

## **Student Conduct Code - Academic**

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### **Introduction**

All members of the university community have a responsibility to protect and maintain an academic climate of integrity and ethics. Academic relationships should be governed by a sense of trust and a commitment to learning and working in an environment that is a level playing field for all students. Deceptive acts violate the standards that are critical for every student to have his/her work equitably evaluated. It is important that a member of the community who is aware of a breach of the standard of conduct bring it to the attention of the course instructor.

### **Definition of Academic Misconduct**

Academic misconduct involves wrongful acts occurring in the course of or related to curricular activities including but not limited to:

- Using unauthorized materials (such as notes or books) as an aid during an examination
- Copying answers from another person's exam, report or assignment
- Providing assistance to, or receiving assistance from, another person in any manner prohibited by the instructor
- Possessing or providing an examination or assignment, or any part thereof, at any time or in any manner not authorized by the instructor
- Taking a quiz, exam or any similar assignment for another person, or utilizing another person to take a quiz, exam or assignment in place of oneself
- Submitting any course materials or activities not the student's own, allowing such a submission to be made for oneself, or making such a submission for another
- Representing another person's ideas, processes, results, or words, as your own; using the ideas, organization, or words of another from a book, article, paper, computer file, or another source in any assignment without giving proper credit following accepted citation rules (plagiarism)
- Forging or any other unauthorized alteration of a document, record, identification or other property maintained by an individual, department, or the University
- Altering, stealing, and or falsifying research data used in research reports, theses, or dissertations
- Disregarding policies governing use of human subjects or animals in research
- Attempting any of the above or assisting others to engage in any similar unacceptable behavior
- Knowingly violating copyright laws and regulations
- Other similar acts of such dishonesty

## Definition of Research Misconduct

Research Misconduct is a specific form of Academic Misconduct that has been defined by the Federal Office of Research Integrity and violations must be investigated and reported through the Office of the Provost.

The essence of research scholarship is the pursuit of knowledge. Actions that undermine the integrity of scholarly activity impede the advancement of knowledge; compromise the work of other investigators, harm members of the general public, and damage the reputation of the University.

NDNU employs the federal definition of *research misconduct*, as defined by the U.S. Office of Research Integrity, to mean the “fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results.”

According to the U.S. Office of Research Integrity:

- Fabrication is making up data or results and recording or reporting them;
- Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record;
- Plagiarism is the appropriation of another person’s ideas, processes, results, or words without giving appropriate credit.

## Sanctions for Academic Misconduct Cases

University policy permits discipline up to and including the expulsion for academic misconduct. If a faculty member believes that a student has engaged in academic misconduct, the faculty member may take any of the following actions at the time the misconduct is detected, and must, as part of the process, present evidence to the student of the misconduct:

1. The student may be reprimanded in writing.
2. The student may be offered the opportunity to re-complete the assignment or re-take the exam
3. The student may receive an “F” on a paper, test, or project.
4. The student may receive an “F” for the course after the faculty member has consulted with the Department Chair or Program Director.

In appropriate cases, the faculty member may require a cessation of the participation of the student in the academic activity as interim preventive measure, with the concurrence of the Dean, pending resolution of an academic misconduct case.

## Procedures for Handling Academic Misconduct

### When the Student is Enrolled in the Faculty Member’s Course :

To initiate an academic misconduct charge, the faculty member instructing the course informs the student of the alleged misconduct, summarizes the evidence, and also proposes a consequence or sanction.

The student may respond and accept responsibility and accept the sanction as determined by the faculty member. The student should notify the instructor within 3 class days in writing whether the sanction is accepted. Alternatively, the student may appeal the charge as outlined in the appeal procedures detailed below.

If the misconduct occurs at the end of the semester, the faculty member can assign a grade of “IP” to the student enrolled in the course and contact the Registrar’s Office to place an academic hold on the student’s account. The faculty member must inform the student in writing within 3 class days of submitting course grades that a hold has been placed on their academic record. This hold will remain until the charges are resolved through process outlined below.

