MINUTES
Faculty Senate Academic Affairs
May 2, 2006, 3:30 p.m.
K-State Union, Room 204

Present: Couvelha, Dodd, Fairchild, Higgins, Martin, Stewart, Trussell
Absent: Collins, Erickson, Lehew, Sachs, Stokes, Thompson
Visitors: Jackie Spears and Monty Nielsen

1. Alice Trussell, Chair, call the meeting to order at 3:35 p.m.

2. The April 18, 2006 minutes were approved as amended.

3. Announcements
   ● Fairchild brought up the university-wide honors program. He expressed concern about the program and the fact that no sufficient curriculum is available. Trussell reported that his colleagues on campus have also expressed similar concerns.

   ● New faculty senator orientation as well as the faculty senate meeting will be May 9th.

4. Investigation and Adjudication Procedures for Honor System – Jackie Spears – Attachment 1
   Spears gave some background information on the Honor System. It was developed in the late 1990s and its by-laws and constitution had approval from Faculty Senate. It came to light last year that the wording in the university handbook, student handbook, and on the website was different. Senator Spears, as president of Faculty Senate at the time, was requested to review this issue. She formed an ad hoc committee that included members of Faculty Senate, Student Senate, the Honor Council and Honor System staff. They worked together to amend the constitution so the by-laws would be converted to a set of investigation and adjudication procedures. These would be reviewed by Faculty Senate every five years beginning in 2005 with the provision that interim changes could be made. The ad hoc committee reconvened this past semester to make other modifications to the constitution.

   The document presented at this meeting reflects the changes made by the ad hoc committee that now need Faculty Senate approval. These changes include wording to indicate the Provost will also be involved in the approval process of changes to the Honor System constitution; under section B. Reporting Honor Pledge Violations, it is strongly urging faculty to report honor pledge violations, however, it is not mandatory; also there are changes involving the confidentiality during proceedings of a hearing as well as the appeals process.

   Trussell reported that Gunile DeVault, Registrar’s office, voiced concern that a student could possibly drop a class for which they’re being accused of an honor violation and it would never be noted on their record. It was suggested that a student’s account could be frozen if an honor system violation is brought against them. A lengthy discussion continued on freezing a student’s account or freezing it in the sense that the student would have to remain in the course until a decision was made. It was noted this course of action could have a major affect on a student’s academic future and also a student may not wish to continue in the course once a decision has been made. Dodd offered several editorial suggestions which Spears will take back with her. Committee members decided no action should be taken on this item today, but that the issues highlighted should be discussed with David Allen, Director of the Honor System Director, first. Spears will visit with him and hopefully bring this document back for a vote at our next meeting on May 16th.

5. Course and Curriculum Changes - none

6. Committee Reports
   A. University Library Committee – Alice Trussell
      The Library committee recently met with Provost Nellis. They are trying to get a financial commitment from him to make sure the library has the necessary resources to function properly.
   B. Committee on Academic Policy and Procedures (CAPP) – Alice Trussell
Their next meeting will be May 10th.

C. Student Senate – Gavin Couvelha

Student Senate had their last meeting this past Thursday and they will start back up in the fall semester. One item of business they will be working on over the summer is structuring and providing a mission to their newly formed University Relations committee, which was a combining of two different student senate committees.

D. Laser Steering Committee – Robert Stokes (Nielsen)

Nielsen reported that the committee met this month. The K-State LASER project is moving to Oracle People Soft Campus Solutions. Sometime between May 15th and June 30th a group of consultants will be coming to meet with functional personnel on campus and they will then make recommendations regarding several items including resources needed to go live with this system.

E. University General Education Council – Judy Collins

No report.

F. General Education committee – Melody Lehew

No report.

7. Election of Academic Affairs Committee Chair

A nomination was previously made for Fred Fairchild to chair the Academic Affairs committee for 2006-2007. A motion was made by Dodd and seconded by Stewart to close nominations. Motion passed. Fred Fairchild was voted as the new Chair of Academic Affairs for 2006-2007.

