



**PURDUE**  
UNIVERSITY

**UNIVERSITY**  
**REGULATIONS 2007-08**  
*An Online Reference for Students, Staff and Faculty*



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## Part 5 — Student Conduct

### Section III — Regulations Governing Student Conduct, Disciplinary Proceedings, and Appeals

*(From Vice President and Treasurer Memo A-16. Board of Trustees, April 30, 1970. Revised by the January 9, 1975, July 10, May 31, 1997.)*

#### A. Authority, Application, Amendments

1. **Authority.** These regulations are enacted pursuant to the power and authority conferred by the laws of the state of Indiana upon the Trustees of Purdue University, including without limitation, the power to do all acts necessary and expedient to put and keep Purdue University in operation, and to make all by-laws, rules, and regulations required or proper to conduct and manage the University, as provided in IC 20-12-36-4, and the power and duty to do all acts and things mandated or provided for in IC 20-12-1.
2. **Application.** These regulations, as from time to time amended, shall apply to all undergraduate and graduate students of Purdue University (at the West Lafayette Campus and each regional campus) and shall be deemed a part of the terms and conditions of the admission and enrollment of all students. In case of any conflict or inconsistencies with any other rules, regulations, directives, or policies now existing, these regulations shall govern. They shall be enforced by the president of the University.
3. **Amendments.** These regulations, and any amendments hereto, shall take effect on a date prescribed by the Board of Trustees and shall remain in effect until rescinded or modified by the Board of Trustees. Amendments may be proposed at any time by the Purdue Student Government, Purdue Graduate Student Government, University Senate, administrative staff, or by the Board of Trustees.
4. **Adaptation for Regional Campuses.** The administrative dean for regional campuses is hereby authorized and directed to make and promulgate revisions of these regulations, as applied to the regional campuses, which are necessary because of the different student or faculty organizations or governments existing at the regional campuses. Such revisions shall be effective when approved by the president of the University.
5. **Definitions:**

**University activity** is any teaching, research, service, administrative, or other function, proceeding, ceremony, program, or activity conducted by or under the authority of the University, or with which the University has any official connection, whether taking place on or off campus, including without limitation University cooperative education programs, internships, practicums, field experiences, and athletic or other intercollegiate activities.

**University property** means property owned, controlled, used, or occupied by the University.

**Dean's Office** means the dean of students and any associate, assistant, or other person authorized to act for him/her.

**Administrative action** means the issuance of an oral or written warning, admonition, reprimand, and/or use of counseling procedures.

**Disciplinary penalty** means expulsion, suspension, probated suspension, disciplinary probation, and other educationally sound sanctions.

**Educationally sound sanctions** means sanctions other than disciplinary probation, suspension, probated suspension, or expulsion and are limited to the following:

Restitution — monetary payment for damages and/or theft committed in violation of Section III-B-2(e).

Work assignment — assignment of duties to correct destructive acts or behavior.

Educationally sound sanctions may be proposed in combination with other disciplinary actions.

**Obstruction or disruption of a University activity** means any unlawful or objectionable acts or conduct (1) that seriously threaten the ability of the University to maintain its facilities available for performance of its educational activities, or (2) that are in violation of the reasonable rules and standards of the University designed to protect the academic

community from unlawful conduct, or (3) that present a serious threat to person or property of the academic community. Such phrase shall include, without limitation of the foregoing general definition, the unlawful use of force or violence on or within any buildings or grounds owned, used, occupied, or controlled by the University; using or occupying any such buildings or grounds in violation of lawful rules or regulations of the University, or for the purpose or with the effect of denying or interfering with the lawful use thereof by others; and injuring or harming any person or damaging or destroying the property of the University or the property of others, within such buildings and grounds.

**Disciplinary probation** means a probationary student status imposed for a limited time as a result of an official determination of misconduct. In the event the student is found guilty (under the procedures set forth in these regulations) of subsequent charges of misconduct committed during the period of disciplinary probation, records of such disciplinary probations shall be taken into consideration in determining the disciplinary penalty, if any, to be imposed or the administrative action, if any, to be taken because of such subsequent misconduct.

