suspended or expelled for disciplinary reasons must vacate the campus within the period of time noted in the notice of suspension. The student may not return to campus or University property during the term of the suspension without prior written permission by the Associate Dean for Academic & Student Affairs or designee.

**Conduct Probation:** A period of review and observation during which a student is under an official warning that subsequent violations of University rules, regulations, or policies are likely to result in a more severe sanction including suspension or expulsion from the University. While on conduct probation, a student may be considered to be "not in good standing" and may face specific limitations on his or her behavior and/or University privileges (see Conditions/Restrictions).

**Conditions/Restrictions:** Limitations upon a student's behavior and/or University privileges for a period of time, or an active obligation to complete a specified activity. This sanction may include, but is not limited to: restricted access to the campus or parts of campus, denial of the right to represent the University in any way, denial of parking privileges, required attendance at a workshop, or participation in public service.

**Written Warning:** An official reprimand that makes the misconduct a matter of record in University files. Any further misconduct could result in further disciplinary action.

#### APPEALS – Office of the Dean

1. Decisions of the Associate Dean for Academic & Student Affairs or designee, or from a formal University Hearing, may be appealed to the Dean of the Campus by a student found guilty of violating the Code. The reasons for an appeal are limited to the following:

The Associate Dean or Academic Honor Code Council committed a procedural error in hearing the case which significantly prejudiced the findings; or,

New evidence, which could not have been available at the time of the hearing, and which is material to the outcome of the case, is available.

2. An appeal to the Dean of the Campus must be made in writing within five (5) University business days of receipt of the original written decision. A decision is assumed to be received three (3) University business days from the date of mailing. On appeal the Dean or designee shall review the appeal.
3. After review, the Dean or designee may either:  
affirm the finding(s) of the original hearing authority, in which case the decision is final;  
or  
remand the case to the original hearing authority, in which case the decision is final; or  
  
may remand the case to the original hearing authority for further proceedings with directives to attend to procedural errors or new evidence.
4. In extraordinary circumstances, the Dean or designee may direct a new hearing before the Associate Dean or the Academic Honor Code Council. All deadlines expressed in any section are subject to change if exigent circumstances exist.
5. The Dean or designee shall send written notification of the decision regarding the appeal to the appealing party within fifteen (15) University business days of receiving the appeal barring special circumstances requiring an extension of this time limit. A copy of the decision will be sent to the original hearing authority.
6. Decisions of the Dean may be appealed in writing within five (5) University business days to the Vice Provost for Regional Campuses. The decision of the Vice Provost in all appellate matters is the final decision for the University. However, the President of the University has the discretionary authority to review decisions at the Vice Provost level or below, and the Board of Trustees has the discretionary authority to review decisions of the President.

Such review of disciplinary decisions will take place only in extraordinary cases, such as where serious procedural issues seem to have occurred or where the decision appears to be in direct violation of University policy.

7. Requests for such review normally will be considered only after the prescribed avenues of appeal have been completed.

Requests shall be made by written statement that includes the facts of the case, the type of hearing and appeal and the reasons justifying extraordinary review. Such requests must be filed in the Office of the President within five (5) University business days of the receipt of the appeal decision.

If review is granted, the reviewing authority will determine appropriate procedures. New evidence will not normally be considered.