

Academic Misconduct

Background

All faculty have the responsibility of fostering the intellectual honesty of our students, and part of this responsibility means that faculty must educate students about academic misconduct, investigate and report cases of potential academic misconduct promptly and thoroughly, and apply appropriate penalties when academic misconduct is substantiated. SPEA takes seriously this responsibility.

The *Indiana University Code of Student Rights, Responsibilities, and Conduct (Student Code)*, which can be accessed at <http://www.iupui.edu/~sldweb/dos/> (select Student Rights link to the left) provides the basis for SPEA's policy and procedures that must be followed in cases of suspected academic misconduct.

In addition to SPEA responsibilities, cases of academic misconduct may also involve the following campus offices: undergraduate cases of academic misconduct are handled by Director, Office of Student Rights, Responsibility and Conduct in the IUPUI Office of the Dean of Students (Administration Building, Suite 112); cases involving graduate students are handled by the Associate Dean in the IUPUI Graduate Office (Union Building, Rm 518). These two individuals are referred to as the IUPUI Dean of Students in the following document.

Policy (Orig. 3/8/2005, Rev. 3/9/2006)

Whenever a faculty member suspects that academic misconduct has occurred, he/she is responsible for taking specific actions identified in this policy. These actions, which ensure due process for students accused of academic misconduct, are given in the procedure below and are included in the flowchart in Figure 1.

In the event that a student who is accused of academic misconduct believes that he/she has a grievance against the instructor, the grievance will be resolved after the case of academic misconduct is resolved.

IUPUI e-mail can be used for official communications in the process of resolving a case of alleged academic misconduct, with the exception of communicating the final decision of an appeal by a student. The chair of the hearing committee must communicate this decision via letter, sent by certified mail.

Academic misconduct is defined as "any activity that tends to undermine the academic integrity of the institution" (*Code of Student Rights, Responsibilities, and Conduct*, pg 7). Academic misconduct includes, but is not limited to, cheating, fabrication, plagiarism, interference, violation of course rules, and facilitating academic dishonesty. A listing of the activities that fall within each of these categories follows; these are taken verbatim from the *Code of Student Rights, Responsibilities, and Conduct* pp 7-9).

1. Cheating

Cheating is considered to be an attempt to use or provide unauthorized assistance, materials, information, or study aids in any form and in any academic exercise or environment.

2. Fabrication

A student must not falsify or invent any information or data in an academic exercise including, but not limited to, records or reports, laboratory results, and citation to the sources of information.

3. Plagiarism

Plagiarism is defined as presenting someone else's work, including the work of other students, as one's own. Any ideas or materials taken from another source for either written or oral use must be fully acknowledged, unless the information is common knowledge. What is considered "common knowledge" may differ from course to course.

4. Interference

A student must not steal, change, destroy, or impede another student's work, nor should the student unjustly attempt, through a bribe, a promise of favors or threats, to affect any student's grade or the evaluation of academic performance. Impeding another student's work includes, but is not limited to, the theft, defacement, or mutilation of resources so as to deprive others of the information they contain.

5. Violation of Course Rules

A student must not violate course rules established by a department, the course syllabus, verbal or written instructions, or the course materials that are rationally related to the content of the course or to the enhancement of the learning process in the course.

6. Facilitating Academic Dishonesty

A student must not intentionally or knowingly help or attempt to help another student to commit an act of academic misconduct, nor allow another student to use his or her work or resources to commit an act of misconduct.

Responsibilities

- ✓ The faculty (full-time and associate) is responsible for investigating, reporting, and applying appropriate penalties for academic misconduct.
- ✓ The Director of Academic Affairs is responsible for deciding whether or not to attempt mediation, convening a formal hearing, and making notifications as required by the procedure.
- ✓ The Associate Dean is responsible for notifying the Registrar's Office when grades of 'F' are assigned (and upheld) for academic misconduct.
- ✓ The student accused of academic misconduct is responsible for understanding and following this procedure for academic misconduct. Students may seek assistance from the IUPUI Student Advocate or the graduate or undergraduate IUPUI Dean of Students as appropriate.
- ✓ Program Directors and faculty are responsible for serving on Academic Misconduct Hearing Committees, and the Chair of the hear committee is responsible for preparing and communicating the committee's decision.
- ✓ The IUPUI Dean of Students for undergraduate students and graduate students are responsible for providing guidance in the disposition of cases, reviewing academic misconduct cases, and applying additional disciplinary measures as appropriate.