**Probated suspension** means conditional continuation of student status for a limited and defined period of time. The student is permitted to retain student status upon the condition that the student does not further violate any subsection of Section III-B-2 that would normally result in a disciplinary penalty during the time probated suspension is in effect. If, during the period of probated suspension, the student is found guilty of an additional violation of Section III-B-2 after a hearing, suspension may become immediately effective and may be extended for a longer period of time than the period of probated suspension originally assigned.

**Suspension** means termination of student status for a limited time, generally without grades; however, in cases such as academic dishonesty, a directed grade for a particular course may be appropriate.

**Expulsion** means permanent termination of student status, generally without grades; however, in cases such as academic dishonesty, a directed grade for a particular course may be appropriate.

## B. Student Conduct

1. **General.** Students are expected and required to abide by the laws of the state of Indiana and of the United States and the rules and regulations of Purdue University, to conduct themselves in accordance with accepted standards of social behavior, to respect the rights of others, and to refrain from any conduct that tends to obstruct the work of the University or to be injurious to the welfare of the University. A student who violates these general standards of conduct may be subject to administrative actions (as defined in Section III-A-5). If the violation falls within one of the categories of misconduct listed in Section III-B-2, the student may also be subject to disciplinary penalties (as defined in Section III-A-5). No disciplinary penalty may be imposed except for misconduct covered by one of the categories listed in Section III-B-2.
2. **Misconduct Subject to Disciplinary Penalties.** The following actions constitute misconduct for which students may be subject to administrative action or disciplinary penalties.
  - a. Dishonesty in connection with any University activity. Cheating, plagiarism, or knowingly furnishing false information to the University are examples of dishonesty. The commitment of the acts of cheating, lying, stealing, and deceit in any of their diverse forms (such as the use of ghost-written papers, the use of substitutes for taking examinations, the use of illegal cribs, plagiarism, and copying during examinations) is dishonest and must not be tolerated. Moreover, knowingly to aid and abet, directly or indirectly, other parties in committing dishonest acts is in itself dishonest. (*University Senate Document 72-18, December 15, 1972*).
  - b. Forgery, alteration, or the unauthorized use of University documents, records, or identification.
  - c. Obstruction or disruption of any University activity (as defined in Section III-A-5) or inciting, aiding, or encouraging other persons to engage in such conduct. If substantial obstruction or disruption is threatened or occurs, the president, or his designee, may issue a disciplinary suspension warning. The minimum disciplinary penalty for violation of this subsection during the period of such warning shall be suspension for the remainder of the semester (or summer session) during which the offense occurred and for the next full academic semester and any intervening summer session thereafter. However, a more severe disciplinary penalty may be imposed.
  - d. Physical abuse of any person or conduct that threatens or endangers the health or safety of any other person, whether or not such conduct occurs on University property.
  - e. Theft or attempted theft of, or the unauthorized use or possession of, or the unauthorized exertion of control over, or causing damage to property of any kind belonging to the University, a member of the University community, a campus visitor, or a person or agency participating in a University activity.
  - f. Unauthorized entry or access to, or unauthorized use or occupancy of, any

