

Philosophy Department Guidelines for Reporting and Appealing Academic Misconduct [Long Version]

The Philosophy Department Academic Appeal Process Guidelines will follow the guidelines set forth in the Loyola University Guidelines for Academic Misconduct (<https://catalog.luc.edu/academic-standards-regulations/undergraduate/>)

FOR THE INSTRUCTOR

NOTE: Instructors who wish to file a formal complaint of misconduct against a student AFTER completing the preliminary steps outlined below can access the form by clicking on this link: https://cm.maxient.com/reportingform.php?LoyolaUnivChicago&layout_id=6

Preliminary Steps: Instructor Notification of Student Regarding Suspected Dishonesty

1. **For the instructor:** In the case of suspected plagiarism or illicit AI use, we propose that you base your determination on the *preponderance of evidence*. This means you must determine that it is more likely than not that the student has violated the rules for academic honesty and integrity. **When suspected cheating involves illicit AI use, the list below offers examples of evidence that *could* tip the balance of probabilities. This list is not exhaustive and will change as AI changes.** Further, each of these on its own, and even some taken together, may not indicate academic dishonesty. For instance, some students may simply be better at writing papers than taking tests, which would explain a discrepancy in quality. But when there are several pieces of evidence, a determination of probable illicit AI might be reached.
 - Missing, incorrect, or hallucinated citations
 - Citations to resources not used in class (especially when outside research is not permitted/involved)
 - Jargon or references to ideas from other texts not used in class
 - Significant discrepancy in quality of earlier vs. later student work
 - AI-detector reports flagging content as highly likely to be AI-generated. Results have been found to be highly valid with 20% or more detection rate
 - Student refusal to meet to discuss suspected illicit AI use
 - Student's inability to explain ideas from the assignment

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- Circumstantial evidence: bad attendance, last-minute or late assignment submission, student fails to meet with the instructor about suspicious work, etc.
 - Significant discrepancy between written work and objective tests
2. If either Turnitin, some other AI detector, or your own judgment based on comparisons with past student work, etc., leads you to believe that part of the student's essay is not their own, we advise against automatically imposing a grade of "F." Instead, email the student to inform them about your suspicion of illicit usage and invite them to meet with you to discuss your concerns. Tell them that they have 72 hours to respond to your invitation to arrange a meeting with you within 5 days, if possible. Let the student know that failure to reply to your invitation will be construed as confirmation of your suspicion and that you will penalize the student according to guidelines set forth in the course syllabus and reserve the right to report the student's misconduct to the Dean's office.
 3. Be sure to keep an email record or "paper-trail" of all correspondence between you and the student for evidential purposes.
 4. If the student does not reply, you can move on to assigning the student whatever penalty you have outlined in your syllabus, including assigning a grade of "F" (or no credit) for the assignment. **At this point you can also submit a formal complaint of academic misconduct, which can be accessed by clicking on this link:**
https://cm.maxient.com/reportingform.php?LoyolaUnivChicago&layout_id=6
 5. If the student does agree to meet, we recommend discussing the suspect passage with the student. If the student at this point admits plagiarism or illicit AI-use, their misconduct can be sanctioned as indicated in the syllabus. If the student does not admit to such use, but fails to explain the suspected passage satisfactorily, this can be recorded as evidence of illicit use, which, if the case moves to formal Academic Appeal, will be taken into consideration as important evidence of illicit use. **At this point you can submit a formal complaint of academic misconduct, which can be accessed by clicking on this link:**
https://cm.maxient.com/reportingform.php?LoyolaUnivChicago&layout_id=6
 - Please submit all relevant evidence, including syllabus and email exchanges along with filing your complaint electronically. NOTE: we recommend including a brief description of this process in your syllabus, noting that students who fail to reply to your invitation to discuss your suspicions within 72 hours will be presumed to have engaged in academic dishonesty.

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6. We recommend avoiding deadlines at the very end of term, or, where a term paper requires an end of term due date, ensuring that instructors have some time after the assignment deadline to investigate suspected plagiarism/AI use. This will help avoid a situation in which, for instance, at the end of the spring semester, an instructor determines that academic dishonesty has occurred and gives the student an F. If such a case results in an Academic Appeal, bringing together instructor and student may be more awkward if instructor or student is no longer on campus. However, the Appeals process will still have to continue and be completed within approximately 20 business days. In short: an evolved view of the essay-to-grade process must see it as something that could continue beyond the grading.

