

West Virginia University at Parkersburg Board of Governors

POLICY D-47
STUDENT ACADEMIC RIGHTS AND RESPONSIBILITIES

Section 1. General.

1.1. Scope. Policy regarding academic rights and responsibilities of students at West Virginia University at Parkersburg.

1.2. Authority. [W. Va. Code §18B-1-6](#); [§18B-2A-4](#)

1.3. Effective Date. September 19, 2023
(Transferred from WVU Board of Governors Policy 15)
(Replaces version dated December 15, 2006)

1.4 Purpose: The purpose of this policy is to identify and define certain academic rights and responsibilities of students at West Virginia University Parkersburg, as well as certain processes and procedures related thereto. For information relating to student disciplinary or behavioral matters, see West Virginia University Parkersburg Board of Governors Policy No. [D-46](#), "Code of Student Conduct." For information relating to failure to withdraw from a class, failure to meet deadline for payment of fees, registration procedures, or failure to meet deadline for application to graduate, contact the Vice President of Academic Affairs office.

1.5 Nondiscrimination Notice: West Virginia University Parkersburg is an Equal Opportunity/nondiscriminatory institution. Auxiliary aids and services are available upon request to individuals with disabilities. West Virginia University Parkersburg will take steps to assure that a lack of English language skills will not be a barrier to admission and participation in career and technical education programs.

Section 2. Definitions

2.1 "Student" means any person who has been admitted to West Virginia University Parkersburg to pursue a course of study, who is currently engaged in an institutionally sponsored activity, and who has some right or privilege to be on the campus or in the facilities of the institution, or to use the same, in connection with study, or who yet has some right or privilege to receive some benefit or recognition or certification from the institution, under rules, regulations, or policies of the West Virginia University Parkersburg Board of Governors or the institution.

2.2 "Cheating" includes, but is not limited to: (1) giving or receiving of any unauthorized assistance in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition or use, without permission, of tests or other academic material belonging to a member of the Institution's faculty or staff; or (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

2.3 "Plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

Section 3. Academic Rights

- 3.1 Each student shall be graded or have his/her performance evaluated solely upon performance in the course work as measured against academic standards. The student shall not be evaluated prejudicially, capriciously, or arbitrarily. The student shall not be graded nor shall his/her performance be evaluated on the basis of his/her race, sex, age, disability, veteran status, religion, sexual orientation, color, or national origin.
 - 3.1.1 Each student has the right to have any academic penalty imposed upon him/her in accordance with this policy; and to have such action reviewed as further described herein.
 - 3.1.2 Each student shall have access to a copy (available online or in print) of the college catalog or program brochure in which current academic program requirements are described (e.g., required courses, total credit requirements, time in residence requirements, special program requirements, minimum grade point average, probation standards, professional standards, etc).
 - 3.1.3 Each student has the right to receive from the instructor written descriptions of content and requirements for any course in which he/she is enrolled (e.g., attendance expectations, special requirements, laboratory requirements including time, field trips and costs, grading standards and procedures, professional standards, etc.).

Section 4. Academic Responsibilities

- 4.1 A student, by voluntarily accepting admission to the institution or enrolling in a class or course of study offered by the institution, accepts the academic requirements and criteria of the institution. It is the student's responsibility to fulfill course work and degree or certificate requirements and to know and meet criteria for satisfactory academic progress and completion of the program.
- 4.2 A student is subject to any applicable penalties for failure to comply with the academic requirements and standards promulgated by the institution and/or its constituent academic units. Students are expected to adhere to these academic standards in all academic settings, classrooms, laboratories, clinics and any other activities which are part of academic requirements.

Section 5. Academic Penalties

- 5.1 A student who fails to meet the academic requirements or standards referenced above, including, but not limited to, course, program or graduation criteria, and the prohibition against academic dishonesty (such as, cheating and plagiarism), may be subject to one or more of the following academic penalties:
 - 5.1.1 A lower grade or failure of the course, or exclusion from further participation in the class, any or all of which may be imposed by the instructor.
 - 5.1.2 Denial of admission into a program within the institution.
 - 5.1.3 Academic probation, which consists of a written reprimand for failure to meet specified requirements or standards. Academic probation is for a designated period of time and includes the probability of more severe penalties if the student fails to meet any requirements or standards during the probationary period.
 - 5.1.4 Academic suspension, which consists of the separation of the student from the program or college for a definite period of time not to exceed one year, after which the student is eligible to return. Conditions for readmission may be specified by the Vice President for Academic Affairs.

- 5.1.5 Academic dismissal or expulsion, which is defined as termination of student status, including any right or privilege to receive some benefit or recognition or certification. A student may be dismissed or expelled from a limited enrollment program and remain eligible to enroll in courses in other programs at the institution, or a student may be dismissed or expelled from the institution and not remain eligible to enroll in other courses or programs at the institution.