- University property including without limitation lands, buildings, structures, telecommunications, computer or data processing equipment, programs, systems, or software, or other facilities or services connected with a University activity.
- g. Violation of any University rule governing student organizations, or the use of University property (including the time, place, and manner of meetings or demonstrations on University property), or of any other University rule that is reasonably related to the orderly operation of the University; provided, however, that no disciplinary penalty shall be imposed in any such case unless it is shown that the accused student knew, or, in the exercise of reasonable care, should have known, of the rule in question.
  - h. Use, possession, or distribution of narcotics or dangerous drugs, except as expressly permitted by law.
  - i. Lewd, indecent, or obscene conduct or expression on University property or in connection with a University activity.
  - j. Failure to comply with directions of University officials acting in the performance of their duties.
  - k. Any conduct that substantially threatens or interferes with the maintenance of appropriate order and discipline in the operation of the University, or any conduct on University property or in connection with a University activity that invades the rights of others.
    - l. Violation of the University Antiharassment Policy (see Part 4, Section II).
  - m. The possession or use of alcoholic beverages in or on any University property, unless expressly permitted by University regulations (*University Senate Document 99-9, April 24, 2000*).
  - n. The possession, use, or distribution of any explosives, guns, or other deadly or dangerous weapons reasonably calculated to cause bodily injury on University property or in connection with a University activity unless specifically authorized by the University (*University Senate Document 99-10, April 24, 2000*).
3. **Demonstrations.** Any individual or group activity or conduct, apparently intended to call attention to the participants' point of view on some issues, is not of itself misconduct. Demonstrations that do not involve conduct beyond the scope of constitutionally protected rights of free speech and assembly are, of course, permissible. However, conduct that is otherwise improper cannot be justified merely because it occurs in the context of a demonstration. Demonstrations that involve violations of any subsection of Section III-B-2, will not be permitted. A student will be charged with misconduct for any individual misconduct committed by the student in the course of a demonstration.
  4. **Status During Suspension or Expulsion.** No diploma shall be given and no grades other than directed grades, academic credit, or degree shall be awarded any student who has been expelled or suspended from the University so long as the expulsion or suspension is in effect.
  5. **Status During Disciplinary Proceedings.** Except where summary action is taken as provided in Section III-C-7, the status of a student charged with misconduct shall not be affected pending the final disposition of charges, provided, however, that no diploma shall be given and no grades, academic credit, or degree shall be awarded to a student against whom charges are pending for which a disciplinary penalty may be imposed. The effective date of any disciplinary penalty shall be a date established by the final adjudicating body (the dean's office or the Campus Appeals Board). In case of suspension or expulsion, the student shall not be withdrawn any earlier than the date the notice of charges originated or later than the effective date established by the final adjudicating body.
  6. **Misconduct Subject to Other Penalties.** As provided in Chapter 273 of the 1969 Acts of the Indiana General Assembly, misconduct that constitutes a violation of these rules and regulations may be punished after determination of guilt by the procedures herein provided without regard to whether such misconduct also constitutes an offense under the criminal laws of any state or of the United States or whether such conduct might result in civil liability of the violator to other persons.

### C. Procedures in Student Misconduct Cases

1. **Disciplinary and Administrative Action Proceedings, General**
  - a. The procedures hereby established shall be followed in all cases in which the University institutes disciplinary proceedings or administrative action proceedings against students for violations of the rules of student conduct set forth in Section III-B. These procedures shall not apply to or affect the jurisdiction or procedures established by student organizations, student governments in University residence halls, University residences, or student judicial boards now or hereafter organized under the auspices of the Purdue Student Government, Purdue Graduate Student Government, University Residences, Interfraternity Council, Association for Women Students, or similar organizations.
  - b. Disciplinary proceedings are those proceedings initiated by the issuance of a notice of charges and are governed by the provisions of Section III-C-1 to 7 inclusive. The term disciplinary proceedings does not include administrative action proceedings.
  - c. Administrative action proceedings are informal investigations conducted by the dean's office with a view to possible administrative action. Administrative action may be taken by the dean's office without instituting disciplinary proceedings, and such action shall be final and not subject to further hearing or appeal. A disciplinary penalty may not be imposed without first instituting disciplinary proceedings pursuant to Section III-C-2. If the dean's office confers with the student in the course of administrative action proceedings, no statement made by the student during such conference shall be used against the student in any

disciplinary proceedings that may thereafter be instituted.