8. For the good of the university

Trussell commended all committee members for their hard work during this academic year and gave a brief review of all the items Academic Affairs has had input on over the year. The first day attendance policy was passed, Academic Definitions were passed, changes to Graduation Scholastic Honors were passed, an amended enrollment cap was passed, the provost created a committee to review general education at K-State in which Melody Lehew has been a volunteer, the university assessment survey committee completed their work and turned their report and revised surveys in to the Provost, faculty rights in the classroom were discussed and the provost reaffirmed the integrity of the status of the faculty member and he will continue to work to insure that information about faculty resources are fully communicated to all faculty members and GTA’s, the academic climate in the student union was addressed and are continuing to be worked on, both the Honor System and University Honors Program have been discussed, the LASER project has been given support by the Academic Affairs committee and a pre-requisite fast track form was created to help with this endeavor, the policy on certificate programs has been passed and will be voted on at our next faculty senate meeting, also the approval, routing and notification committee has been formed. Only one more member from classified personnel is needed. Members of the committee are as follows: Kelli Cox as Chair, Charlotte Pfaff, Karen Pence, Carol Shanklin, and Loren Wilson. The committee has not convened yet for its first meeting, but a letter has been sent out to members giving them their charge. They will revise, update and replace the existing policy; they will examine the option for a tiered approach to processing changes according to complexity; they will design web-based forms through which information can be entered; they will create a flow chart illustrating all steps that are required to complete a process; and they will ensure all procedures will meet requirements set forth in the Kansas Board of Regents Policy and Procedures manual.

Stewart, on behalf of the committee, sincerely thanked Trussell for her dedication in leading the Academic Affairs committee this year.

9. The meeting was adjourned at 4:50 p.m.
Background

At its June 14, 2005 meeting Faculty Senate approved changes to Article X of the Honor System Constitution, changing the title “BYLAW REVISIONS” to “INVESTIGATION AND ADJUDICATION PROCEDURES” and setting forth a process by which these procedures would be reviewed at five year intervals beginning in 2005.

During the past semester an ad hoc committee convened by Past President Spears has been working to convert the bylaws to a set of investigation and adjudication procedures. The committee consisted of representatives from Faculty Senate, Student Senate, and the Honor Council as well as Honor System staff. Under the old Honor System Constitution, changes to the bylaws needed to be approved only by the Honor Council. Helene Marcoux, Associate Director of the Honor System, compiled a document detailing the changes made to the bylaws since 1999. However, it was not a simple matter to move from the format used in the bylaws to a format that would be user friendly. Consequently, the decision was made to start with a fresh document, incorporate as much of the bylaws that still applied, and update the remaining material to reflect current practice.

This document is being considered by the Honor Council and will eventually need to be approved by both Student Senate and Faculty Senate.

Proposed Action

We are looking for Faculty Senate approval of the proposed “Investigation and Adjudication Procedures.” Upon approval by both Faculty Senate and Student Senate, this document will be posted to the Honor System website. Changes can be made by a 2/3 vote of the Honor Council and approval by the Provost. These changes will be incorporated into the annual report prepared by the Honor System staff and submitted to Faculty Senate every fall. In 2010 and at subsequent five-year intervals thereafter, interim changes made to the document are to be approved by Faculty Senate and Student Senate.
HONOR SYSTEM

INVESTIGATION AND ADJUDICATION PROCEDURES
(Formerly Honor System Bylaws)

Kansas State University has an Honor System based on personal integrity, which is presumed to be sufficient assurance in academic matters that one's work is performed honestly and without unauthorized assistance. All full and part-time students enrolled in undergraduate and graduate courses on-campus, off-campus, and via distance learning, by registration in those courses, acknowledge the jurisdiction of the Honor System.

