

Utah Tech University Policy

555: Student Academic and Professional Misconduct



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I. Purpose

- 1.1 To define academic and professional misconduct and establish protocol and procedures for applying appropriate sanctions to academic and professional misconduct.
- 1.2 To establish procedures for students to appeal academic or professional misconduct sanctions and to petition for reinstatement.

II. Scope

- 2.1 Applies to all degree-seeking and non-degree seeking students enrolled in credit or non-credit courses that are delivered by any mode (face to face, online, remote) either on or off campus at Utah Tech University (“the University”).

III. Definitions

- 3.1 ***Academic Misconduct:*** All acts of dishonesty in any academic-related matter, exercise or activity, and any attempted or actual intentional assistance or conspiracy to assist another student to commit an act of academic-related dishonesty. Academic Misconduct includes, but is not limited to any of the following acts in any type of academic-related matter, exercise or activity:
 - 3.1.1 Cheating, coercion, inappropriate collaboration or collusion, plagiarism, and self-plagiarism as defined in this policy.
 - 3.1.2 Unauthorized possession or disposition of academic materials such as examinations, class notes, term papers, or other academic work; stealing another student’s work; or using information from or

possessing an exam that an instructor did not authorize for release to students.

- 3.1.3 Fabrication and distortion in any verbal or written form of one's academic work.
- 3.1.4 Facilitation of any act of Academic Misconduct by knowingly assisting another to commit an act of Academic Misconduct.
- 3.2 ***Academic Integrity and Professional Misconduct Committee:*** Adjudicates the appeal from a respondent student regarding an academic sanction imposed by an instructor or program director after substantiated Academic or Professional Misconduct and determines the imposition of any sanctions other than the instructor issuing a failing grade for the course. The Academic Integrity and Professional Misconduct Committee is comprised of at least seven (7) members, consisting of four (4) voting faculty members selected by the Faculty Senate President and the Vice President of Academic Affairs and Provost, and at least three (3) students selected by the Student Association President. Members are selected for broad representation from colleges, divisions, departments, and programs. The Associate Provost of Academic Success chairs the Committee. The Committee follows the procedures, hearing schedules, and hearing guidelines as outlined in Sections 6.2 and 6.7 below.
- 3.3 ***Academic Sanction:*** A penalty or restriction imposed based on a student's Academic Misconduct.
- 3.4 ***Cheating:*** Using or attempting to use unauthorized materials, information, technology, or study aids in any academic exercise; failing to observe the expressed procedures or instructions of an academic exercise; substituting for or impersonating someone else during a test or exam or other fraud; or receiving the content of a test or exam before it is administered.
- 3.5 ***Coercion (with regard to grading or evaluating coursework):*** Issuing a threat against or offering a favor or bribe to an instructor to influence the instructor to change a grade or otherwise evaluate the student's work by criteria not directly reflective of coursework.
- 3.6 ***Inappropriate collaboration or collusion:*** Includes but is not limited to unauthorized or inappropriate collaboration between students or between a student and any other person when individual work is required.
- 3.7 ***Plagiarism:*** Using or representing another's words, idea, works, data, figures, picture, computer program or output, or anything generated by

someone else, as one's own. This includes, but is not limited to, representing, either with the intent to deceive or by the omission of the true source, part of or an entire work produced by someone else, obtained by purchase or otherwise, as one's own original work, or representing the identifiable but altered words, idea, works, data, figures, picture, computer program or output, or anything generated by someone else, as one's own original creation.

- 3.8 Preponderance of Evidence: The evidentiary standard used in the analysis to determine whether a student committed Academic or Professional Misconduct. This standard is met when, based on all of the information made available, it is more likely than not that the alleged misconduct occurred.
- 3.9 ***Professional misconduct***: A violation of the professional ethics, standards, or policies for an academic discipline or profession for which a student is preparing as recognized by the relevant academic program, including a specific misconduct that exemplifies a student's unfitness for such a profession or academic discipline.
- 3.10 ***Professional Misconduct Sanction***: A penalty or restriction imposed based on a student's Professional Misconduct.
- 3.11 ***Self-Plagiarism***: Resubmitting one's own, previously-submitted work which was submitted for credit in a course to fulfill a requirement in a second or concurrent course without proper citation and without informed permission from the instructor to whom one's work is subsequently or concurrently submitted.