2. **Institution of Disciplinary Proceedings**
  - a. Disciplinary proceedings shall be instituted by the dean's office by the issuance of notice of charges.
  - b. The notice of charges (and all other written notices given to students against whom disciplinary proceedings are initiated) shall be delivered by the most effective method to the student's address as it then appears on the official records of the University. The notice shall inform the student of the rule or regulation allegedly violated, also fairly inform the student of the reported circumstances of the alleged violation, and request the student to appear in the dean's office for a hearing on the incident. A copy of these regulations shall accompany each notice of charges. A copy of the notice of charges may be sent to the parent or guardian of the student if the student is dependent as defined in Section 152 of the Internal Revenue Code of 1954.
3. **Failure to Respond to Charges.** If the notice of charges requests the student to appear in the dean's office and the student fails or refuses to appear, the dean's office may, after such investigation as it may deem necessary, dismiss the charges, take administrative action, or impose a disciplinary penalty. If the dean's office takes administrative action, it shall notify the student in writing of such action, and such action shall not be subject to further hearing or appeal. If the dean's office imposes a disciplinary penalty, it shall notify the student, in writing, of such action, and the student may appeal such action to the Campus Appeals Board as provided in Section III-C-6. When it appears necessary to avoid undue hardship or to avoid injustice, the dean's office may extend the time to enable a student to respond to the charges.
4. **Response to Charges**
  - a. If the student appears in response to the notice of charges for the purpose of a hearing of the alleged violation as provided in Section III-C-5, the dean's office shall advise the student as fully as possible of the facts concerning the alleged charges and the names and addresses of witnesses then known to the dean's office. The student also shall be advised that no response is required; that any statement made by the student may be used against the student; that if the student remains silent, that silence will not be taken as an admission against the student; and that the student may advise the dean's office of any witnesses or evidence supporting the student's position. The dean's office also shall advise the student that if any new information is discovered during an investigation subsequent to the hearing, the student will have an opportunity to respond to such information.
  - b. After the hearing with the student and such further investigation as the dean's office deems necessary, the dean's office shall proceed as follows:
    1. If the dean's office determines that the violation alleged is not supported by the evidence, the charges shall be dismissed and the student notified.
    2. If the dean's office is satisfied that the violation occurred as alleged, but that no disciplinary penalty shall be imposed, the dean's office may take administrative action and notify the student. Such action by the dean's office shall be final and not subject to further hearing or appeal.
    3. If the dean's office is satisfied that the violation occurred as alleged and that a disciplinary penalty should be imposed, the dean's office shall so notify the student.
5. **Conduct of Hearing.** Each hearing shall be conducted before one or more members of the dean of students' office staff and, although the hearing is informal in nature, it shall provide the student certain procedural safeguards. The student shall be given the opportunity to hear the evidence against him/her; rebut statements made by witnesses; and present witnesses, evidence, or any relevant information in the student's own behalf. The student also shall be given the opportunity to respond to any new information gathered during an investigation subsequent to the hearing. The dean of students' office has the burden of proving the student guilty of the alleged violation, and the decision of the dean's office shall be based solely on information introduced at the hearing and obtained during subsequent investigations. The finding shall be rendered by the original hearing officer, who shall be present for all testimony and investigations by the dean's office (*University Senate Document 93-8, March 28, 1994*). No person other than the student shall be present during the discussion between the dean's office and the student except by mutual agreement of the dean's office and the student. In cases of alleged sexual assault, the student and the student's accuser are entitled to the same opportunities to have others present during the hearing. Within five days following the conclusion of the hearing and subsequent investigation, the dean's office shall notify the student, in writing, of what action it will take. The decision letter shall contain a finding as to the guilt or innocence of the student and a brief statement of the reasons for the penalty. Any disciplinary penalty imposed or administrative action taken is subject to the provisions of Section III-B-4 of this regulation and any other University rule, regulation, or directive then existing. Both the student and the student's accuser shall be informed of the outcome of any hearing brought alleging a sexual assault.
6. **Appeal of the Dean's Office Decision.** The student may appeal the decision of the dean's office to the Campus Appeals Board. An appeal may be initiated by filing a notice of appeal with the Campus Appeals Board through the dean's office or with the chairperson of the Campus Appeals Board. Such an appeal must be physically received in the Office of the Dean of Students, or by the chairperson of the Campus Appeals Board, within seven days of the date on the letter from the dean's office containing the decision, and the appeal must be personally signed by the student. The dean's office will provide the Campus Appeals Board with a copy of the notice of charges and the decision letter sent to the

student. The University will be represented at the appeal hearing by the dean's office or other appointed representative.

7. **Summary Action.** Summary disciplinary action by way of temporary suspension and exclusion from University property may be taken against a student charged with misconduct without the issuance of a notice of charges and without the procedures prescribed in Section III-C on the following conditions: Summary action shall be taken only by the president of the University or by an authorized vice president of the University, and only after the student shall have been given an opportunity to be heard if such procedure is practical and feasible under the circumstances. Summary action shall be taken only if the president or vice president is satisfied that the continued presence of the student on University property threatens harm to the student or to any other persons or to the property of the University or of others. Whenever summary action is taken under this Section III-C-7, the procedures provided for in Section III-C for hearing and appeal shall be expedited so far as possible in order to shorten the period of summary action.

#### D. The Campus Appeals Board

##### 1. Organization

- a. The Campus Appeals Board shall be established for each campus of the University.