A. Purpose

The Investigation and Adjudication Procedures have been developed for the purpose of administering the Kansas State University Honor System. As set out in Article X of the Honor System Constitution, the Investigation and Adjudication Procedures were approved by the Honor Council, Student Senate, and Faculty Senate in 2006 and are subsequently subject to periodic review by those three governance bodies at 5 year intervals beginning in 2010. Interim revisions to the Investigation and Adjudication Procedures may be made upon approval by a 2/3 vote of the Honor Council and upon approval by the Provost. The Investigation and Adjudication Procedures must be posted at the Honor System website (http://www.k-state.edu/honor) and updated regularly.

B. Reporting Honor Pledge Violations

Faculty and students report violations of the Honor Pledge to the Honor System Director by filling out the Honor System Violation Report form available at http://www.k-state.edu/honor/faculty/reportform.html. When the report is made by a student, the Director will consult with the faculty member who is the instructor of the course about filing an Honor Pledge Violation Report.

Faculty members are urged to report the alleged violation to the Office of the Honor System when:

a. the faculty member alleges a violation and imposes an academic sanction, (An academic sanction is any action that would lower a student’s grade on an assignment.)

or b. the faculty member alleges a violation and requests an investigation. The case investigation concludes once a decision has been made as to whether there is sufficient information to proceed to the adjudication stage.

Faculty members who allege an Honor Pledge violation need not report an alleged violation to the Office of the Honor System when:

a. a faculty member alleges a violation and issues a warning but imposes no academic sanction;

or b. a faculty member alleges a violation, issues a warning, provides the student an opportunity to correct the transgression, but imposes no academic sanction;

or c. a faculty member alleges a violation, issues a warning, provides an
opportunity for the student to redo the assignment or take the exam again, but imposes no academic sanction.

Honor Pledge Violation reports shall be submitted to the Honor System Director within twenty (20) class days of the violation or of the discovery of the violation. In certain situations, it is acceptable for a verbal notification to be given within the notification period. This situation might occur when a faculty member is conducting an internal investigation. A written report must follow the verbal report within a reasonable amount of time.

Faculty members have two options for filing an Honor Pledge Violation Report. Option One allows the faculty member to conduct her/his own investigation and identify the specific sanction for the violation. In this situation, Alleged Violators may contest only the allegation. If they do so, the case is turned over to the Honor System for investigation and adjudication. Option Two allows the faculty member to turn the case directly over to the Honor System for investigation and adjudication. The faculty member may recommend a sanction. Alleged Violators may contest the allegation and propose an alternate sanction during the adjudication phase, but the Honor System Hearing Panel makes the final determination of the sanction.

Once a report has been filed by the faculty member, hereafter referred to as the Faculty Reporter, the Director notifies the Alleged Violator(s) of the allegation, of the right to review the Violation report, and of the right to contest the allegation. The Faculty Reporter and the Alleged Violator are encouraged to resolve the issue prior to proceeding to the investigation process. If the issue is resolved to the satisfaction of the Alleged Violator and the Faculty Reporter, a report of the agreed upon resolution is filed with the Office of the Honor System. If the matter is not resolved to the satisfaction of both the Faculty Reporter and the Alleged Violator, the Director initiates a case investigation.

C. Investigating Honor Pledge Violations

When the Director initiates a case investigation, the Associate Director appoints a member of the Honor Council or the Honesty & Integrity Peer Educators (HIPE) to serve as an Advisor to the Alleged Violator during the investigation and adjudication process, if the violation proceeds to adjudication. The Alleged Violator may at any time appoint someone else to serve as his/her Advisor, by notifying the Director.

The Faculty Reporter may, in consultation with the Director, withdraw the allegation at any time during the investigation process. Such withdrawal will cause the investigation to be terminated. In the event that a report is withdrawn, the Director shall ensure that all documentation is sealed and retained in the Office of the Honor System.

