

PART E: DISCIPLINARY PROCEDURES – ACADEMIC MISCONDUCT

The following procedure is recommended for the purpose of addressing allegations of academic misconduct as defined in section D, item 1. The procedure must be established by the Senate, in agreement with the President, in each University.

In cases involving multiple acts of misconduct, which involve both academic and non-academic misconduct, only the academic portion shall be handled according to the disciplinary procedures for academic misconduct. The non-academic portion shall be handled through the Office of Student Conduct which may precede any academic disciplinary action.

1. Initial Procedures:

a. Instructors are encouraged to inform their students in the course syllabus and during class time of course-specific requirements and the penalties that may be imposed for academic misconduct. Incidents of academic misconduct can range in severity from minor violations to major violations. The academic sanction should be commensurate with the severity of the misconduct. Please consult with the Academic Integrity Committee for further advice regarding violations.

b. Upon the well-founded suspicion that an act of academic misconduct has occurred, the instructor shall attempt to meet with the student to discuss the alleged misconduct.

- If the instructor concludes that misconduct has not occurred, then the instructor shall grade the work as originally submitted.
- If the instructor still believes that academic misconduct has occurred, he or she should inform the student of the disciplinary procedures for academic misconduct and complete an Academic Misconduct Form. The student may sign the form at this time.
- If the student denies the allegation, the instructor shall issue a grade of Incomplete for the assignment or course until the allegation(s) of academic misconduct are finally determined.

c. The completed Academic Misconduct Form shall be submitted to the Office of Student Conduct along with copies of the evidence of such misconduct. The Office of Student Conduct will be responsible for retaining all records of reported cases of academic misconduct. If the Academic Misconduct Form has not been previously signed by the Accused Student, the Office of Student Conduct shall send a copy of the Academic Misconduct Form to the Accused Student requesting his or her signature (notice may be hand delivered, mailed with return receipt requested, or emailed using University email with a delivery receipt attached).

d. The Accused Student shall have seven (7) University Calendar Days from receipt of the Academic Misconduct Form to sign and return the form to indicate either that he or she acknowledges the misconduct and accepts the instructor's sanction, or that he or she denies the misconduct and requests a hearing before an Academic Misconduct Hearing

Board. If the Accused Student does not respond within the allotted time, the instructor's academic sanction(s) shall be imposed. Copies of the Accused Student's work shall be provided to the Accused Student upon request.

d. Upon receipt of the Academic Misconduct Form, the Director of the Office of Student Conduct will review the case to determine if an Academic Misconduct Hearing Board should be convened (per item 3).

e. A Student who has been notified that he or she has been accused of academic misconduct shall not be permitted to withdraw from the course in which the alleged misconduct has occurred without the approval of the University's Provost/Vice President for Academic Affairs.

2. Complaint by Person other than Student's Instructor:

Any member of the University Community may file a complaint against a Student alleging academic misconduct. A complaint made by a person other than the Student's instructor must be made in writing and submitted to the instructor as soon as possible after the occurrence of the alleged violation, but not later than ten (10) calendar days following the occurrence of the alleged violation. Notice of the complaint shall be provided to the Accused Student in accordance with section F.5(a) hereof.

3. The Academic Misconduct Hearing Board:

The Academic Misconduct Hearing Board shall determine if a student is responsible for academic misconduct and/or for imposing additional disciplinary sanctions. The Academic Misconduct Hearing Board shall be convened by the Director of the Office of Student Conduct in cases where (i) the student denies the allegation of misconduct, (ii) the student admits to misconduct and has prior cases of misconduct, and/or (iii) the instructor recommends additional disciplinary sanctions.

The Academic Misconduct Hearing Board shall be composed of three (3) tenured faculty members (none of whom shall be a member of the same department as the instructor alleging the academic misconduct), a student member, and the Vice President for Student Affairs or his or her designee. The faculty members will be selected by the Director of the Office of Student Conduct from a pool composed of designated appointees from each department. Each faculty member in the pool would serve a term of one year and would serve on no more than one hearing per year.