### When the Student is Not Enrolled in the Faculty Member’s Course:

Charges of academic misconduct may sometimes be brought upon a student who is not enrolled in the faculty member’s class. An example of this would be when a student takes or attempts to take an exam or provides a paper for another student. In this type of case, the faculty member in whose class the misconduct occurred will contact the non-enrolled student’s School or College Dean.

The School or College Dean of the non-enrolled student is responsible for taking the case forward.

This will be done by sending the student notice of the alleged misconduct which summarizes the evidence and which also proposes a sanction (ranging from censure to expulsion), or consequence. This will be done within three calendar days after the School or College Dean receives written notice from the faculty member instructing the course impacted by the misconduct.

Non-enrolled students cannot have their assignments or course grades impacted directly as part of the sanctions for this type of misconduct, but all other sanctions are available. For this reason, the student's School or College Dean will consult the Dean of Students when considering a sanction to ensure consistency in the sanctioning process.

The student may respond and accept responsibility and accept the School or College Dean's sanction. If the School or College Dean does not hear from the student within three working days, he/she will assume that the student accepts responsibility and the case is resolved. Alternatively, the student may appeal the charge by following the appeal procedures below.

### **When the Misconduct Is Unrelated to Coursework:**

In cases where the misconduct relates to University records or administrative processes (such as falsifying academic transcripts), the Registrar or designee will investigate and adjudicate the alleged violation. The School or College Dean and the academic advisor of the student involved will be notified at the inception of the charges. The Registrar or designee, in consultation with the School or College Dean, will also impose sanctions. The Registrar or designee may also consult the student's academic advisor to get more information about the student. In this category of misconduct if the student wishes to appeal, they must do so to the Provost in writing within ten calendar days. The Provost's (or designee's) decision and determination of the appropriate sanctions on individual academic misconduct cases of this nature are final.

### **For All Academic Misconduct Cases:**

All cases of academic misconduct are documented, and once they are resolved, they are sent to the Dean of Students Office within 10 days. The faculty member instructing the course, in consultation with their School or College Dean, is responsible for ensuring that the documents are received by the Dean of Students office when the case is resolved by them, except in cases where the student appeals beyond the first level (see below). When the case is appealed at the 2<sup>nd</sup> or 3<sup>rd</sup> level, the respective academic administrator hearing the case (i.e. Level 2: Program Director / Department Chair, Level 3: School or College Dean) is responsible for forwarding the documentation to the Dean of Students Office, and also for ensuring that the faculty member instructing the course is notified of the final outcome.

These procedures apply to undergraduate and graduate students unless the specific program or college maintains unique academic misconduct processes that are dictated by professional organizations to be consistent with accreditation requirements.

## **Procedures for Appeal in Academic Misconduct Cases**

### **Level 1 Appeal:**

The student has 10 calendar days to appeal the faculty member's decision after they receive the evaluation to which they object (i.e., reprimand, "F" on a paper, project, "F" as a final course grade, etc.). The student must first appeal to the faculty member who is instructing the course.

This is usually done verbally, but the student may also submit their appeal in writing via their NDNU email account or via a signed and dated letter which is left in the faculty member's office or mailbox.

The faculty member will notify the student in writing of the decision which results from this request for reconsideration. This notification will usually be sent no later than 10 calendar days after receipt of the appeal request. At particularly busy times in the year, i.e. after midterm or final examinations, the faculty member instructing the course may take slightly longer to notify the student of the outcome.

### **Level 2 Appeal:**

If the faculty member's decision is not adjusted to the student's satisfaction, the student has 10 calendar days to appeal the faculty member's decision after they receive the written outcome of his/her appeal.

The appeal must be submitted in writing to the appropriate Program Director or Department Chair. Please note that this may only be done after the student first appeals to the faculty member who is instructing the course.

