

4-21-2003

Revisions of academic dishonesty policy

The College at Brockport, College Senate

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SUNY BROCKPORT

Faculty Senate
State University of New York
College at Brockport
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Resolution #29 2002-2003 FACULTY SENATE

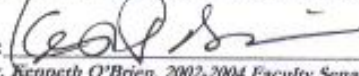
TO: Dr. Paul Yu, College President
FROM: The Faculty Senate Meeting on: *April 21, 2003*
RE: ⇨ I. Formal Resolution (*Act of Determination*)
II. Recommendation (*Urging the Fitness of*)
III. Other, For Your Information (*Notice, Request, Report, etc.*)

FACULTY SENATE
SUNY College at Brockport

MAY 8 2003

350 New Campus Drive
Brockport, NY 14420-2925

SUBJ: *Revision of Academic Dishonesty Policy*

Signed:  Date Sent: *4/24/03*
(*Dr. Kenneth O'Brien, 2002-2004 Faculty Senate President*)

TO: The Faculty Senate
FROM: Dr. Paul Yu, College President

E: ⇨ I. Decision and Action Taken on Formal Resolution (circle)
a. Accepted. Effective Date: *5/5/03*
b. Deferred for discussion with the Faculty Senate on ___/___/___
c. Unacceptable for the reasons contained in the attached explanation

II, III. Response to Recommendation or Other/FYI

- a. Received and acknowledged
- b. Comment:

DISTRIBUTION TO: *President's Staff and School Deans*

Distribution Date: *4/29/03*

Signed:  Date: *5-5-03*
(Dr. Paul Yu, President, SUNY College at Brockport)

THE POLICY ON STUDENT ACADEMIC DISHONESTY

Academic dishonesty is a serious breach of academic integrity - a major violation of ethical behavior standards that the College expects from all students. Academic dishonesty can result in a range of disciplinary actions including failure of a course or dismissal from the College.

I. DEFINITIONS OF ACADEMIC DISHONESTY COVERED BY THIS POLICY

Violations of the Student Academic Dishonesty Policy refer to actions related to the evaluation of performance in any undergraduate or graduate course bearing SUNY Brockport credit (other dishonest acts, e.g., falsifying transcript records, are dealt with by Judicial Affairs). These violations include, but are not limited to, the following:

- A. Plagiarism – presenting as one's own, the words, ideas, or products of another without providing a standard form of documentation, such as footnotes, endnotes, or bibliographic documentation.
- B. Fabricating facts, statistics, or other forms of evidence in papers, laboratory experiments, or other assignments.
- C. Presenting someone else's paper, computer work, or other material as one's own work. This includes work done as part of group/team collaboration unless specifically approved by the instructor. Students should assume that any out-of-class assignments or take home examinations are to be done individually and without collaboration unless the instructor specifically states otherwise.
- D. Writing or attempting to write an examination, paper, computer work, or other material for another student, or otherwise representing one's own performance as another's (for example, signing another student into class); allowing someone else to take one's examinations or do one's classwork/assignments.
- E. Buying and selling, or sharing of examinations or assignments; possession of examinations or answers to examinations without the instructor's permission.
- F. Using "cheat sheets," looking onto another's paper, or talking to someone other than the instructor or proctor during an examination, without the instructor's permission.
- G. Failing to follow the rules of conduct for taking an examination as stipulated by the instructor prior to the examination or as stated by him or her in a written course syllabus.
- H. Presenting work for one course for which credit has been received or will be received in another course without the consent of both instructors.
- I. Published divisional, departmental, unit, and/or individual program policies may address additional violations unique to specific programs and their ethical codes.

II. BRINGING CHARGES OF ACADEMIC DISHONESTY AGAINST A STUDENT

The instructor in charge of the course in which an act of academic dishonesty is alleged is responsible for investigating any personally observed, discovered or reported instances of academic dishonesty.