Procedure

Informal Conference with Student

A faculty member who has information that a student enrolled in a course being conducted by the faculty member has committed an act of academic misconduct related to that course is required to hold an informal conference with the student concerning the matter. This informal conference may take place after the class during which the academic dishonesty occurred or at a later meeting; however, the faculty member should endeavor to complete the conference expeditiously. During the conference,

- the faculty member must advise the student of the alleged act of misconduct and the information upon which the allegation is based; and
- the student must be given an opportunity to respond to the allegation of misconduct.

If the faculty member concludes that the student did commit the act of misconduct as alleged, the faculty member is authorized to impose an appropriate academic sanction related to the particular course involved.

- An appropriate academic sanction for such misconduct may include, but is not limited to, any one or a combination of the following:
 - a) no penalty
 - b) resubmit assignment, paper or project (specify requirements and due date)
 - c) retake exam
 - d) complete additional assignment, course work, exam or paper
 - e) lower grade on assignment, exam, or paper involved

- f) failing grade on assignment, exam, or paper involved
 - g) required to withdraw from course with W or F, at faculty member's discretion
 - h) a reduced final grade or a failing grade for the course (specify grade)
- The penalty for a serious act of academic misconduct should ordinarily involve the recording of a failing grade for the course. It is up to the faculty member to determine what constitutes a 'serious' act of academic misconduct. Typically, academic misconduct related to examinations or course papers would be considered serious as compared to academic misconduct related to a less significant course assignment. Multiple acts of academic misconduct that are alleged within a single course would be considered serious.
 - An incomplete may be given in the course in the event that the matter cannot be resolved before final grades are due in the IUPUI Office of the Registrar.
 - If the penalty includes a failing grade for the course, the Registrar will be notified by the Associate Dean that the grade was given because of academic misconduct. The Registrar will record the grade of "F" on the student's permanent academic transcript without any notation concerning the reason for the grade. The Registrar must, however, follow procedures to ensure that the grade of "F" will not thereafter be removed from the transcript in accordance with other academic policies or procedures such as the "FX" policy. A grade of "F" given because of academic misconduct must be calculated in a determination of the student's grade point average, but the grade will not prevent the student from repeating the same course for credit.

Conclusion of the Informal Conference with the Student

At the conclusion of the informal conference, if the student is found responsible for the academic misconduct, the faculty member is required to report the matter within seven calendar days in writing to the IUPUI Dean of Students and the student with a copy to SPEA's Associate Dean and Director of Academic Affairs. The Director of Academic Affairs, in consultation with the faculty member, may assume the responsibility of forwarding the written report to the IUPUI Dean of Students and the student. In the event, the student is not a SPEA major, the IUPUI Dean of Students will provide a copy to the student's dean or director.

The written report can be facilitated by using IUPUI's Disposition of Case of Academic Misconduct form (link to *IUPUI Guidelines to Dealing with Student Academic Misconduct (PDF)* located at <http://life.iupui.edu/help/downloads.asp> for this form). In the event the faculty member elects to use Disposition of Academic Misconduct form to file the report, he/she must inform the student that the Director of Academic Affairs must be contacted to file an appeal.

In lieu of using the Disposition of Case of Academic Misconduct form, the faculty's written report to the student must include the following:

- A statement concerning the nature of the offense;
- The terms of the sanction being imposed;
- A statement that the student may submit an appeal in writing to the IUPUI SPEA Director of Academic Affairs (with a copy to the SPEA Associate Dean) within seven calendar days after receiving the faculty member's written report.
- A statement that the matter is being reported to the IUPUI Dean of Students who has the authority to impose an additional sanction if the he/she believes that such a sanction is justified because of the nature of the student's misconduct or because of any prior acts of misconduct that the student may have committed;
- A statement that the additional sanction may be any of the following:
 - (a) Disciplinary probation for a specified period of time;
 - (b) Suspension from the university for a specified period of time; or
 - (c) Expulsion from the university.
- A statement that the IUPUI Dean of Students will notify the student within seven calendar days of receipt of the faculty member's report if the IUPUI Dean of Students has decided not to impose an additional sanction or is still considering the propriety of imposing an additional sanction.