The Campus Appeals Board for the West Lafayette Campus, for each hearing, shall consist of three undergraduate students, one graduate student, two faculty members, and two administrators. The Campus Appeals Board shall be drawn from a pool of 20 members selected in the following manner: eight undergraduate students shall be recommended by the Purdue Student Government and two graduate students shall be recommended by the Purdue Graduate Student Government to the University Senate Nominating Committee. The University Senate will nominate five faculty members for appointment by the president. Five administrative staff members shall be appointed by the president of Purdue University, one of whom shall be designated as chairperson of the Campus Appeals Board. This member will have voting rights only in the event of a tie. From this pool of members, the chairperson of the Campus Appeals Board shall designate the particular members as may be necessary. In exceptional circumstances, additional members may be selected, as stated above, to ease the burden of an unusually large number of appeals. (*University Senate Document 93-8, March 28, 1994*).

- b. The term of office for student members shall be one year. The term of office of the faculty and administrative members shall be for two years beginning on June 1, and ending on May 31, two years later. No member shall serve more than two consecutive terms. If any appointing authority fails to make the initial appointments to the Campus Appeals Board within the time specified, or if at any time the Campus Appeals Board cannot function because of the refusal of any member or members to serve, the president of the University may make appointments, fill vacancies, or take such other action as he/she deems necessary to constitute a Campus Appeals Board for each campus of the University.
- c. The Campus Appeals Board shall elect a vice chairperson and secretary. It shall adopt regulations governing its procedures not inconsistent with these regulations. It shall have only the jurisdiction herein granted.

##### 2. Conduct of Appeal

- a. The Campus Appeals Board may prescribe regulations governing the conduct of the appeal not inconsistent with these regulations. The appeal hearing shall be open to the public or closed as the Campus Appeals Board shall determine. If a hearing is to be open to the public, the Campus Appeals Board may change the place of hearing, and its determination of the place and of the number of advisors and observers that can be conveniently accommodated shall be final. Notice of a change of place shall be given promptly to the student. An official tape recording shall be made of the appeal that shall be kept by the Campus Appeals Board for at least one year.

The student is entitled to be present at the appeal and to be accompanied by advisors of the student's choice. In cases of alleged sexual assault, the student and the student's accuser are entitled to the same opportunities to have others present during the appeals process. The student also may be represented by legal counsel, provided he/she files a statement of such intention, giving the name and address of such counsel to the chairperson or secretary of the Campus Appeals Board at least 48 hours before the time of the hearing. If the University intends to be represented at such hearing by legal counsel, the accused student shall be notified of that in writing at least 72 hours before the time of the hearing. If the student has given such notice and is entitled to be represented by legal counsel, the University also may be represented by legal counsel regardless of any previously expressed intention to the contrary. The student shall have the right to confront and cross-examine witnesses and to present witnesses and evidence in the student's behalf. At the hearing, the burden of proving the student guilty of the alleged violation shall be on the University. The Campus Appeals Board shall consider any evidence relevant to the incident.

- b. The Campus Appeals Board shall decide the appeal and issue its written decision within 10 days after the date of the appeal hearing, except where the president of the University authorizes additional time. The decision of the Campus Appeals Board is the final step in the internal review process. Copies of its decision shall be furnished to the student, the president's office, and the dean's office. Both the student and the student's accuser shall be informed of the outcome of any appeals proceeding brought alleging a sexual assault.

If the decision being appealed found the student guilty and imposed a disciplinary

penalty, the Campus Appeals Board shall have the power:

- To reverse the finding and acquit the student;
- To affirm the finding and the disciplinary penalty proposed by the dean's office;
- To affirm the finding and in cases where a proposed disciplinary penalty is believed inappropriate to the misconduct, to reduce or increase the severity of the disciplinary penalty or to direct that appropriate administrative action be taken by the dean's office in lieu of any disciplinary penalty.