- A. The course instructor, any student, or any College employee who has personally witnessed or has knowledge of an act of academic dishonesty can bring a charge of academic dishonesty against a student.
- B. All charges of academic dishonesty that do not originate with the course instructor must be made in writing by a signed complainant and delivered to the instructor in charge of the course in which the alleged act of dishonesty occurred. Anonymous accusations are not acceptable. If the alleged act of academic dishonesty is not personally witnessed by the course instructor, evidence in addition to the testimony of the claimant is required to support the charge of academic dishonesty.
- C. The course instructor must communicate all charges of academic dishonesty to the charged student in writing, delivered in person or by registered mail. The letter will state the substantive details of the charge and state how the instructor wishes to investigate the charge with the student. This letter must be sent or delivered within five business days of the date of the alleged infraction if observed or discovered by the course instructor or of the instructor's receiving the written charge from another person.
- D. The dates and deadlines given below for various actions refer to the usual timing of procedures taking place within the fall and spring semesters. The College reserves the right to extend any of these deadlines when College personnel involved are absent from campus. When faculty and students are away from campus after the end of the spring semester or during the summer months, extensions of these deadlines may be required as well. However, all personnel should strive to complete these actions in as timely a manner as possible.

III. PROCEDURES FOR INVESTIGATING AND ADJUDICATING ACADEMIC DISHONESTY

A. **The Course Instructor's Role**

1. The course instructor is responsible for investigating any personally observed, discovered or reported instances of alleged academic dishonesty, and for making a determination of guilt or innocence based on that investigation, and notifying the department chair.
2. In adjudicating academic dishonesty, the instructor must see that the following procedures are followed:
 - a. The instructor must notify the alleged student, in writing with a dated letter, delivered either in person or by registered mail to the student's official local address, of the alleged offense, of the range of sanctions that may be applied if a violation of the Student Academic Dishonesty Policy is determined to have occurred, and the student's rights in regard to such charges. This notification must be done within five business days of the date of the alleged infraction if observed or discovered by the course instructor, or of the instructor's receiving the written charge from another person.
 - b. The instructor must give the student the opportunity, within 10 days of notification, to state in writing his/her side of the matter and to produce witnesses and documentary evidence on his/her own behalf. The student may wish to copy the department chairperson on this correspondence in case the instructor is away from campus.
 - c. The instructor must examine this evidence and hear witness testimony before reaching a determination of academic dishonesty. This investigation shall not be bound by technical rules of evidence but may take into consideration testimony or evidence that is relevant and material to the issues presented by the charge(s) and which will contribute to a full and fair disposition of the charge(s). The instructor's investigation should take no longer than 5 days from the date of receipt of the student's written response to the instructor's charges (see III.A.2.b. above).
3. If, at or before the end of this 5 day period, the instructor concludes that a violation of the Student Academic Dishonesty Policy has occurred, the instructor must immediately file a *Report of Academic Dishonesty* form, along with all documentation, with the department chairperson and present the student with a copy of the form, either in person or by registered mail. The form will state the sanctions applied to the student. This form also informs the student of his/her appeal rights.
4. The student has five (5) days from receipt of his/her copy of the *Report of Academic Dishonesty* form to notify the department chairperson in writing of his/her wish to appeal the case to the dean's level.
5. When the instructor discovers suspected dishonesty after the semester has ended and is considering imposing a grade penalty, he/she should submit an "I" on the final course grade sheet and note whatever "alternative grade" he believes is justified on an Incomplete contract that states that an academic dishonesty charge is pending. The student will be notified of the dishonesty charge by registered letter as described above (see A.2.a, this section). After the instructor's investigation is complete, the "I" can be changed to a letter grade.

B. **Department Chairperson's Role**

The chairperson's responsibility is to make certain that College policy has been followed with respect to the charges, evidence considered, sanctions applied, and notification of appeal rights. This is a review; not an appeal step.

1. Within three (3) days after the course instructor has submitted the *Report of Academic Dishonesty*, the department chairperson will review the case.
2. The chairperson may consult with the instructor if s/he finds any problems with the instructor's investigation, and attempt to resolve these problems.
3. Upon concluding his/her review, the chairperson will send a copy of the *Report of Academic Dishonesty* to the Office of the Provost and the Coordinator of Judicial Affairs.
4. If, within the stated time limit (5 days from receipt of the instructor's *Report of Academic Dishonesty*), the student has notified the departmental chairperson of his/her wish to file an appeal of the charges or the sanctions applied (see section VI A & B), the chairperson may consult with the student to resolve any problems with the appeal. The departmental chairperson will then forward a copy of the *Report of Academic Dishonesty* form to the school dean, along with the student's appeal letter and any supporting documentation that the course instructor has supplied.