The Director appoints two members of the Honor Council (one faculty and one student) to serve as Case Investigators. If the Alleged Violator is a graduate student, the student Case Investigator is a graduate student and the faculty Case Investigator is a member of the Graduate Faculty.

The Director arranges for the Case Investigators to meet separately with the Faculty Reporter and the Alleged Violator to review the Violation Report and other relevant information to determine if it appears an Honor Pledge violation has occurred. If needed, the Director arranges a meeting between the Case Investigators and any witness(es) as part of the investigative process.

During the course of the investigation the Alleged Violator is advised not to contact the Faculty Reporter to discuss aspects of the case. In the same manner, the Faculty Reporter is advised not to discuss the case with the Alleged Violator. Normal academic contact is permitted, however. In the event that the Director feels the need to protect the Faculty Reporter, Alleged Violator, or any
witnesses involved in the investigation, the Director may take appropriate steps to protect the integrity of the process.

The Case Investigators submit a report to the Director that concludes whether there IS or IS NOT sufficient information to proceed to an adjudication hearing. If the Case Investigators conclude that there IS NOT sufficient information to proceed to a hearing, the Director notifies the Alleged Violator and the Faculty Reporter that no further action will be taken. The records are sealed and retained in the Office of the Honor System. If the Case Investigators conclude that there IS sufficient information to proceed to a hearing, the Director informs the Alleged Violator and the Faculty Reporter and appoints an Honor Council Hearing Panel.

D. Adjudicating Honor Pledge Violations

When an Honor Pledge violation has proceeded to the adjudication stage, the Director appoints a panel of six members drawn from the membership of the Honor Council. Each panel consists of five voting members and one non-voting chairperson. If the Alleged Violator is a graduate student, student members of the hearing panel are graduate students and faculty members are members of the Graduate Faculty. The Director appoints the chair, alternating in successive cases between a faculty member and a student member of the Honor Council. Voting membership of hearing panels consists of three students and two faculty members.

Hearing panels are normally convened within ten class days of the conclusion of the investigation. During the summer as well as January, May and August Intersessions, the Director may postpone Honor Council hearings until the beginning of the subsequent fall or spring semester. Those notified of the date, time, and place of the hearing are the Alleged Violator and the HIPE Advisor, the Faculty Reporter, the Case Investigators, and any witnesses.

In preparation for the hearing, the Director prepares copies of all necessary documentation required by the Hearing Panelists, Faculty Reporter, and/or Alleged Violator. A copy of the Case Investigation Report and supporting documentation will be made available to the Alleged Violator and Faculty Reporter at least three (3) class days prior to the hearing date. The Alleged Violator will sign a record of notification acknowledging that he/she received the information and will honor expectations of confidentiality.

Alleged violations filed under this policy are confidential and should not be disclosed to anyone who does not have a need to know. The University cannot guarantee absolute confidentiality because the University is obligated to investigate complaints. Supervisors and administrators are obligated to keep complaints confidential and protect the privacy of all parties to the extent possible consistent with preventing future acts of academic dishonesty, providing a remedy to persons injured and allowing Alleged Violators to reply to a complaint if any disciplinary action is anticipated. Alleged Violators as well as student witnesses are similarly bound by this expectation of confidentiality. Complaint information may be disclosed to state or federal anti-discrimination agencies for investigations and during litigation.

At the hearing, the Alleged Violator represents himself/herself. During the hearing, the Alleged Violator may consult as necessary with his/her Advisor. Voluntary failure by the Alleged Violator to appear before the Hearing Panel neither halts nor interrupts the proceedings.

The Director prepares the hearing panel script to be followed during the hearing. The script includes a specific sequence for introducing information by each of the involved parties. The Faculty Reporter, Alleged Violator, and Case Investigators are to inform the Director of any witnesses to be introduced
during the hearing at least 3 class days prior to the scheduled hearing. The script is read by the Hearing Panel Chair.

The Hearing Panel Chair accepts for consideration all information that reasonable persons would accept as having evidentiary value during hearing panel proceedings. Character witnesses and personal references are not permitted. Formal rules of evidence are not applied.