IV. Policy

4.1 Academic Misconduct

- 4.1.1 In order to ensure that the highest standards of academic conduct are promoted and supported at the University, students must adhere to generally-accepted standards of academic integrity and avoid engaging in any act of Academic Misconduct.
- 4.1.2 The University shall consistently hold students accountable for acts of Academic Misconduct, apply appropriate Academic Sanctions, and follow the established protocol and procedures as outlined in Section 6.1 below.
- 4.1.3 Nothing in this policy shall be construed as a binding contract between the University and any student or associated third party.

Rather, this policy outlines the internal operating procedures for resolving student Academic or Professional Misconduct within the University community.

4.2 Professional Misconduct

- 4.2.1 In order to ensure that the highest standards of professional and ethical conduct are promoted and supported at the University, students must adhere to the prescribed professional and ethical standards of the profession or discipline for which the student is preparing, as adopted or recognized as authoritative by the relevant academic program.
- 4.2.2 The University shall consistently hold students accountable for acts of Professional Misconduct, apply appropriate sanctions, and follow the established protocol and procedures outline in Section 6.6 below.

4.3 Student Rights in the Academic or the Professional Misconduct Process:

- 4.3.1 A student is not required to make any statement at all regarding the Academic or Professional Misconduct matter under investigation, including in a meeting with the instructor
- 4.3.2 A student has a right to present any evidence, supporting witnesses, and other information to the instructor as part of the Academic or Professional Misconduct process.
- 4.3.3 A student has a right to be advised and accompanied by any one person of the student's choice to any meeting or hearing in the Academic or Professional Misconduct process, but the student must inform the instructor or University official in advance as to who will be accompanying the student.
- 4.3.4 A student is entitled to request that a meeting or hearing be paused for one University business week in order for the student to take advantage of these rights.

V. References – N/A

VI. Procedures

6.1 Student Academic Misconduct Procedures

- 6.1.1 An instructor who believes a student has engaged in Academic

Misconduct will notify the student via email of a required meeting with the instructor.

- 6.1.2 At the start of the meeting, the student will be informed by the instructor that an issue of possible Academic Misconduct exists.
- 6.1.3 The instructor will give the student a copy of University Policy 555, and the instructor will have the student sign an acknowledgement (attached as an addendum to Policy 555) that the student received a copy of the Policy.
- 6.1.4 The instructor will inform the student that the options to resolve the allegation of Academic Misconduct are:
 - 6.1.4.1 If evidence is presented by the student that leads the instructor to conclude that a preponderance of evidence does not exist that the student engaged in an act of Academic Misconduct, then the instructor will not proceed further with the allegations; or
 - 6.1.4.2 The matter can be concluded by the instructor imposing an Academic Sanction if the student makes a voluntary written admission that the student engaged in an act of Academic Misconduct; or
 - 6.1.4.3 If the instructor concludes based on firm evidence that a preponderance of evidence supports finding that the student engaged in an act of Academic Misconduct, the instructor may impose one of the following as an Academic Sanction that reflects how knowing, intentional, and serious the instructor judges the Academic Misconduct to be:
 - 6.1.4.3.1 Require that the work be redone, an exam retaken, or an alternate assignment substituted.
 - 6.1.4.3.2 Reduce the grade for the assignment or other academic activity.
 - 6.1.4.3.3 Reduce the grade for the course.
 - 6.1.4.3.4 Issue a grade of “F” for the paper, project, test, exam, or other academic activity in which the misconduct occurred.
 - 6.1.4.3.5 Issue a failing grade for the course.