SUMMARY OF CAS ACADEMIC APPEAL GUIDELINES (MODIFIED FOR THE PHILOSOPHY DEPARTMENT):

1. If a student chooses to contest a grade finding of academic misconduct, the student's first step is to confer directly with the instructor.
2. If a student and instructor are unable to resolve the issue relating to academic misconduct and the student still chooses to contest the finding, the student may appeal by submitting the [Academic Appeal Form: Finding of Academic Misconduct](#) no later than 30 days into the following semester. The form can be accessed by clicking on this link:

https://cm.maxient.com/reportingform.php?LoyolaUnivChicago&layout_id=100
 - If the dispute occurs within a class in the spring or summer semester, the student must submit the appeal no later than 30 days into the fall semester.
 - If the dispute occurs within a class in the fall or J-term, the student must submit the appeal no later than 30 days into the spring semester.
3. The Philosophy Department Chairperson or a co-Chair of the Department Appeals Committee determines whether there are grounds for an appeal.
4. When the Department Chairperson or Co-Chair of the Department Appeals Committee determines that there are no grounds for an appeal, the student will be notified that a hearing board will not be convened.
 - If the student disagrees with the determination by the Department Chairperson or Co-Chair of the Department Appeals committee, the student may appeal to the appropriate academic Dean. In cases where the student is enrolled in a school other than the one in which the course is taught, the academic Deans of the two schools will review the appeal together.

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- The academic Dean's office will notify the student of the final decision.
4. When the Department Chair or Co-Chair of the Department Appeals Committee determines that there are grounds for appeal, the student will be notified via Loyola email that a hearing board will be convened.
 5. The Philosophy Department Appeals Committee: Committee members are chosen by the Department Chair and will consist of three to five faculty members other than the faculty member involved or Department Chair.
 6. The chairperson of each hearing board will be selected by the Co-Chairs of the Philosophy Department Appeals Committee. Normally, the chairperson who is chosen will be one of the co-chairs. The chairperson of the hearing board sets the calendar, notifies all involved parties of the dates and times of the hearing, and informs both the student and instructor by written notice of the decisions of the hearing board.
 7. The hearing will be held within two weeks of receipt of the request for a hearing, if practicable.
 8. The hearing will be private, and all information will be held confidential. However, a recording of the proceedings upon consent of all parties present can be requested for purposes of any possible future appeal to the Dean's office. This recording will be immediately destroyed unless it is needed for future appeal.
 9. Hearings for overruling a charge of academic misconduct generally proceed according to the following format:
 1. Introduction of all parties present (including witnesses, when applicable) and an overview of the hearing process.
 2. Review the [Student Rights in the Academic Appeal Process form](#) (Students should complete the electronic form in advance of the hearing).
 3. Hearing board chairperson reviews the nature of the alleged conduct and the University policies potentially violated.
 4. Witnesses are excused until statements are needed (if applicable).
 5. Student and Instructor provide a personal account of the reported incident.
 6. Student and Instructor have the opportunity to review all documentation relevant to the case that will be used by the hearing board to make a decision.

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7. Hearing board members ask any remaining investigative questions to the parties present (including witnesses, if applicable).
 8. The Student is provided a final opportunity to make any closing comments.
 9. The Instructor is provided a final opportunity to make any closing comments.
 10. Hearing board chair excuses all parties for deliberation.
 11. The Student and Instructor are notified of the decision and any related outcomes either immediately after deliberation or, when further deliberation is needed, typically within five business days in writing, via Loyola email.
10. Both the student and the faculty member involved may be accompanied by one advisor of their choice throughout the hearing process. The individual must inform the chairperson of the hearing board of the name of the advisor before the hearing date.
- The role of an advisor is to provide a comforting presence for the student and/or instructor. An advisor may only speak to the advisee. An advisor may not ask questions, interject, advocate for, or otherwise speak on behalf of the advisee. Even if an advisor is an attorney, the advisor may not function as legal counsel or “represent” an advisee during the hearing process.
 - If any advisor conducts themselves in a manner inconsistent with these guidelines, or if the advisor’s behavior obstructs or interferes with the hearing process, the advisor will be warned by the board.
 - If the advisor’s interfering behavior continues or if the advisor engages in a manner that harasses, abuses, or intimidates any other participant, the advisor will be excused from the hearing immediately.
11. The student and/or instructor have the option of submitting relevant materials to the hearing board prior to or at the time of the hearing. Individuals in the hearing process have the responsibility of presenting truthful information.
12. The board may address questions to any party.
13. The chairperson of the hearing board determines the hearing processes (e.g. location, order of proceedings, determining what evidence is relevant, determining if additional information is needed, etc.). The standard of evidence required for a board to determine responsibility is known as a “preponderance of the evidence.” This means the board must determine that it is more likely than not that an alleged violation occurred based on the totality of available evidence.