Action by the IUPUI Dean of Students

Upon receiving a report from a faculty member, the IUPUI Dean of Students will

- review a faculty member's report concerning a student's act of academic misconduct to determine if probation, suspension, or expulsion should be imposed upon the student because of the nature of the act of academic misconduct, and
- determine if the student has a record of any previous acts of academic or personal misconduct and to decide whether probation, suspension, or expulsion should be imposed on the student because of any previous acts of misconduct.

The IUPUI Dean of Students will not consider imposing an additional sanction until SPEA has completed its process, including an appeal, for handling academic misconduct cases.

If the IUPUI Dean of Students considers that additional sanctions are warranted, he/she upon conclusion of his/her informal conference with the student must inform the dean of the academic unit(s) involved (for SPEA, the Associate Dean) of the IUPUI Dean of Students' disposition of the case.

Student's Appeal to SPEA

Students do have the right to appeal 1) the faculty member's decision that the student committed the act of misconduct, 2) the faculty member's decision to impose a particular academic sanction, and 3) the decision of the IUPUI Dean of Students to impose an additional sanction. SPEA is responsible for conducting an appeal hearing in the event the student wishes to appeal either 1) the faculty member's decision that the student committed the act of academic misconduct or 2) the faculty member's decision to impose a particular sanction.

A student must initiate an appeal concerning a faculty member's decision by submitting a written notice within seven calendar days to the SPEA Director of Academic Affairs (with a copy to the SPEA Associate Dean) after the student receives a report written by the faculty member concerning his/her decision on the case.

After receiving a written appeal from a student concerning a faculty member's decision or sanction, the Director of Academic Affairs may elect to discuss the matter individually with the student and faculty member in an effort to resolve the matter. The Director of Academic Affairs should conclude the individual discussions expeditiously, within fourteen calendar days, after receiving the written appeal. The Director of Academic Affairs will notify the principals (faculty member who initiated the action and student) of the outcome of the informal conference. The Director will also copy the SPEA Associate Dean, IUPUI Dean of Students, and student's dean, if the student is not a SPEA major, on this communication.

If resolution was not reached or mediation was not attempted, the Director of Academic Affairs convenes a formal hearing, as soon as practicable, ideally within seven calendar days after the receipt of the written notice of appeal from the students or after the individual conferences with the faculty member and student are concluded if mediation is attempted.

The hearing committee consists of three faculty and two student members appointed by the Director of Academic Affairs. The faculty members are typically the Directors of the academic programs. The Director of Academic Affairs designates one of the faculty members to serve as chair. The conduct of the hearing and resolution of procedural issues is the responsibility of the chair. However, the student and faculty member must be given an opportunity to be present at the hearing and to summarize and provide support for their positions. Written statements are encouraged to help clarify issues for the members of the hearing committee, but written statements are not required. An example hearing process is given at the end of this section.

The student may invite one or more advocates, but the advocate should have material knowledge that contributes to an understanding of the situation. The chair of the hearing committee is responsible for determining whether or not an advocate's information contributes to the understanding of the situation.

In the event a student requests to bring legal counsel to the hearing, the chair will contact University Counsel for further instructions. In the event a student brings legal counsel to the hearing unannounced, the chair will place the hearing on hold until he/she contacts University Counsel for further instructions.

The chair is required to make a transcript of the hearing by tape recording or other appropriate means.

At the conclusion of the hearing, the hearing committee makes its decision based on a majority vote. The standard of proof needed to make its decision is 'clear and convincing.' The type of evidence will vary depending on the case, but drawing on the definition of clear and convincing proof in civil cases, the level of proof required is more than a preponderance of the evidence, but less than proof beyond a reasonable doubt.

