

From: Robert B. Grossman [robert.grossman@uky.edu]
Sent: Monday, October 16, 2006 8:53 AM
To: Kaveh A Tagavi
Cc: Brothers, Sheila C
Subject: alas, another amendment needed -- second try

Allison Soult has uncovered another loophole in the rules. We provide 28 days for the Ombud to resolve a case to everyone's satisfaction, and we provide 10 days after that for a student to file an appeal, but we neglected to provide a deadline by which, after receiving notification of a finding and penalty, the student has to approach the Ombud. I propose the following changes (additions in bold, deletions in brackets):

The old rules provided ten days to file an appeal after notification. The omission arose because the old rules said that the Ombud should try to resolve the case informally **after** an appeal was filed, whereas we now have the Ombud try to resolve the case informally **before** an appeal is filed. We retained the 10 day deadline to file an appeal after the informal resolution, but we forgot to include a deadline before the informal resolution.

I also changed the 28 days for informal resolution to 20, since 28 days is obviously supposed to be four weeks, and we are now using working days, and 20 working days is four weeks. The old rules said "20 working days".

I request that the Senate Council consider this amendment to the rules ASAP. I am available the next few Mondays to talk about it, although next week I won't be able to come until about 4.

6.4.4 Appeals to the University Appeals Board

A. Preliminary consideration by the Academic Ombud

1. **Informal resolution.** ~~Prior to initiating any Appeals Board action, a student shall notify the Academic Ombud.~~ **If a student wishes to contest the finding of an offense or a penalty, the student must approach the Academic Ombud within ten days after being officially notified of them, pursuant to Section 6.4.3(A)(4), 6.4.3(B)(2), or 6.4.3(D)(4).** The Academic Ombud shall attempt to resolve the case to the satisfaction of all involved parties within **[20]** ~~twenty 28~~ days of receiving the student's written request.

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C. Failure to Appeal

If a student fails to approach the Ombud within the time specified in Section 6.4.4(A)(1), or if an appeal is not filed within the time specified in Section 6.4.4(B)(2), the Academic Ombud shall so notify the student, the instructor and chair (if the offense was related to a course), the responsible dean, and the dean of the student's college of the finding, penalty, and failure to appeal. If a penalty less severe than suspension was recommended, the Academic Ombud shall also notify the Registrar; in the case of international students, the Director of International Student Affairs; and, if the offense also involves a violation of the Code of Student Conduct, the Dean of Students. On the other hand, if a dean or the Registrar recommended a penalty at least as severe as suspension, the Academic Ombud shall notify the Provost.