3. **Appeals from the Dean's Office.** The Campus Appeals Board shall hear each case appealed from the dean's office and the procedures to initiate such appeals shall be as provided in Section III-C-6.
4. **Appeals Concerning Student Organizations.** The Campus Appeals Board has jurisdiction to hear and shall hear any appeal made by a student organization that the Office of the Dean of Students refuses to recognize or against which a student organization misconduct penalty of suspension or withdrawal of recognition has been proposed by the Office of the Dean of Students.  
In a case of the dean's office refusal to recognize a student organization, the Campus Appeals Board has the power to uphold or reverse the dean's office decision.  
In a case of an appeal of a proposed student organization misconduct penalty, the Campus Appeals Board has the power:
  - To affirm the finding and penalty proposed;
  - To affirm the finding and change the penalty to any listed in Part 7, Section IX; or
  - To reverse the finding and dismiss the penalty. In any case, the action of the Campus Appeals Board is final.
5. **Appeals from Student Supreme Court.** The Campus Appeals Board shall have discretionary jurisdiction to hear appeals from the Student Supreme Court. In such cases, it may affirm or reverse a decision, and its action shall be final.
6. **Complaints under Bill of Student Rights.** Complaints under Bill of Student Rights. The Campus Appeals Board shall hear complaints from students concerning actions or decisions made by the University that are claimed to violate rights established under the Bill of Student Rights. In such cases, the Campus Appeals Board shall have the power and duty to make findings and recommendations to the president of the University.

**E. Grade Appeals System** (*Approved May 9, 1974, by Board of Trustees. Revised May 11, 1979, and by University Senate Document 05-6, February 20, 2006.*)

1. **Adoption by Faculty.** The faculty of the University at the West Lafayette Campus has adopted the following procedures for grade appeals pursuant to the authority delegated to the faculty. The Board of Trustees hereby approves such procedures for the West Lafayette Campus
2. **General**
  - a. In the academic community, grades are a measure of student achievement toward fulfillment of course objectives. The responsibility for assessing student achievement and assigning grades rests with the faculty, and, except for unusual circumstances, the course grade given is final.
  - b. The grade appeals system affords recourse to a student who has evidence or believes that evidence exists to show that an inappropriate grade has been assigned as a result of prejudice, caprice, or other improper conditions such as mechanical error, or assignment of a grade inconsistent with those assigned other students. Additionally, a student may challenge the reduction of a grade for alleged scholastic dishonesty.
  - c. The only University authorities empowered to change grades are the instructor or, in the ease of teaching assistants, the faculty member in charge of the course in question and the chairman/chairwoman of the University grade Appeals Committee acting in behalf of the school and University grade appeals committees.
  - d. Informal attempts must be made to resolve grade grievances and appeals at the lowest possible level — through the course instructor, through the department head, or through other informal procedures outlined by the college/school and/or department in which the course was taught.
  - e. Graduate students who wish to appeal grades received in regular coursework may do so through the grade appeals system. Cases involving the decisions of graduate examination committees, the acceptance of graduate theses, and the application of professional standards relating to the retention of graduate students shall be handled by procedures authorized by the Graduate Council rather than the grade appeals system.
  - f. When a student initiates a formal grade appeal, he/she should be prepared to state in what way his/her grade assignment was arbitrary, capricious, or otherwise improper. At that time, he/she may seek the assistance of the dean of students, the chairperson of one of the grade appeals committees, or his/her academic advisor.
  - g. In appealing a grade, the burden of proof is on the student, except in the case of alleged academic dishonesty, where the instructor must support the allegation.
3. **College/School Grade Appeals Committees**
  - a. Each of the colleges/schools of Purdue University at the West Lafayette Campus will establish a Grade Appeals Committee to hear grade grievances and appeals that are not resolved informally at a lower level. Each committee will consist of two students (undergraduate or graduate corresponding to the status of the appellant), three members of the instructional faculty, and a non-voting chairperson. The chairperson of the committee will be an assistant or associate dean of the college/school appointed by the dean. The chairperson will be responsible for

assuring adherence to established procedures, convening members for an appeal, and maintaining records. The chairperson has the authority to grant warranted time extension in the appeals process described below.

- b. The regular members and alternates shall be selected in the spring (not later than May 1) to commence serving June 1. No member shall serve more than two consecutive terms. Annually, at the last meeting of the academic year, the eight members for the coming year plus all retiring committee members shall elect (by majority vote) one of the four regular faculty members to act as the new chairperson of the committee.