Section 6. Academic Hearing Procedures

- 6.1 The instructor, Dean, or other individual responsible for the imposition of a penalty (hereinafter, "Responsible Party"), as the case may be, shall give written notice to the student (1) of his/her failure to meet or maintain an academic standard, (2) of the methods, if any, by which the student may correct the failure, and (3) of the penalty which the instructor, dean, or institution may impose therefor.
- 6.2 If the Responsible Party imposes a penalty, he or she shall inform the student thereof by written notice. Within 30 days of receipt of such notice, the student may request, in a writing submitted to the Vice President for Academic Affairs, a meeting with "Responsible Party" to discuss the information forming the basis therefor.
- 6.3 If the matter is not or cannot be mutually resolved at the above-referenced meeting, the student may request, in a writing submitted to the Vice President for Academic Affairs within 30 days of the meeting, a formal hearing on the matter before a Hearing Panel, as further described herein. The Vice President for Academic Affairs shall set a time for such hearing not fewer than five nor more than 15 calendar days after receipt of the student's written request for a hearing. The Vice President for Academic Affairs may extend the maximum time limits for scheduling a hearing where adherence to such limits would be impracticable.
- 6.4 Hearings shall be conducted in private except as otherwise authorized by the Vice President for Academic Affairs. The Responsible Party, the student, and their respective advisors, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberation). Admission of any other person to the hearing is at the discretion of the Hearing Panel and/or the Vice President for Academic Affairs.
- 6.5 The Responsible Party and the student shall each have the right to bring, at his or her own expense, an advisor to the hearing. Except as otherwise expressly set forth herein, the advisor must be a member of the college community. Both the Responsible Party and the student are individually responsible for presenting their own cases and, except as otherwise expressly set forth herein, advisors are not permitted to speak or to participate directly in any hearing before a Hearing Panel. In cases where the Responsible Party is seeking or is likely to seek academic dismissal or expulsion in connection with charges of academic dishonesty, the advisor may be an attorney who may directly participate in the hearing, provided the student or the student's attorney notify the Vice President for Academic Affairs of the attorney's anticipated participation at least two weekdays in advance of the hearing.
- 6.6 The Responsible Party, the student, and the Hearing Panel may arrange for witnesses to present pertinent information to the Hearing Panel. The Responsible Party, the student, and the Hearing Panel may each question the witnesses or parties to the hearing. The hearing will be conducted in a format identified by the chairperson of the Hearing Panel. The chairperson of the Hearing Panel has the authority to decide any questions regarding relevancy or admissibility that may arise during the hearing.
- 6.7 After the hearing, the Hearing Panel shall determine, by majority vote, whether the student has failed to meet the requirements or standards at issue, and whether the penalty or penalties imposed are warranted as a consequence thereof.

- 6.8 There shall be a single record, such as a tape recording or summary notes, of all hearings before a Hearing Panel (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the college. Access thereto shall be provided only in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. 1232g), and in accordance with any other applicable terms set forth by the Vice President for Academic Affairs.

Section 7. Academic Hearing Committee and Panels

- 7.1 All academic hearings shall be heard by a Hearing Panel, composed of two faculty members and one student, selected from the membership of the Academic Committee, as further described below.
- 7.1.1 The Academic Committee, consisting of five faculty members and five students, is named each year, as follows:
- a. The Faculty Senate shall nominate 10 faculty members to serve on the Academic Committee and forward those nominations to the Vice President for Academic Affairs at the start of each Fall Semester.
 - b. Student Government shall nominate 10 students to serve on the Academic Committee and forward those nominations to the Vice President for Academic Affairs not later than September 15 of each year.
 - c. The Vice President for Academic Affairs shall select five persons from each list, for a total of 10 members.
- 7.2 Each student nominated for membership on the Academic Committee must meet the following conditions:
- 7.2.1 He/she must have earned 30 or more hours of academic credit at the time of appointment.
- 7.2.2 He/she must have maintained a minimum 3.0 cumulative grade point average or higher.
- 7.2.3 He/she must be available to serve on the Academic Committee at any time in the ensuing year, including all times when classes are not scheduled.
- 7.3 In connection with the assignment of a Hearing Panel, the two parties to the hearing shall have the opportunity to strike names from the Academic Committee, alternating choices with the student striking first. Each remaining member of the Academic Committee shall recuse him/herself if, for any reason, his/her ability to render an unbiased decision is compromised.

Section 8. Academic Appeals

- 8.1 Either the Responsible Party or the student may appeal a decision reached by a Hearing Panel to the President or his/her designee within 30 calendar days of the decision. The appeal shall be in writing and shall be delivered by the appealing party to the Vice President for Academic Affairs or his/her designee, who will deliver the notice of appeal and the hearing records to the President for review.
- 8.2 Except as required to explain the basis of new evidence, an appeal shall be limited to review of the record of the initial hearing and supporting documents for one or more of the following purposes:
- 8.2.1 To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures.
- 8.2.2 To determine whether the decision reached regarding the student was based on substantial evidence.

- 8.2.3 To determine whether the sanction(s) imposed were appropriate for the violation which the student was found to have committed.
 - 8.2.4 To consider new evidence, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such evidence and/or facts were not known to the person appealing at the time of the original hearing.
- 8.3 The President or his /her designee shall deliver his/her decision on the appeal within 30 days of his/her receipt of the appeal, except where adherence to such time period would be impracticable, in which case the President may extend the time period as warranted by the particular circumstances.
- 8.4 If the President or his/her designee upholds an appeal, he/she shall remand the matter to the original Hearing Panel ~~for~~ with instructions to re-open the hearing to allow reconsideration of the original determination and/or sanction(s). If the President or his/her designee does not uphold an appeal, he/she shall issue a determination finding as such and the matter shall be considered final and binding upon all involved.