The hearing committee can take one of three actions:

- The committee has the authority to sustain or reverse any decision of the faculty member concerning the student's alleged act of academic misconduct.
- If the committee determines that there is not clear and convincing evidence to support the conclusion that the student committed the alleged act of academic misconduct, the Director of Academic Affairs is required to set aside the sanction or sanctions imposed. The decision of the committee to take this action is final.
- The committee may conclude that the student did commit the alleged act of misconduct, but that the sanction should be reduced. Under the circumstances, the committee is authorized to direct the Director of Academic Affairs to impose a lesser sanction than that imposed by the faculty member.

Within seven calendar days after the hearing, the chair of the hearing committee must prepare a written decision which includes an explanation of the committee's action and the findings of fact upon which the action is based. The decision must be submitted to the Director of Academic Affairs, with copies to the IUPUI Dean of Students, SPEA Associate Dean, student, faculty member, and the dean of the school in which the student is a major, if other than SPEA.

Example Hearing Process. The chair will begin the hearing with a statement of its purpose and introduces the principals and committee members. The chair reviews the process that will be used to conduct the hearing. The chair stresses that all information shared in the hearing process is strictly confidential. The chair states the possible outcomes of the hearing and that the committee decision will be based on clear and convincing evidence.

Typically, the faculty member will be asked to present first, followed by the student and his/her advocate(s). Each committee member should be given an opportunity to question the faculty member and student. The faculty member and student may direct questions to each other.

At the conclusion of the hearing, the chair reiterates the purpose of the hearing and states the possible findings that the committee may reach. Before asking the faculty member, student, and the student's advocate to leave, the chair asks if there are any questions and handles any that are presented. The faculty member, student who is the subject of the hearing, and the student's advocate are dismissed during committee deliberations, and the chair tells the faculty member and the student that they will be notified of the committee decision after the decision is written.

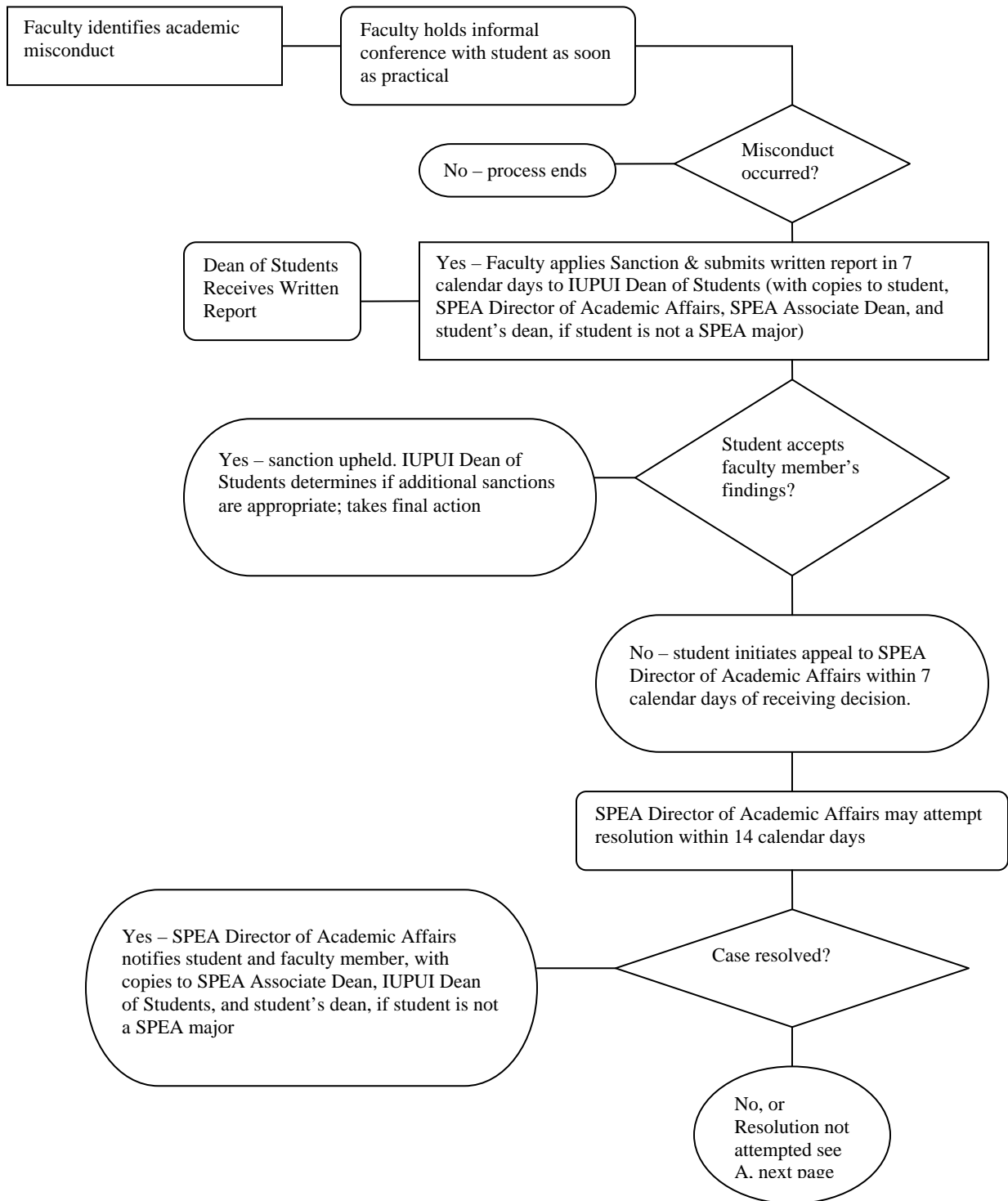
The chair has discretion on how to handle the deliberations. Typically, the chair will ask for a discussion of the evidence followed by a vote first on the allegation of academic misconduct and then on the sanction applied by the faculty member. The vote of each member will be a voice vote.