#### 4. **University Grade Appeals Committee**

- a. A University Grade Appeals Committee, with the authority to hear appeals of school committee decisions, shall be established for the West Lafayette Campus. The University committee shall be responsible to and report to the Faculty Affairs Committee of the University Senate. In all appeal cases, the committee shall consist of two students (undergraduate or graduate to correspond to the status of the appealing student) and four members of the instructional faculty. They shall be selected in the following manner: four undergraduate students nominated by the student body president and confirmed by the Student Senate; four graduate students appointed by the Committee on Student Affairs of the University Senate; and eight faculty members selected by the University Senate. The student members shall be appointed annually. Two of the faculty members of the committee shall be elected annually for a three-year term.
- b. The members shall be selected in the spring (not later than May 1) to start serving on the first day of the following fall semester. No member shall serve more than two consecutive terms. If any appointing authority fails to make the initial appointments to the University Grade Appeals Committee within the specified time, or to fill any vacancy on the panel of members within five days after being notified to do so by the chairperson of the University Grade Appeals Committee, or if at any time the University Grade Appeals Committee cannot function because of refusal of any member to serve, the chairperson of the Faculty Affairs Committee may make appointments, fill vacancies, or take such other actions as he/she deems necessary to constitute a University Grade Appeals Committee.
- c. Annually, at the last University Grade Appeals Committee meeting of the academic year, the members for the coming year plus all retiring committee members shall elect (by majority vote) one of the eight regular faculty members to act as the new non-voting chairperson of the committee.
- d. The University Grade Appeals Committee shall adopt its own hearing proceedings, and establish uniform procedures to be followed by the college/school committees. The chairperson of the University Grade Appeals Committee shall be responsible for insuring that all school grade appeals committees are properly constituted and functional.

#### 5. **Initiating a Grade Appeal**

- a. Prior to initiating a grade appeal, the student is strongly encouraged to resolve the situation with the instructor, department head, or head's designee. The department head is strongly encouraged to facilitate an informal resolution process between the parties.
- b. **Appeal Process.**
  - (1) A student who wishes to initiate a grade appeal must file a written statement of allegations, facts, and circumstances concerning the grade assigned with the chairperson of the Grade Appeals Committee of the college/school in which the course was taken. This must be done within 30 calendar days after the start of the regular semester following the one in which the questioned grade was given.
  - (2) After receipt of the student's written statement, the chairperson will promptly furnish a copy of the statement to the involved instructor who has seven days to make a written response. The chairperson will submit the statement of appeal and any responses to each of the members of the college/school grade appeals committee. Committee members will review the written documents within seven calendar days from the date they are received. If one voting member of the committee rules that the allegations warrant a hearing or are best addressed through a hearing, a hearing will be held; otherwise, the appeal will be denied. With reasonable cause, the chairperson may override the decision not to hear the case.
  - (3) If the appeal is to be heard, the chairperson will promptly give notice of the time, date, and place of the hearing to the parties involved. The hearing will be scheduled not more than 14 calendar days after notice to the student and instructor.
  - (4) The instructor will promptly make all pertinent grading records available to the college/school committee's chairperson. In advance of the hearing, the chairperson may at his/her discretion make available to the student those records (or portions thereof) that he/she judges to be relevant in light of the student's allegations.

#### 6. **Conduct of College/School Grade Appeals Committee Hearing, General**

- a. The hearing shall be closed, unless both parties agree in writing that it be open. The chairperson's determination of the hearing location and the number of individuals that can be conveniently accommodated shall be final. The student and the instructor are both entitled to be accompanied at the hearing by advisors of their choice. Because the hearings are administrative and not judicial in nature, the advisors may not be lawyers. Both parties have the right to present evidence and witnesses in their behalf and to confront and question opposing witnesses.
- b. Under normal circumstances, if the duly notified student complainant does not appear for the hearing the complaint shall be dismissed, the case closed, and these

actions not subject to further hearing or appeal. If, however, a duly notified faculty member does not appear, the hearing will continue on the presumption that there is no desire to challenge evidence or witnesses presented by the student.