This 'Level 2' appeal may be submitted either by using the student's NDNU e-mail account or by submitting a signed and dated letter which is left in the Program Director or Department Chair's office or mailbox.

The appeal must contain the following information:

- a. A description of the circumstances, which resulted in the disciplinary action taken by the faculty member.
- b. The decision which the student is appealing.
- c. The date(s) Level 1's appeal decision was received from the faculty member instructing the course.
- d. Specific reasons the decision should be reversed or modified.
- e. The adjustment desired.
- f. Copies of all relevant supporting documentation, including any new relevant information.

The student will meet with the Program Director or Department Chair within 10 calendar days after submitting his/her appeal. The Program Director or Department Chair will usually notify the student of the outcome of the appeal in writing 10 calendar days after meeting with the student.

### **Level 3 Appeal:**

If the Program Director or Department Chair's decision is not adjusted to the student's satisfaction, the student has 10 calendar days to appeal the decision after they receive the written outcome of the Level 2 appeal. Students must first go through Level 2's Appeal process before appealing at this third level.

Level 3's appeal must be submitted in writing to the appropriate School or College Dean. The appeal may be submitted either by using the student's NDNU e-mail account or by submitting a signed and dated letter which is left in the Dean's office or mailbox.

The appeal must contain the following information:

- a. A description of the circumstances, which resulted in the disciplinary action taken by the faculty member.
- b. The decision which the student is appealing.
- c. The date(s) Level 2's appeal decision was received from the Program Director or Department Chair.
- d. Specific reasons the decision should be reversed or modified.
- e. The adjustment desired.
- f. Copies of all relevant supporting documentation, including any new relevant information.

The student will meet with the School or College Dean within 10 calendar days after submitting his/her appeal. The School or College Dean will usually notify the student of the outcome of the appeal in writing 10 calendar days after meeting with the student.

The School or College Dean's decision and determination of the appropriate sanction on individual academic misconduct cases are final.

### **General Information:**

The role of the Student Ombudsperson is to provide information about how academic misconduct cases are processed. The Student Ombudsperson plays a neutral role. This person does not advocate for the student or for the faculty member. The Student Ombudsperson's role is to assist the student in understanding and resolving their case.

If the student fails to comply with the timeline of these appeal procedures or fail to attend an established appointment without re-establishing a new appointment, the appeals process will conclude.

If the student elects to appeal a decision of the faculty member who is instructing their course, the proposed disciplinary action will normally be deferred until after the final stage of the appeals process is concluded.

## Academic Misconduct Process Timeline

<b>Student Disagrees with a Grade or an Allegation of Academic Misconduct</b>		
↓		
<b>Level of Appeal</b>	<b>To Whom Student Appeals</b>	<b>Time Limit (appeals must be submitted before the time limit expires or the case is resolved)</b>
1	Faculty Member Instructing Course	10 calendar days after receiving grade or allegation
2	Program Director or Department Chair	10 calendar days after receiving written notification of faculty member's decision about the appeal
3	Dean of School or College	10 calendar days after receiving written notification of Program Director or Department Chair's decision

### Procedures for Repeated Cases of Academic Misconduct

If a student is found responsible more than once for academic misconduct, the School or College Dean or designee may take action to impose sanctions via the Student Conduct System per the procedures outlined for administrative hearings for behavioral misconduct (p. 7-9 of this document). These sanctions may include, but are not limited to, suspension or expulsion. Such cases will be determined by the School or College Dean (or designee), who may consult the relevant faculty member and the student's academic advisor to get more information about the student. This step goes beyond the outlined procedure of individual cases of academic misconduct. If a student wishes to appeal the School or Academic Dean's or designee's decision, they must do so to the Provost in writing within ten calendar days. The Provost's (or designee's) decision and determination of the appropriate sanction on individual academic misconduct cases of this nature are final. All cases of academic misconduct are documented, and once they are resolved, they are sent to the Dean of Students Office within 10 days.