The Director of the Office of Student Conduct shall be a non-voting member of the board and act as convener. The accused student may request that a substitute faculty member be appointed if the student can show that the appointed faculty member may be unable to render an objective judgment.

4. Hearing Procedures:

The hearing procedures governing allegations of academic misconduct shall be as follows:

- Notice of Hearing: Normally, a hearing will be conducted within fourteen (14) University calendar days of the receipt by the Director of the Office of Student Conduct of the Accused Student's request for a hearing. The notice of hearing shall advise the Accused Student of the specific allegation(s) of academic misconduct. The Accused Student shall be afforded a reasonable period of time to prepare for the hearing, which shall not be less than three (3) University Calendar Days.
 - Hearing: Hearings shall be closed, but the Academic Misconduct Hearing Board may, at its discretion, admit any person into the hearing room. The hearing board shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings. The Accused Student and the Complaining Party shall have the right to be present at all stages of the hearing process except during the private deliberations of the hearing board.
 - Record of Hearing: The University shall make a recording of the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the Accused Student may review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Academic Misconduct Hearing Board. Further disclosure of the recording shall be governed by applicable state and federal law.
 - Opportunity to Present Positions to the Board: Both the Complaining Party and the Accused Student shall have the opportunity to fully present their positions to the academic misconduct hearing board, including the opportunity to present the testimony of witnesses and documents in support of their positions.
 - Support Persons: During the hearing, the Accused Student shall have the right to be accompanied by a support person who may observe but not participate in the hearing. A support person should be a person whose schedule allows attendance at the scheduled date and time for the disciplinary hearing because delays will not normally be allowed due to the scheduling conflicts of a support person.
 - Written Notice of Decision: The Accused Student and the relevant instructor shall receive written notice of the decision of the Academic Misconduct Hearing Board, including a finding of "Responsible" or "Not Responsible." The notice shall also set forth the recommended sanction, if any. The decision of the Academic Misconduct Hearing Board, as well as the sanction(s) imposed, if any, generally will not be released to third parties without the prior written consent of the Accused Student. However, certain information may be released if and to the extent authorized by state or federal law.
5. Sanctions: If the Academic Misconduct Hearing Board determines that the Accused Student is "Not Responsible," then the Board shall not impose any sanctions and the instructor shall assign a grade based on the quality of the work as originally submitted.

If the Academic Misconduct Hearing Board determines that the Accused Student is "Responsible," then the instructor's academic sanction shall be imposed. Sanctions shall be commensurate with the severity of the misconduct. These sanctions may include one or more of the following: a reduced grade for the assignment in question, the opportunity to revise the assignment or complete additional course work, a referral to an Academic Integrity Workshop offered by The Learning Center, a grade of F for the assignment in question, a grade of F for the course.

The Academic Misconduct Hearing Board may also impose disciplinary sanctions, which may include one or more of the following: mandatory attendance at an Academic Integrity Workshop offered by The Learning Center, disciplinary probation, suspension, or expulsion from the university.

6. Appeals: The decision rendered by the Academic Misconduct Hearing Board may be appealed to the Provost/Academic Vice President, who shall review the record of the hearing, including any and all documents presented to the Academic Misconduct Hearing Board. An appeal shall be in writing and shall be delivered to the Provost/Academic Vice President within seven (7) University calendar days of receipt of the Academic Misconduct Hearing Board's written decision.

- An appeal may be brought on three grounds: (a) a claim that error in the hearing procedure substantially affected the decision; (b) a claim that new evidence or information material to the case was not known at the time of the hearing; and/ or (c) a claim that the sanction is incommensurate with the severity of misconduct. The Provost/Academic Vice President shall have the right to deny an appeal not brought on proper grounds.
- The decision rendered by the Provost/Academic Vice President shall be final and there shall be no further right of appeal.