- 6.1.4.3.6 Issue a written reprimand.
- 6.1.4.3.7 Issue a written statement of misconduct that can be recorded into an appropriate record maintained for purpose of the profession or discipline for which the student is preparing.
- 6.1.4.4 The student will be given written notice of the Academic Sanction by the instructor, and copies of the notice will be given to other University officials as outlined in section 6.1.5 below.
- 6.1.4.5 If the student does not respond to the meeting request, the instructor shall request that the Registrar place a hold on the student's University account preventing the student from dropping the course until the Academic Misconduct process is completed. If the process is completed after the "drop date" and the student is determined not to have engaged in Academic Misconduct, the student may drop the course. If the student is found responsible for Academic Misconduct the course may not be dropped.
- 6.1.4.6 If an Academic Misconduct case is underway during a student's final semester, the awarding of the degree may be dependent upon the resolution of the Academic Misconduct case.
- 6.1.5 If the instructor imposes any Academic Sanction for Academic Misconduct, the instructor shall report in writing, within ten (10) University business days of imposing the Academic Sanction, the Academic Misconduct and the Academic Sanction imposed to the following parties:
 - 6.1.5.1 The Chair of the Department offering the course;
 - 6.1.5.2 The Academic Dean;
 - 6.1.5.3 The Associate Provost for Academic Success;
 - 6.1.5.3.1 If the same student is reported for Academic Misconduct more than once, the Associate Provost for Academic Success will notify the Dean of Students in writing within ten (10) University business days.
 - 6.1.5.4 The Registrar's Office; and

6.1.5.5 The respondent student.

6.1.6 If the instructor believes that the student's Academic Misconduct warrants academic sanctions beyond those listed in Section 6.1.4, within ten (10) University business days of receiving notice of or discovering the student's misconduct, the instructor may submit a written complaint with recommendations to either the appropriate Department Chair, or directly to the Academic Integrity and Professional Misconduct Committee.

6.1.7 If the instructor elects to submit the complaint and recommendations to the Department Chair, the Chair has ten (10) University business days to forward the complaint with the Chair's recommendation in support of, or in opposition to, the instructor's recommended sanctions to the Academic Dean or directly to the Academic Integrity and Professional Misconduct Committee.

6.1.8 Within (ten) 10 University business days of such notification, an Academic Dean may undertake an investigation of the allegations and recommendations set forth in the complaint, and if further sanctions are indicated, will submit the written complaint with the Academic Dean's recommendation to the Academic Integrity and Professional Misconduct Committee.

6.1.8.1 The instructor initiating the original complaint remains as the complainant unless the instructor agrees that the Department Chair or Academic Dean or another administrative designee shall become the complainant.

6.1.9 In cases of multiple instances of substantiated Academic Misconduct, misconduct that damages the academic integrity of a program or the University as a whole, or other egregious circumstances, an instructor, Department Chair, or Academic Dean, including the Dean of Students or Vice President of Academic Affairs and Provost, may submit a written complaint with recommendation to the Academic Integrity and Professional Misconduct Committee at any time.

6.1.10 Cases that are referred to the Academic Integrity and Professional Misconduct Committee will be set for a hearing consistent with the process outlined in Section 6.2.4.

6.2 Appeals to the Academic Integrity and Professional Misconduct Committee

- 6.2.1 A student may only submit an appeal based upon one or more of the following grounds:
 - 6.2.1.1 The sanction was disproportionate to the violation;
 - 6.2.1.2 A procedural error or irregularity in the process substantially impacted the decision;
 - 6.2.1.3 New evidence that was not reasonably available at the time the sanction was imposed has since become available.
- 6.2.2 The written appeal shall be submitted as outlined in Section 6.3.
- 6.2.3 Appeals that are based upon one or more of the grounds listed in Section 6.2.1 shall be set for a hearing before the Academic Integrity and Professional Misconduct Committee.
- 6.2.4 Academic Integrity and Professional Misconduct Committee Hearing Process
 - 6.2.4.1 The Academic Integrity and Professional Misconduct Committee shall provide at least five (5) University Business Days' notice to the respondent student and of the date, time, and location of the hearing.
 - 6.2.4.2 All hearings are closed to the public.
 - 6.2.4.3 The respondent student shall be permitted to attend the hearing.
 - 6.2.4.4 In cases involving more than one student, the Committee may hear the case as one, but will make independent determinations for each student involved.
 - 6.2.4.5 Both the instructor (or the complainant) and the student will be allowed to present relevant information to the panel.
 - 6.2.4.6 In situations where the student or the instructor does not attend the hearing, the proceedings will continue as planned using available information.
 - 6.2.4.7 The student may have an advisor present throughout the proceedings. The role of the advisor is limited to "advising" and as such is limited to conferring with the student only.
 - 6.2.4.8 Witness statements may be considered and should be

submitted three days prior to the scheduled hearing, to be considered by the panel members.

