# MIAMI UNIVERSITY ACADEMIC DISHONESTY

# APPEAL of the FINDING or SANCTIONS

# SUBMISSION INSTRUCTIONS

**Graduate Students**

## 1. Grounds for Appeal

In order to appeal the decision in your case, you must submit a written statement outlining the specific grounds under which review is sought and upon which an exception to the original finding or sanction is desired. Requests for appeal will be reviewed based only on one or more of the following grounds:

1. Procedural defect
	1. Procedural defect means that the University’s stated procedures were not followed in the adjudication of the case and that this defect was “sufficiently substantial to have affected the outcome of the case.”
2. New evidence (not available at the time of the hearing)
	1. New evidence is defined as evidence that is “sufficiently substantial to have affected the outcome of the case” and was not available or known at the time of the original hearing.
	2. An appeal on new evidence is not a rehearing of the case or additional review of the evidence presented at the hearing.
	3. An additional explanation of previously heard information or the introduction of a new argument is not considered new evidence. If it is conceivable that the information could have been presented at the time of the hearing, it will not be considered as new evidence.
3. Inappropriate Sanction
	1. Inappropriate sanction is defined as a sanction that does not fit the nature of the offense.
	2. The resultant consequences of a sanction will not be accepted as the rationale for a request for review of the sanction.

## 2. Appeal and Review Process

From the Handbook for Graduate Students and Faculty, Part 1, Section 5, Academic and Research/Creative Activity Integrity

**1.5.E Appeals of the Department Chair/Program Director or Designee’s Finding and Recommendations**

A student found responsible for an act of misconduct in research/creative activity or academic dishonesty by a department chair/program director or designee may appeal the decision in writing to the Graduate School Dean or his or her designee five (5) class days following the student’s receipt of the notice of the findings of the hearing from the department chair/program director or designee. (Note: any reference to class days in this manual includes final exam week.)

1. Appeals may be made on three (3) grounds: (a) procedural defects, (b) new evidence, either or both of which were sufficiently substantial to have affected the outcome of the case, or (c) inappropriate sanction recommended.

2. If the Graduate School Dean or his or her designee concludes there were procedural defects or new evidence was available which was sufficiently substantial to have affected the outcome of the case, the Graduate School Dean or his or her designee will order a new hearing by the department chair/program director or designee. The department chair/program director or designee shall identify a designee to hear the case anew.

3. If the Graduate School Dean or his or her designee concludes the sanction was inappropriate, he or she will impose the appropriate sanction. Otherwise, the Graduate School Dean will impose the sanction from the department chair/program director.

## 3. What to Include in Your Appeal/Request for Review Packet (Required Information)

Your Appeal/Request for Review Packet must include the following:

1. Contact information (name, Miami email address, Banner ID number)
2. Relevant hearing information (date of hearing, name of faculty member and department chair, course, and recommended sanctions)
3. Grounds upon which the appeal/request for review is based, including:
	1. Detailed and supported information for why you believe that your case meets the specific grounds on which you are appealing (e.g., what specific procedures were not followed in your hearing, why the recommended sanction is not appropriate based on the infraction).
	2. Proof of procedural defect or copies or proof of any new evidence that has been discovered since the date of the hearing, including statements from any new witnesses.

The preferred method for submitting your appeal is email.

Please submit all your materials at one time by the deadline specified in your notice of finding letter to Dr. James Oris, Graduate School Dean. Additional materials will not be accepted once the appeal deadline has passed.

In the appeal process, the Dean or his or her designee will review the appeal packet and other materials relevant to the case. The Dean does not conduct an in-person meeting regarding the appeal.

If you have questions about the appeal process for cases of academic dishonesty, please contact the Coordinator for Academic Integrity at academicintegrity@miamioh.edu or 513-529-2284.