- c. An official audio recording shall be made of each hearing and filed by the chairperson of the respective college/school committee for at least one year. The recording will be confidential and used only if further appeal is granted by the University Grade Appeals Committee or under legal compulsion.
  - d. At the conclusion of the hearing, the committee may (by a majority vote of the committee membership) recommend changing the original grade. A written report of the committee's decision shall be sent to both parties and the chairperson of the University Grade Appeals Committee no later than three days after the conclusion of the hearing. Either party may, within six class days of receipt of the decision, file a written notice of intent to request further appeal with the chairperson of the University Grade Appeals Committee. If no such notice is received by the chairperson within the six-day period, the decision shall not be subject to further hearing appeal. If, at that time, the instructor who originally gave the grade is not willing to initiate a recommended change, the chairperson of the University Grade Appeals Committee shall file the directed change with the registrar who shall record the new grade.
  - e. The chairperson of each college/school committee will maintain a written record of all grade appeals heard in the college/school and provide an annual overview of the grade appeals process to the Provost.
- 7. Appeal of a College/School Committee Decision**
- a. Under certain specific circumstances (Sec III-E-7-b) either the student or the instructor may file a request for an appeal of the college/school grade appeals committee decision. If the appeal request is granted, the case will be heard by the University Grade Appeals Committee. The process may be initiated by filing a personally signed notice of appeal with the chairperson of the University Grade Appeals Committee within the six-day limit (Section III-E-6-d). The notice shall be accompanied by a written statement of the alleged procedural irregularities or new evidence, or a substantial enumeration of why the appellant believes the college/school committee decision is erroneous or unfair. Upon request, the respective college/school committee chairperson immediately will transmit the audio recording of the college/school hearing and any other items of evidence presented at the college/school hearing to the chairperson of the University Grade Appeals Committee. The decision of the University Grade Appeals Committee to grant or deny appeals from school committees shall be final.
  - b. If the University Grade Appeals Committee finds, on the basis of the appellant's written statement and other available evidence, that substantial procedural irregularities or inequities existed in the college/school hearing or that substantial new evidence has been uncovered, the University Grade Appeals Committee shall hear the case de novo. Additionally, the committee may, at its discretion, hear appeals from the college/school level, when the appellant's statement substantiates to its satisfaction that the college/school decision may have been erroneous or unfair. If the University Grade Appeals Committee grants an appeal, the chairperson shall promptly give notice to both parties of the time, date, and place of hearing (which shall be held not less than five and, whenever practicable, not more than 10 days after the receipt of such notice), as well as providing them with a copy of the procedures and sequence of events to be followed in conducting the hearing.
- 8. Conduct of University Grade Appeal Committee Hearings, General**
- a. The appeal hearing shall be closed, unless both parties agree in writing for it to be open. The chairperson's determination of the hearing location and the number of individuals that can be conveniently accommodated shall be final. The appellant and opposing parties are both entitled to be accompanied at the hearing by advisors of their choice. Because the hearings are administrative and not judicial in nature, the advisors may not be lawyers. If an appeal is heard on the basis of procedural irregularity or new evidence, both parties have the right to present evidence and witnesses in their behalf and to confront and question opposing witnesses. If, however, the University Grade Appeals Committee elects to hear an appeal on the grounds that the college/school grade appeals committee's decision appears to be erroneous or unfair, it shall not accept additional evidence but shall consider only matters introduced at the college/school hearing. The audio record of the college/school hearing shall be made available for audition by both parties and the members of the University committee. Additionally, the committee may, at its discretion, have a transcript of the college/school hearing prepared. If a transcript is prepared, it will be safeguarded and used in the same fashion as audio records of hearings.
  - b. If a duly notified appellant does not appear for the hearing, the committee may close the case and it will be subject to no further hearing or appeal. If the opposing party (having been duly notified) does not appear, the hearing will continue on the presumption that there is no desire to challenge evidence or witnesses that may be presented.
  - c. An official audio recording shall be made of each hearing and kept by the chairperson of the University committee for at least one year. The recording will be confidential and used only under legal compulsion in civil court proceedings.
  - d. After the University Grade Appeals Committee hears an appeal, it may (by a majority vote of the committee membership) recommend changing the original grade. A written report of the University Grade Appeals Committee's decision shall be sent to both parties no later than 15 days after the conclusion of the hearing. If

the instructor who originally gave the grade is not willing to initiate any recommended grade change, the chairperson of the University Grade Appeals Committee shall file the change with the registrar who shall record the new grade. The University Grade Appeals Committee's decision is final, and shall not be subject to further hearing or appeal.

9. **Other Academic/Grade Appeal Jurisdictions**

- a. Informal boards or committees may be established within academic departments to resolve grade grievances and appeals.
- b. Students involved in cases of alleged academic dishonesty may be subject to disciplinary penalties under Section III-B-2-a of the Regulations Governing Student Conduct, Disciplinary Proceedings, and Appeals.

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