- 6.2.4.9 Questioning witnesses will be limited to Committee members only.
 - 6.2.4.10 In closed session, the Committee will deliberate, and determine the facts of the case and determine the propriety of the proposed remedy(ies).
 - 6.2.4.11 The student will be notified of the Committee's decision within five (5) business days after the date of the hearing.
 - 6.2.4.12 Unless they are a complaining party in the matter, appropriate Dean(s), including the Academic Dean over the student's declared major, if applicable, may attend the appeal hearing ex officio.
 - 6.2.4.13 At least five (5) voting members of the Committee must be present at any hearing, with representation from both students and faculty required at all hearings.
 - 6.2.4.14 If any member of the Committee has a conflict of interest in a particular appeal, either self-disclosed or determined by the Committee Chair, that Committee member will be excused and an alternate from the same category may be appointed by the relevant Vice President or Student Association President.
 - 6.2.4.15 Committee decisions are based on a majority vote of those in attendance at the appeal hearing.
- 6.2.5 Academic Sanctions that can be imposed by the Academic Integrity and Professional Misconduct Committee include, but are not limited to, the following:
- 6.2.5.1 A notation on the student's academic transcript that the F grade in a specific course was issued for Academic Misconduct.
 - 6.2.5.2 Academic Misconduct sanction or probation that imposes conditions on a student for a specific period of time.
 - 6.2.5.3 Academic Misconduct suspension or dismissal from the following:

6.2.5.3.1 Program: for a minimum of one semester following the semester the student is found responsible for Academic Misconduct.

6.2.5.3.2 University: for a minimum of one semester following the semester the student is found responsible for Academic Misconduct. Dismissal from the University shall be reserved for the most serious or egregious instances of Academic Misconduct.

6.2.5.4 Denial of a degree or certificate for which requirements have been completed or revocation of an awarded student's degree or certificate. Revocation or denial of a degree or certificate is reserved for the most flagrant instances of Academic Misconduct, including but not limited to significant plagiarism or large-scale cheating serious enough to negate the legitimate completion of one or more substantive requirements of that degree or certificate.

6.2.6 Revocation of a degree or certificate

6.2.6.1 Decisions to revoke a degree or certificate are final.

6.2.6.2 Permanent records concerning the revocation of a degree or certificate shall be kept in the Registrar's Office.

6.2.6.3 Relevant external licensing and accrediting agencies shall be notified by the student's Academic Dean of a degree or certificate revocation.

6.2.6.4 The revocation of a degree or certificate shall be noted on the student's transcript.

6.3 Student Appeal Process for Academic Misconduct

6.3.1 Within ten (10) University Business Days of being notified in writing by an instructor of sanctions imposed for Academic Misconduct, a student may submit a written Notice of Appeal according to the sequence listed in 6.3.1.1 to 6.3.1.4. If the appeal is denied at a given level, the student has ten (10) University Business Days to submit an appeal to the next level in the sequence.

6.3.1.1 To the Chair, who has ten (10) University Business Days to respond.

6.3.1.2 To the Academic Dean, who has ten (10) University Business

Days to respond.

- 6.3.1.3 To the Academic Integrity and Professional Misconduct Committee, which has ten (10) University Business Days to respond.
- 6.3.1.4 To the Vice President of Academic Affairs and Provost, who shall, within ten (10) University Business Days, take one of the following actions:
 - 6.3.1.4.1 Accept the decision of the Academic Integrity and Professional Misconduct Committee.
 - 6.3.1.4.2 Request that the Committee reconsider or clarify specific matters, materials, or issues with a second report regarding the decision relating to the specific matters under reconsideration due not later than ten (10) University Business Days after the request.
 - 6.3.1.4.3 Reject all or parts of the Committee's decision, stating reasons and actions to be taken.
 - 6.3.1.4.4 Written notification of the Vice President of Academic Affairs and Provost's decision and the basis for that decision shall be communicated to the parties concerned within ten (10) University Business Days after receipt of the appeal.
- 6.3.1.5 The Vice President of Academic Affairs and Provost's decision is final.

