

DEPARTMENT OF ENGLISH

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MEMORANDUM

MAY 4 1976

*Office
of the Provost*

April 30, 1976

TO: George Matthews, Chairman of the Senate Steering Committee

FROM: Helen Schwartz, Chairman of the Senate Academic Conduct
Committee (ACC)

SUBJECT: Year-end report of the ACC

MEMBERS: Members serving on the committee this year have been:

Faculty: Nancy Barry (appointed January 1976 to replace
E. Stone, but not scheduled for any hearing)
Esther Goudsmit
Vincent Khapoya
Mildred Merz
Steven Miller, alternate
Helen Schwartz, chair
Eugene Stone (on leave)

Students: Gary Foster
John Shacklett, resigned April 1976
Joe Thomas, replacement for J. Shacklett
Julia Watkins, alternate

Representatives of Vice President for Student Affairs:
Margaret Chapa
Lorn Coleman
Manuel Pierson
Ron Keevern (5/3/76)

MEETINGS: The Committee has scheduled fourteen cases in the course of the year (to date). On the average, each case required ~~to~~ to three hours for the hearing and deliberations.

In business meetings, the committee dealt with four main items of business. First, we requested from the Senate Steering Committee a clarification of our charge so that it is now clear that we have authority only in cases brought against students.

Second, with input from Student Congress Ombudsperson Bruce Stone and from the Senate Steering Committee, we revised the report of last year's sub-committee to provide Guidelines for Instructors (recorded for the information of the Senate in the Agenda for April 15, 1976 and to be distributed next Fall semester to all Instructors).

Third, we authorized and set the charge for an ACC sub-committee to review and suggest desirable revisions in the current procedures for handling cases of academic misconduct. The sub-committee, chaired by Carl Osthaus, also includes Harvey Smith, Ed Liddle, Robert Edgerton and Julia Watkins. The sub-committee has surveyed faculty and student opinion on this topic at Oakland, has reviewed systems in effect at other schools, and is drafting a proposal for an extensively revised procedure. The draft is currently being reviewed by a university lawyer for feasibility. I expect the subcommittee will be ready to present this proposal, now in its final stages, to the ACC in Fall 1976.

Fourth, the committee clarified policy concerning procedure at hearings, deciding:

- 1) If a quorum of the committee is present, the hearing will begin, and if an additional member arrives after the opening formalities have been concluded he/she may not sit in on the hearing.
- 2) Every hearing must be scheduled with at least one representative who has been appointed from the faculty, by the Student Congress and by the Vice President for Student Affairs. However, the hearing may begin as soon as there is a quorum, regardless of representation of the members present.
- 3) The committee will recommend to the sponsoring body (Senate, Student Congress or V.P. for Student Affairs) the removal of any member who misses, without notification to the office of Student Services, three hearings for which he/she has confirmed plans to attend.
- 4) Should a member be forced to leave the deliberations before a decision has been reached, the member can call for a vote before leaving. If there is no consensus, the vote of the member will not count, but all his/her input will be considered. In the event of no quorum, the hearing will be adjourned.

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- 5) Should a question arise during the hearing, ^{which cannot be answered then} the committee shall determine the necessity of the information and, if necessary, shall adjourn until such time as the information is available.

I wish to record formally my thanks to the people who have served to carry out the charge of the ACC this year--the members of the committee, of the sub-committee and Dean Pierson's staff who have rendered administrative assistance to the committee.

COMMENTS: Within the restrictions of current procedures, the committee has faithfully done its work. But my experience chairing the Committee this year leads me to believe that certain changes are important if the Committee is to carry out its charge more effectively.

First, Dean Pierson has recommended that the designee of the V.P. for Student Affairs who initially interviews the student charged with misconduct should not be the administrative designee who sits in on the hearing. At first, I ruled that Dean Pierson, when possible, should continue in both roles since he performed both functions admirably without jeopardizing the confidentiality of the students involved. However, on two occasions, when Ms. Chapa and Mr. Coleman served in lieu of Mr. Pierson on the Committee, no problems arose with the separation of functions. Therefore, I recommend a policy of regularly separating the interviewing and judicial function of the administrative personnel serving on the Committee. However, since continuity in membership is important in individual cases to assess penalties in line with previous penalties, I would also recommend that one person designated by the V.P. for Student Affairs should serve on the Committee consistently.

Second, since my chairmanship ends with this academic year, before the Osthaus sub-committee report is formally presented to the ACC, I would like to comment on the problems which the Committee faces under its current rules of procedure, problems which the Osthaus sub-committee report addresses in a draft which I have seen.

1. The procedures encourage a legalistic approach which several students have commented seemed inhumane.
2. The procedure is cumbersome, and, therefore, I suspect, not often used. On two occasions this year, professors have ^{said} that other colleagues suspected cheating by the students being charged, but since no official charge had been made previous to the case in question, such suspicion was ruled out of order.
3. The responsibility for investigating evidence is ill-defined. The Committee has attempted to handle this problem by issuing in advance to students and faculty a list of information useful in answering possible questions of the Committee (copy attached). Nevertheless, the hearing itself sometimes generates

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new questions, which as in a case brought by Professor Evans, only developed after the close of the hearing. By the Senate's rules concerning appeals, the faculty member bringing a charge cannot bring an appeal. If the instructor and student handled the case and brought it to the ACC only in cases of dispute, I believe the issues and investigative questions would be defined before the hearing and could be investigated adequately.

HJS:mmk

Enclosure

cc: Members of the ACC
Carl Osthaus

OAKLAND UNIVERSITY

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Rochester, Michigan 48063

DEPARTMENT OF ENGLISH

MAY 5 1976

Area 313 377-2250

May 3, 1976

*Office
of the Provost*

Dear George,

I wish to make an addition to the annual report for the Academic Conduct Committee. I inadvertently left Harvey Smith's name off the list of faculty members. Please add.

Thank you.

Sincerely,

Helen
Helen Schwartz