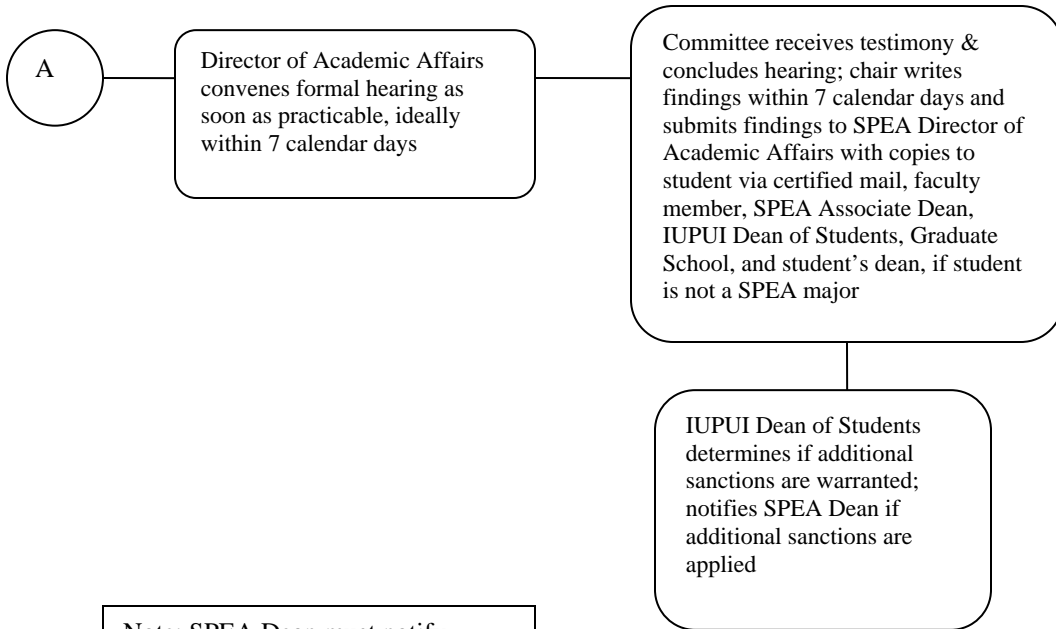
After the decision is reached, the chair dismisses the committee with a reminder that the proceedings are confidential and should not be discussed after the hearing.