6.4 Reinstatement

- 6.4.1 A student may be suspended or dismissed from a specific academic program or from the University. Reinstatement to the University and/or a specific academic program after dismissal is rare.
- 6.4.2 A student may petition for reinstatement to the University or the student's program by following the guidelines and procedure outlined below.
- 6.4.3 If a student is suspended or dismissed from a program for Academic Misconduct, the student may submit a letter of petition to the appropriate Academic Dean for reinstatement into the program no less than thirty (30) University Business Days before the beginning of the next semester.

- 6.4.4 While reinstatement after dismissal is rare, the Academic Dean, in consultation with the Department Chair, may:
 - 6.4.4.1 Reinstatement the student unconditionally.
 - 6.4.4.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for previous Academic Misconduct.
 - 6.4.4.3 Decline to reinstate the student.
- 6.4.5 Written notice of the Academic Dean's decision shall be given to the student within ten (10) University Business Days after the receipt of the petition.
- 6.4.6 The student may submit a written appeal of the Academic Dean's decision to the Vice President of Academic Affairs and Provost within ten (10) University Business Days of notification.
- 6.4.7 The Vice President of Academic Affairs and Provost shall consider the appeal and issue a decision regarding the student's appeal within ten (10) University Business Days of receipt of the appeal.
- 6.4.8 The Vice President of Academic Affairs and Provost may:
 - 6.4.8.1 Reinstatement the student unconditionally.
 - 6.4.8.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for the incident of Academic Misconduct for which such conditional reinstatement is granted.
 - 6.4.8.3 Decline to reinstate the student.
- 6.4.9 The Vice President of Academic Affairs and Provost's decision is final.
- 6.5 Reinstatement After Academic Misconduct Suspension or Dismissal from the University
 - 6.5.1 If a student is suspended from the University for Academic Misconduct, the student may petition the Academic Integrity and Professional Misconduct Committee for reinstatement of student status not less than sixty (60) University Business Days before the

beginning of the semester in which the student wishes to be reinstated.

- 6.5.2 Reinstatement after dismissal is rare. The standards for reinstatement after dismissal are substantially higher than after suspension.
- 6.5.3 The Academic Integrity and Professional Misconduct Committee may:
 - 6.5.3.1 Reinstatement the student unconditionally.
 - 6.5.3.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for the same incident of Academic Misconduct.
 - 6.5.3.3 Decline to reinstate the student.
- 6.5.4 Written notification of the Committee's decision is required not later than ten (10) University Business Days after receipt of the petition.
- 6.5.5 The student may submit to the Vice President of Academic Affairs and Provost within ten (10) University Business Days of notification, a written appeal of the Academic Integrity and Professional Misconduct Committee's decision not to reinstate the student.
- 6.5.6 The Vice President of Academic Affairs and Provost shall consider the appeal and issue a decision regarding the student's appeal within ten (10) University Business Days of receipt of the appeal.
- 6.5.7 The Vice President of Academic Affairs and Provost may:
 - 6.5.7.1 Reinstatement the student unconditionally.
 - 6.5.7.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for previous Academic Misconduct.
 - 6.5.7.3 Decline to reinstate the student.
- 6.5.8 The Vice President of Academic Affairs and Provost's decision is final.

6.6 Professional Misconduct Procedures:

- 6.6.1 A program director or instructor who believes a student has engaged in Professional Misconduct will notify the student via email of a required meeting with the program director or instructor.
- 6.6.2 At the start of the meeting, the student will be informed by the program director or instructor that an issue of possible Professional Misconduct exists.
- 6.6.3 The program director or instructor will give the student a copy of University Policy 555, and the program director or instructor will have the student sign an acknowledgement (attached as an addendum to Policy 555) that the student received a copy of the Policy.
- 6.6.4 The program director or instructor will inform the student that the options to resolve the allegation of Professional Misconduct are:
 - 6.6.4.1 If evidence is presented by the student that leads the program director or instructor to conclude that a preponderance of evidence does not exist that the student engaged in an act of Professional Misconduct, then the program director or instructor will not proceed further with the allegations; or
 - 6.6.4.2 The matter can be concluded by the program director or instructor imposing a sanction if the student makes a voluntary written admission that the student engaged in an act of Professional Misconduct; or
 - 6.6.4.3 If the program director or instructor concludes that a preponderance of evidence supports finding that the student engaged in an act of Professional Misconduct, the program director or instructor may impose one of the following as a sanction that reflects how knowing, intentional, and serious the program director or instructor judges the Professional Misconduct to be:
 - 6.6.4.3.1 Informally resolve the issue with appropriate measures to ensure the misconduct does not continue in the future.
 - 6.6.4.3.2 Verbal Warning
 - 6.6.4.3.3 Reduce the grade for the course