IV. DEPARTMENTAL SANCTIONS FOR A FIRST ACADEMIC DISHONESTY OFFENSE

A. Instructor's sanctions. After concluding that a student is guilty of academic dishonesty (in accordance with the procedures described in Section III # above), the instructor may at his/her discretion apply the following sanctions:

1. Assign a lowered grade or an "E" grade for the particular test or assignment in which the offense occurred, and/or
2. Assign a lowered grade or an "E" for the entire course in which the offense occurred.

B. Other Departmental sanctions. After being notified that a violation of the academic dishonesty policy has been confirmed, the chairperson of the department in which the offense occurred may have cause to dismiss the student from a departmental major or other program.

1. Dismissal from a program would normally only take place if the student, through the confirmed act of dishonesty, has also violated an existing, written, and published departmental/program policy enforcing a system of professional ethics.

2. Within five days from receipt of the *Report of Academic Dishonesty* form, the department chairperson must communicate a dismissal from program action to the student in writing stating the cause or reason for the action and notifying the student of his/her appeal rights.

C. The determination of academic dishonesty, and/or the grade sanctions imposed by the instructor, and the dismissal from program can be appealed to the school dean (see VI.A & B. below).

V. COLLEGE-WIDE SANCTION FOR A SECOND ACADEMIC DISHONESTY OFFENSE

1. A second confirmed violation of the Student Academic Dishonesty Policy will result in the student's dismissal from the College.

2. The process for dismissal will begin when the second *Report of Academic Dishonesty* form is presented to the Provost's Office file. This will initiate a letter to the student (copy to the dean) informing him/her that a second dishonesty charge has been filed and that he/she has 10 days to file an appeal with the school dean's office. If an appeal is not filed or a subsequently filed appeal is unsuccessful, the Provost will order the student's dismissal from the College. This will be a Conduct Dismissal.

3. The only appeal of the impending Conduct Dismissal is a dean's level appeal of the second dishonesty charges.

4. Students dismissed for dishonesty will be separated immediately from the College (except as described in VI.A below) and be assigned a failing grade for the course in question. Such students will receive whatever grades (drops or W's) are appropriate for Conduct Dismissal at that point in the semester for any other courses. Dismissed students will remain liable for all charges incurred for the semester. A "Conduct Dismissal" will be recorded on the student's transcript.

VI. DEAN'S LEVEL DISHONESTY APPEAL HEARINGS AND PROCEDURES

A student may request an appeal of the course instructor's determination of academic dishonesty, or any sanctions imposed, to the dean (or designee) of the school in which the alleged offense occurred. If a student files an appeal of "dismissal from program" with the dean within the required time limit, the dismissal will be deferred until the dean acts on the appeal. If the appeal is denied, the dismissal will take place immediately thereafter. All appeals must be based on one of the following grounds:

1. The student believes s/he can provide evidence to disprove the instructor's charge.

2. The instructor's or department's imposed sanction is grossly inappropriate to the proven offense.

A. The student must request in writing a dean's appeal to the departmental chairperson within the specified time limit (see section III.A.4 above). The appeal letter must specify the ground(s) on which the appeal is based (see points 1 & 2 above, this section).

B. Upon receiving the written appeal and accompanying documentation from the department chairperson, the dean will examine all documentation related to the instructor's investigation of the charges and determine whether a hearing is needed. The dean may deny the appeal if he/she feels the evidence in support of the charge and/or assigned sanction is (are) compelling.

C. Within three (3) days of receiving the appeal request, the dean will notify the student in writing of his/her decision on whether to hold a hearing; the dean's office will contact the student to schedule a meeting date and time.

D. At the hearing the dean will accept relevant evidence and testimony from both sides. The appeal hearing will include the dean (or designee), the course instructor, the student, any witnesses requested by either the instructor or the student. The dean (or designee) will hear all statements, examine the evidence, and adjudicate the claim of academic dishonesty. The dean also has the option of appointing a committee of three faculty members of his/her choice to conduct the hearing and make a recommendation to the dean on the matter.

E. If the dean finds that the charge of academic dishonesty is not substantiated, any sanctions that have been applied will be removed. The student will continue in the course (and/or program) without penalty. If the semester has ended, the dean will inform the faculty member of his/her responsibility to determine what the final grade should be and to submit a revised grade through the dean as appropriate. All copies of the *Report of Academic Dishonesty* form relating to the alleged incident will be removed from departmental, Provost's, and Judicial Coordinator's files.