Documentation

- ✓ Faculty Disposition of a Case of Academic Misconduct form (Attachment 1) or written report
- ✓ Student documentation of case (optional)
- ✓ Decision of the appeal, prepared by Hearing Committee Chair

Figure 1. Flowchart of SPEA’s Procedure for Handling Academic Misconduct Cases





Note: SPEA Dean must notify Registrar's Office when the sanction is an 'F' for the course. This notification results in a permanent 'F' that cannot be removed. Notification is made when the case is concluded.

Academic Misconduct Reporting Form

Indiana University Purdue University Indianapolis

Before proceeding with a conference with the student, the faculty member should consult the Code of Student Rights, Responsibilities, and Conduct - <http://www.life.iupui.edu/help/code.asp>. This booklet may be obtained from the Office of Student Rights, Responsibilities, and Conduct. For questions concerning undergraduate students, call Tralicia Powell Lewis (274-4431) and for graduate students call Associate Dean Sherry Queener (274-4023).

An instructor should use this form at the conclusion of the informal conference to document compliance with Sections IV.B. and IV.C. of the "Code of Student Rights, Responsibilities, and Conduct." Therefore, in complying with Part IV.B.1.d. of the "Code of Student Rights, Responsibilities, and Conduct," the faculty member is required to report the matter within seven calendar days in writing to the Dean of Students, who will send the report to the student, the dean or director of the school or unit in which the offense occurred, and the student's dean or director.

It is not necessary to type this form, but please make it legible!

1. **It has been concluded that the following student committed a violation of IUPUI policies on academic misconduct:**

Name _____

Student ID # _____ Dept. & Course No. _____ Section No. _____

2. **Type of violation:**

_____ Cheating _____ Fabrication _____ Facilitation

_____ Interference _____ Plagiarism _____ Violation of Course Rules

3. **Summary of incident:** (Attach a detailed summary of the incident.)

4. **Academic sanction imposed by instructor:** Additional penalties may be imposed by the Dean of Students after reviewing this form and other records.

_____ no penalty

_____ resubmit assignment, paper or project (specify requirements and due date)

_____ retake exam

_____ complete additional assignment, course work, exam or paper

_____ lower grade on assignment, exam, or paper involved

_____ failing grade on assignment, exam, or paper involved

_____ required to withdraw from course with W or F, at faculty member's discretion

_____ a reduced final grade or a failing grade for the course (specify grade)

Faculty Name (Please print) _____ Dept./Room # _____

Signature _____

Date _____ Phone _____

- 5. **APPEALS:** A student has the right to appeal any of the following decisions:
 - a. The faculty member’s decision that the student committed the act of misconduct.
 - b. The faculty member’s decision to impose a particular academic sanction.
 - c. The decision of the Dean of Students to impose an additional sanction.

Should you have any questions about the discipline procedures, please contact the Undergraduate or Graduate Dean of Students before you sign this form.

6. **Student Response:**

A. I understand the violation with which I am charged, accept faculty disposition, waive my right to a hearing and accept the disciplinary sanction. I understand that if circumstances warrant, the Dean of Students may consider additional sanctions and a hearing with proper notification will be held to consider any additional sanctions. I understand that this form will be kept in a confidential file in the Office of the Dean of Students.

Student Signature _____

Mailing Address _____

Phone _____ Date _____

B. I understand the violation with which I am charged, but **do not** admit responsibility and claim my right to a hearing in accordance with the policy of the unit responsible for the course in which the violation allegedly occurred. The appeal must be submitted, in writing to the appropriate office within the academic unit in which the violation occurred, within seven days of being notified in writing of the faculty member’s decision concerning the violation. I understand that if circumstances warrant, the Dean of Students may also consider sanctions and a hearing with proper notification will be held to consider any additional sanctions. I understand that this form will be kept in a confidential file in the Office of the Dean of Students.

Student Signature _____

Mailing Address _____

Phone _____ Date _____

The student did not appear or was unavailable, or would not sign this form.

Faculty Initials

7. **Department Chair’s Signature (if applicable)** _____

8. **Dean’s Signature (if applicable)** _____

FOR UNDERGRADUATE STUDENTS SEND THIS FORM TO: Tralicia Powell Lewis
CE 350

FOR GRADUATE STUDENTS SEND THIS FORM TO: Sherry Queener
Graduate Office