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14. All decisions of the board must be determined by a majority vote of the hearing board members. A final decision must be rendered by the board by the end of the hearing process. All deliberations among the hearing board members are private.
15. The student and instructor will be informed in writing via Loyola email by the chairperson of the board's decision within 10 business days of the hearing. The decision is also shared with the Department Chair and/or Dean's designee.

Should the student or the instructor wish to contest the hearing board's decision, an appeal to the Dean and/or Dean's designee within 30 days of notice of the hearing board's decision may be sent using the [Academic Hearing Board Appeal form](#). This form is the only approved process to submit such a request.

- The appeal letter must clearly identify the grounds for the appeal with appropriate supporting documentation. **Mere disagreement or dissatisfaction with the decision does not constitute a basis for an appeal.**
- The grounds to appeal the board's decision must include one or more of the following criteria:
 - New substantive information is available that was not reasonably available at the time of the hearing and could substantially impact the original findings or outcomes of the case.
 - A substantive procedural error or error in the interpretation of University policy occurred that denied the student or instructor the right to a fair hearing and decision.
 - The decision (findings or outcomes) is significantly incongruent with the established facts presented at the hearing or the established Undergraduate Academic Catalog.
- Upon receipt of the appeal letter, the Dean and/or the Dean's designee will review the appeal to determine whether or not to uphold the decision of the hearing board.
- The student and the instructor will be notified via Loyola email by the Dean's office of the final decision. **The Dean and/or the Dean's designee decision is final and binding.**

FOR THE STUDENT

1. When you and the instructor are unable to resolve the matter, and the instructor has informed you that they will proceed by penalizing you for suspected academic dishonesty (and, at the discretion of the instructor, reporting this to the Dean), you can initiate an appeal by electronically filling out and submitting the requisite Student Appeals Form and notifying by email both the instructor and the Chairperson of the Philosophy Department that you have done so.

NOTE: Appeals based merely on a student's effort in the class or "need" for a higher grade to maintain good academic standing, scholarships, GPA, etc. will not show exculpatory evidence, or evidence that shows that the instructor more than likely graded your work arbitrarily and capriciously.

2. The Chairperson of the Philosophy Department may then render a decision regarding the merit of your appeal, or they may elect to have the Chair of the Philosophy Department Appeals Committee do so. Once it is decided who will render a decision regarding the merit of your appeal, you and the instructor must submit any email exchanges and documentation pertinent to the case to that person.
3. After you meet with either the Chair of the Philosophy Department or the Chair of the Philosophy Department Appeals Committee and after they have considered the evidence submitted by both you and the instructor, they will inform you both within 48 hours about whether they believe you have sufficient grounds to continue your appeal to a full hearing of the Philosophy Department Appeals Committee. Your appeal will be considered as having sufficient merit only if the designated Chairperson decides, pursuant to Loyola University Guidelines for Academic Misconduct, that the instructor likely acted capriciously and arbitrarily in accusing you of dishonesty.
 - a. If the designated person (either the Chairperson of the Philosophy Department or the Chairperson of the Philosophy Department Appeals Committee) determines that you have insufficient grounds for continuing your appeal, they will notify you and the instructor that the instructor's decision stands. **This determination ends any further appeal by you.**
 - b. If the designated person determines that there are sufficient grounds for further appeal, the case will then go to a full hearing of the Philosophy Department Appeals Committee. A hearing consisting of you, your advisor (if

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requested), the instructor, the instructor's advisor (if requested), and a sub-committee of the Philosophy Department Appeals Committee composed of the Chairperson of the Committee and two other members will then be convened. The hearing will follow the procedure provided by the Guidelines set forth by the CAS Dean's Office. The Dean's Office requires that you present a *preponderance of evidence* showing that the instructor acted arbitrarily and capriciously.

**[SEE ABOVE FOR FULL SUMMARY OF CAS APPEALS PROCEDURE GUIDELINES
MODIFIED FOR THE PHILOSOPHY DEPARTMENT](#)**