- 6.6.4.3.4 Imposition of probationary period
- 6.6.4.3.5 Issue a written reprimand.
- 6.6.4.3.6 Issue a written statement of misconduct that can be recorded into an appropriate record maintained for purpose of the profession or discipline for which the student is preparing.
- 6.6.4.4 The student will be given written notice of the sanction by the program director or instructor, and copies of the notice will be given to other University officials as outlined in section 6.6.5 below.
- 6.6.4.5 If the student does not respond to the meeting request, the instructor shall request that the Registrar place a hold on the student's University account preventing the student from dropping the course until the Professional Misconduct process is completed. If the process is completed after the "drop date" and the student is determined not to have engaged in Professional Misconduct, the student may drop the course. If the student is found responsible for Professional Misconduct the course may not be dropped.
- 6.6.4.6 If a Professional Misconduct case is underway during a student's final semester, the awarding of the degree may be dependent upon the resolution of the Professional Misconduct case.
- 6.6.5 If the program director or instructor imposes any sanction for Professional Misconduct, the program director or instructor shall report in writing, within ten (10) University business days of imposing the sanction, the Professional Misconduct and the sanction imposed to the following parties:
 - 6.6.5.1 The Chair of the Department offering the course;
 - 6.6.5.2 The Academic Dean;
 - 6.6.5.3 The Associate Provost for Academic Success;
 - 6.6.5.3.1 If the same student is reported for Professional Misconduct more than once, the Associate Provost for Academic Success will notify the Dean of Students in writing within ten (10) University business days.

- 6.6.5.4 The Registrar's Office; and
- 6.6.5.5 The respondent student.
- 6.6.6 If the program director or instructor believes that the student's Professional Misconduct warrants sanctions beyond those listed in Section 6.6.4.3, within ten (10) University business days of receiving notice of or discovering the student's misconduct, the instructor may submit a written complaint with recommendations to either the appropriate Department Chair, or directly to the Academic Integrity and Professional Misconduct Committee.
- 6.6.7 If the program director or instructor elects to submit the complaint and recommendations to the Department Chair, the Chair has ten (10) University business days to forward the complaint with the Chair's recommendation in support of, or in opposition to, the instructor's recommended sanctions to the Academic Dean or directly to the Academic Integrity and Professional Misconduct Committee.
- 6.6.8 Within ten (10) University business days of such notification, an Academic Dean may undertake an investigation of the allegations and recommendations set forth in the complaint, and if further sanctions are indicated, will submit the written complaint with the Academic Dean's recommendation to the Academic Integrity and Professional Misconduct Committee.
 - 6.6.8.1 The program director or instructor initiating the original complaint remains as the complainant unless the program director or instructor agrees that the Department Chair or Academic Dean or another administrative designee shall become the complainant.
- 6.6.9 In cases of multiple instances of substantiated Professional Misconduct, misconduct that damages the professional or academic integrity of a program or the University as a whole, or other egregious circumstances, an instructor, Department Chair, or Academic Dean, Program Director, including the Dean of Students or Vice President of Academic Affairs and Provost, may submit a written complaint with recommendation to the Academic Integrity and Professional Misconduct Committee at any time.
- 6.7 Cases that are referred to the Academic Integrity and Professional Misconduct Committee will be set for a hearing consistent with the process outlined in Section 6.2.

6.8 Appeals to the Academic Integrity and Professional Misconduct Committee

6.8.1 A student may only submit an appeal based upon one or more of the following grounds:

6.8.1.1 The sanction was disproportionate to the violation;

6.8.1.2 A procedural error or irregularity in the process substantially impacted the decision;

6.8.1.3 New evidence that was not reasonably available at the time the sanction was imposed has since become available.

6.8.2 The written appeal shall be submitted as outlined in Section 6.8.

6.8.3 Appeals that are based upon one or more of the grounds listed in Section 6.2.1 shall be set for a hearing before the Academic Integrity and Professional Misconduct Committee.