Whether an Honor Pledge Violation occurred is determined by a simple majority of the five voting members on the Hearing Panel.

The decision of the Honor Council Hearing Panel is reported to the Director, who then notifies in writing the Alleged Violator, Faculty Reporter, the Faculty Reporter’s Department Chair or Head, and (in the event there is a sanction of XF) the Dean of the Faculty Reporter’s and Violator’s College of the Hearing Panel’s decision. In a case involving a graduate student the Director will notify the above individuals as well as the Dean of the Graduate School and the student’s Graduate Program Coordinator. If the hearing Panel determines that a violation of the Honor Pledge occurred, it imposes or upholds the appropriate sanction.

All hearings are recorded and kept as part of the permanent record of the adjudication procedures. Records are confidential and subject to applicable privacy laws. Records are made available to authorized parties upon the determination of the Director.

E. Sanctions

The standard sanction for an Honor Pledge violation shall be the assignment of an XF on the student’s transcript. The XF denotes failure in the course due to academic dishonesty – an Honor Pledge violation. If a sanction includes an XF, the Director shall contact the Registrar’s office and authorize the grade of XF when:

- the Violator does not contest the allegation, or
- the case has been adjudicated, the hearing panel has issued a sanction, and the Violator chooses not to appeal the Hearing Panel’s decision, or
- the time period for contesting the violation has expired and the Violator has failed to contact the Director.

When the appeals process is initiated immediately following the hearing, the Director shall postpone the grade change until such time as the appeals process is resolved.

If a sanction includes the requirement that the Violator complete the Development and Integrity course, described at the Honor System web site <ksu.edu/honor>, the Faculty Reporter records an Incomplete for the course grade. If the Violator fails to successfully complete the Development and Integrity course in two semesters, then the Associate Director authorizes the Registrar to change the Incomplete to an XF. If the Violator successfully completes the Development and Integrity course, then the Associate Director contacts the Faculty Reporter who then replaces the Incomplete with the final grade earned in the course.

The Hearing Panel may deviate from the XF grade sanction and consider any of the following sanctions for violations of the Honor Pledge:
• A failing grade for the assignment in connection with which the violation of the Honor Pledge occurred
• A requirement to complete the Development and Integrity course prior to receiving a final grade in the class in which the Honor Pledge violation occurred
• Recommendation to the Provost that the student be suspended from the University
• Recommendation to the Provost that the student be expelled from the University
• Other appropriate educational sanction such as community service

In the event that an Honor Pledge Violation report cannot be resolved prior to the end of a semester, the Faculty Reporter records an Incomplete until such time as the alleged violation is resolved. The Honor System Director will make every effort to resolve these conflicts prior to the end of the semester but does have the right to postpone the Investigation and Adjudication process during Intersessions and summer semesters.

F. Appeal of a Hearing Panel Decision

Appeals are to be based on procedural irregularities or substantial new information. Appeals based on procedural irregularities must be presented in writing to the Director within 15 days of an Honor Council Hearing Panel decision. Appeals based on substantial new information must be presented in writing to the Director within one year from the date of an Honor Council Hearing Panel decision. The Director determines whether an appeal based on substantial new information or procedural irregularities might have impacted the investigation or adjudication procedure. Following this determination, the Director may:

1. reconvene the Hearing Panel to hear new information, or
2. appoint a new Hearing Panel and conduct a new hearing, or
3. appoint new Case Investigators and a new Hearing Panel, or
4. take such other action as the Director feels appropriate.

The Director then notifies the Faculty Reporter and Alleged Violator in writing of the decision and the process to be followed.

G. Conflict of Interest

Members of the Honor Council involved in the investigation or adjudication procedures of a case will immediately notify the Director of any conflicts of interest. The Director may remove an Honor Council member from the investigation and adjudication process if sufficient information exists to support a conflict of interest.