F. If the dean finds that academic dishonesty charge is substantiated, he/she may concur with the sanctions previously imposed by the course instructor (or department) and allow these sanctions to stand. The dean

will inform the student of his/her decision in writing within three (3) days of the hearing and a record of this decision will be filed with the Provost. Any pending dismissal from program will be imposed upon denial of the appeal.

VII. STUDENT RIGHTS

Students have the following rights in regard to an instructor's investigation of charges and all appeal hearings regarding academic dishonesty charges:

- A. The right to a written notice of the nature of the charges and to be informed of one's rights prior to any hearing or investigation of the charges (see sections II.B & C; III.A. 2, 3, & 4; IV.C; V.2; VI.A.)
- B. The right to continue in a course until the process for confirming academic dishonesty is completed (including appeals).
- C. The right to receive, upon request and in advance, a list of the witnesses who will appear to give evidence in any hearing or investigation of the charges. The provision of such a list of witnesses shall not preclude the testimony of witnesses who were unknown at the time of such a request.
- D. The right to deny the instructor's charge and to request a hearing before the dean of the school in which the alleged offense occurred.
- E. The right to bring witnesses to give evidence on the part of the student and to examine any witnesses brought by the instructor. Only the accused student may present the student's case and examine witnesses. Postponement of a scheduled instructor's or dean's hearing may be allowed on the basis of unavailability of important witnesses but only if the cause for unavailability is reasonable.
- F. The right to bring an advocate to any hearing or examination of the charges. Members of the College community or parents or guardians may be selected to be present as the accused student's advocate. Advocates are present for "moral support" and cannot actively participate in the hearing.
- G. In accordance with the Family Education Rights and Privacy Act of 1974, the College may release information pertaining to individual judicial cases to appropriate College personnel and to parents of students who are dependent. With those exceptions, information from a student's judicial file will not be made available to anyone other than the student without the student's written consent except in compliance with a lawfully issued subpoena or court order or in the event of a health or safety emergency.

VIII. GENERAL POLICIES GOVERNING DISHONESTY ACTIONS AND HEARINGS

- A. A student who withdraws from the course (or the College) after being charged with academic dishonesty will not be exempt from the Student Academic Dishonesty Policy. The normal process will be followed and the accused student will receive due notice of any hearings.
- B. When there is not sufficient time to hold a hearing on a dishonesty charge before a semester ends, a hearing will be held as soon after the semester ends as is feasible. In such circumstances, a student who leaves the Brockport area is responsible for transportation and other expenses related to his/her right to be present at the hearing as scheduled.
- C. Failure to appear in response to the charge(s) on the date fixed for a dean's appeal hearing, unless there is a continuance for good cause approved by the dean prior to the hearing, shall be deemed an admission of the facts as stated in the instructor's charges. By failure to appear the student also forfeits any right to further appeal of these charges.
- D. All hearings are closed to the public.
- E. An academic dishonesty hearing or examination of charges shall not be bound by technical rules of evidence, but may include testimony or evidence that is relevant and material to the issues presented by the charge(s) and which will contribute to a full and fair disposition of the charge(s).
- F. Cameras or recording equipment are not permitted in a hearing or examination of charges.
- G. The student's academic dishonesty record may be used in any future judicial proceedings or readmission decisions involving the student.
- H. The term "days" used in this code with reference to scheduling and notification means days on which the administrative offices of the College are officially open for business.
- I. The president of the College has the right to grant clemency or pardon in regard to any assigned sanction.

TIME SCHEDULE

Date of alleged dishonesty infraction

Instructor notifies student of charge to student within 5 business days

Student responds to charge to instructor within 10 days of receiving written charge

Instructor investigates (hearing) within 5 days of receiving student's response

Instructor's hearing result to chair within 5 days of instructor's hearing

Chair review of case within 3 days of notification of instructor decision

Student request for dean's appeal to chair within 5 days of receiving instructor's decision

Dean's decision on hearing to student and other parties within 3 days of receiving request for appeal

Hearing scheduled by dean ASAP as possible for all parties

Dean's decision to student and all parties within 3 days of completion of hearing

Passed Senate 4/21/2003