6.8.4 Academic Integrity and Professional Misconduct Committee Hearing Process

6.8.4.1 The Academic Integrity and Professional Misconduct Committee shall provide at least five (5) University Business Days' notice to the respondent student of the date, time, and location of the hearing.

6.8.4.2 All hearings are closed to the public.

6.8.4.3 The respondent student shall be permitted to attend the hearing.

6.8.4.4 In cases involving more than one student, the Committee may hear the case as one, but will make independent determinations for each student involved.

6.8.4.5 Both the program director (complainant) and the student will be allowed to present relevant information to the panel.

6.8.4.6 In situations where the student or the instructor does not attend the hearing, the proceedings will continue as planned using available information.

6.8.4.7 The student may have an advisor present throughout the proceedings. The role of the advisor is limited to "advising"

and as such is limited to conferring with the student only.

- 6.8.4.8 Witness statements may be considered and should be submitted three days prior to the scheduled hearing, to be considered by the panel members.
- 6.8.4.9 Questioning witnesses will be limited to Committee members only.
- 6.8.4.10 In closed session, the Committee will deliberate, and determine the facts of the case and determine the propriety of the proposed remedy(ies).
- 6.8.4.11 The student will be notified of the Committee's decision within five (5) business days after the date of the hearing.
- 6.8.5 Unless they are a complaining party in the matter, appropriate Dean(s), including the Academic Dean over the student's declared major, if applicable, may attend the appeal hearing ex officio.
- 6.8.6 At least five (5) voting members of the Committee must be present at any hearing, with representation from both students and faculty required at all hearings.
- 6.8.7 If any member of the Committee has a conflict of interest in a particular appeal, either self-disclosed or determined by the Committee Chair, that Committee member will be excused and an alternate from the same category may be appointed by the relevant Vice President or Student Association President.
- 6.8.8 Committee decisions are based on a majority vote of those in attendance at the appeal hearing.
- 6.8.9 Professional Misconduct Sanctions that can be imposed by the Academic Integrity and Professional Misconduct Committee include, but are not limited to, the following:
 - 6.8.9.1 Professional Conduct sanction or probation that imposes conditions on a student for a specific period of time.
 - 6.8.9.2 Professional Conduct suspension or dismissal from a program or from the University.
 - 6.8.9.2.1 Program: for a minimum of one semester following the semester the student is found responsible for Professional Misconduct.

6.8.9.2.2 University: for a minimum of one semester following the semester the student is found responsible for Professional Misconduct. Dismissal from the University shall be reserved for the most serious or egregious instances of Professional Misconduct.

6.8.9.3 Denial of a degree or certificate for which requirements have been completed or revocation of an awarded student's degree or certificate. Revocation or denial of a degree or certificate is reserved for the most flagrant instances of Professional Misconduct, including but not limited to misconduct that is serious enough to negate the legitimate completion of one or more substantive requirements of that degree or certificate.

6.8.10 Revocation of a degree or certificate

6.8.10.1 Decisions to revoke a degree or certificate are final.

6.8.10.2 Permanent records concerning the revocation of a degree or certificate shall be kept in the Registrar's Office.

6.8.10.3 Relevant external licensing and accrediting agencies shall be notified by the student's Academic Dean of a degree or certificate revocation.

6.8.10.4 The revocation of a degree or certificate shall be noted on the student's transcript.

6.9 Student Appeal Process for Professional Misconduct

6.9.1 Within ten (10) University Business Days of being notified in writing by an instructor of sanctions imposed for Professional Misconduct, a student may submit a written Notice of Appeal according to the sequence listed in 6.8.1.1 to 6.8.1.4. If the appeal is denied at a given level, the student has ten (10) University Business Days to submit an appeal to the next level in the sequence.

6.9.1.1 To the Chair, who has ten (10) University Business Days to respond.

6.9.1.2 To the Academic Dean, who has ten (10) University Business Days to respond.

6.9.1.3 To the Academic Integrity and Professional Misconduct Committee, which has ten (10) University Business Days to respond.

6.9.1.4 To the Vice President of Academic Affairs and Provost, who shall, within ten (10) University Business Days, take one of the following actions:

6.9.1.4.1 Accept the decision of the Academic Integrity and Professional Misconduct Committee.

6.9.1.4.2 Request that the Committee reconsider or clarify specific matters, materials, or issues with a second report regarding the decision relating to the specific matters under reconsideration due not later than ten (10) University Business Days after the request.

6.9.1.4.3 Reject all or parts of the Committee's decision, stating reasons and actions to be taken.

6.9.1.4.4 Written notification of the Vice President of Academic Affairs and Provost's decision and the basis for that decision shall be communicated to the parties concerned within ten (10) University Business Days after receipt of the appeal.

6.9.1.5 The Vice President of Academic Affairs and Provost's decision is final.

6.10 Reinstatement

6.10.1 A student may be suspended or dismissed from a specific academic program or from the University. Reinstatement to the University and/or a specific academic program after dismissal is rare.

6.10.2 A student may petition for reinstatement to the University or the student's program by following the guidelines and procedure outlined below.

6.10.3 If a student is suspended or dismissed from a program for Professional Misconduct, the student may submit a letter of petition to the appropriate Academic Dean for reinstatement into the program no less than thirty (30) University Business Days before the beginning of the next semester.

6.10.4 While reinstatement after dismissal is rare, the Academic Dean, in consultation with the Department Chair, may:

6.10.4.1 Reinstatement the student unconditionally.

- 6.10.4.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for previous Professional Misconduct.
- 6.10.4.3 Decline to reinstate the student.
- 6.10.5 Written notice of the Academic Dean's decision shall be given to the student within ten (10) University Business Days after the receipt of the petition.
- 6.10.6 The student may submit a written appeal of the Academic Dean's decision to the Vice President of Academic Affairs and Provost within ten (10) University Business Days of notification.
- 6.10.7 The Vice President of Academic Affairs and Provost shall consider the appeal and issue a decision regarding the student's appeal within ten (10) University Business Days of receipt of the appeal.
- 6.10.8 The Vice President of Academic Affairs and Provost may:
 - 6.10.8.1 Reinstatement the student unconditionally.
 - 6.10.8.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for the incident of Professional Misconduct for which such conditional reinstatement is granted.
 - 6.10.8.3 Decline to reinstate the student.
- 6.10.9 The Vice President of Academic Affairs and Provost's decision is final.
- 6.11 Reinstatement After Professional Misconduct Suspension or Dismissal from the University
 - 6.11.1 If a student is suspended from the University for Professional Misconduct, the student may petition the Academic Integrity and Professional Misconduct Committee for reinstatement of student status not less than sixty (60) University Business Days before the beginning of the semester in which the student wishes to be reinstated.
 - 6.11.2 Reinstatement after dismissal is rare. The standards for reinstatement after dismissal are substantially higher than after

suspension.

6.11.3 The Academic Integrity and Professional Conduct Committee may:

6.11.3.1 Reinstatement the student unconditionally.

6.11.3.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for the same incident of Professional Misconduct.

6.11.3.3 Decline to reinstate the student.

6.11.4 Written notification of the Committee's decision is required not later than ten (10) University Business Days after receipt of the petition.

6.11.5 The student may submit to the Vice President of Academic Affairs and Provost within ten (10) University Business Days of notification, a written appeal of the Academic Integrity and Professional Misconduct Committee's decision not to reinstate the student.

6.11.6 The Vice President of Academic Affairs and Provost shall consider the appeal and issue a decision regarding the student's appeal within ten (10) University Business Days of receipt of the appeal.

6.11.7 The Vice President of Academic Affairs and Provost may:

6.11.7.1 Reinstatement the student unconditionally.

6.11.7.2 Reinstatement the student under specific conditions designed to improve the student's academic conduct. The student shall be precluded from further sanctions for previous Professional Misconduct.

6.11.7.3 Decline to reinstate the student.

6.11.8 The Vice President of Academic Affairs and Provost's decision is final.

VII. Addenda – N/A

Policy Owner: Vice President of Academic Affairs and Provost
Policy Steward: Senior Associate Provost for Academic Success

History:

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