

IU Code of Student Rights, Responsibilities, and Conduct

Part V: Student Disciplinary Procedures for Academic Misconduct Involving the IUPUI Campus

Preamble

Indiana University procedures for imposing academic and disciplinary sanctions are intended to provide students with a non-discriminatory, fair and consistent process. At the same time, the procedures reflect concern about the individual student involved in a particular case. The procedures, therefore, provide that the imposition of disciplinary sanctions should take into consideration the circumstances and evidence in a particular case, including a student's prior record of misconduct, if any.

Policies of academic misconduct apply to all courses, Department, School, Campus, and University related activities, including field trips, conferences, performances, and sports activities off campus, exams outside of a specific course structure (such as take home exams, entrance exams, or auditions, theses and master's exams, and doctoral qualifying exams and dissertations), and research work outside of a specific course structure (such as lab experiments, data collection, service learning, and collaborative research projects). The faculty member may take into account the seriousness of the violation in assessing a sanction(s) for acts of academic misconduct. The faculty member must report all cases of academic misconduct to the School, Division, or Unit Academic Officer.

A. Authority and Jurisdiction

These procedures apply to the adjudication of the Indiana University Code of Student Rights, Responsibilities, and Conduct provision on Academic Misconduct.

Should a student withdraw from a course or no longer remain enrolled in a course, the university will retain authority to adjudicate the matter under these procedures.

1. Academic Misconduct

- a.** Allegations of academic misconduct may consist of two basic types:
 - (i.)** academic misconduct by a student enrolled in a course and who commits an act of misconduct related to that course;
 - (ii.)** academic misconduct by a student that is not related to a course in which the student is enrolled.
- b.** When a student commits an act of academic misconduct related to a particular course, the faculty member responsible for the course has the authority to initiate academic misconduct proceedings against the student whether that student is enrolled in the course or not.

c. When a student commits an act of academic misconduct related to a course in which the student is not enrolled, the Office of Student Conduct has the authority to initiate academic misconduct proceedings against the student after consulting with the appropriate Academic Officer of the School, Unit, or Division (henceforth called the Academic Officer) in which the student is enrolled.

2. **Simultaneous Acts of Academic and Personal Misconduct**

When a student commits an act of academic misconduct related to a particular course and *a simultaneous act of academic or personal misconduct unrelated to that course*, separate academic misconduct and/or personal misconduct proceedings may be initiated by the faculty member responsible for the course and the Office of Student Conduct, as outlined in these procedures. Prior to taking any action the Office of Student Conduct should consult with the Academic Officer to decide if the matter will be handled jointly or by only one of them.

B. **Action by a Faculty Member in Cases Related to Academic Misconduct in a Course**

1. When a faculty member becomes aware that a student has committed an act of academic misconduct related to a course, the faculty member must initiate efforts to determine if academic misconduct occurred (i.e., investigate the matter). Within five **(5) business days** (See Appendix) of discovering possible academic misconduct, the faculty member must schedule a meeting with the student. The five days begins the first business day after the discovery by the faculty member. During that meeting the faculty member must:

- a. advise the student of the alleged act of misconduct and the information upon which the allegation is based;
- b. provide an opportunity for the student to respond to the allegation;
- c. complete an Academic Misconduct Reporting Form found here:
<http://go.iu.edu/24ly>

2. After the meeting with the student, if the faculty member concludes that the preponderance of information available to them indicates that the student did commit an act of misconduct, the faculty member is authorized to impose an academic sanction related to the particular course involved. Sanctions imposed by the faculty member may include, but are not limited to, any one or a combination of the following:

- a. no formal penalty, but the student is given a written reprimand outlining the offense;

- b. the student is required to repeat or to resubmit the work or to complete additional work for the course in which the act of misconduct occurred;
- c. the student may be
 - (i) given a lower grade than the student would otherwise have received for any course work (e.g., an assignment, examination, or paper) involved in the act of misconduct, as well as the final course grade.
 - (ii) withdrawn from the course with a grade of W (see B5).
 - (iii) The student may receive an F for the course that will be recorded by the registrar as a permanent grade that is not able to be replaced using a grade replacement policy.

Within five business days after the last meeting with any involved student, the faculty member must provide an accused student with a copy of the completed reporting form and a list of any sanctions that were imposed.

- 3. Whenever an academic sanction is imposed, the faculty member must, within (five) **5 business days** of meeting with the student, report the matter and the sanction imposed. The faculty member must provide copies of the Academic Misconduct Reporting Form and documentation completed after the meeting with the student to the Academic Officer in the School, Unit, or Division in which the course is being offered and who will be responsible for notifying
 - a. the Academic Officer in the School, Unit, or Division in which the student is officially enrolled and
 - b. the Office of Student Conduct.
- 4. Until the matter has been resolved, the faculty member must allow the student to continue attending and participating in the course in the same manner as any other enrolled student.
- 5. In the event that the matter cannot be resolved before final grades are due, an interim course grade of Incomplete (I) may be given.

C. Role of the Academic Officer

The Academic Officer will be responsible for

- a. gathering all information needed to investigate a claim of academic misconduct when a case has been forwarded to them by a faculty member;
- b. maintaining a pool of faculty and students who can serve on an academic appeals board if one is convened;

- c. convening an Appeals Board when necessary;
- d. contacting the registrar to report any transcript changes or notations that become necessary as a result of a resolution in a case of academic misconduct; and
- e. contacting other Academic Officers and the Office of Student Conduct as described elsewhere in this Code.
- f. informing the appropriate offices to enforce any additional sanctions that may be imposed and reported to the Academic Officer by the Office of Student Conduct.

Any action(s) related to academic sanctions that impact a student's grade in a course remains under the authority of the Academic Officer in whose School, Unit, or Division the act of misconduct occurred.

D. Role of the Office of Student Conduct in Cases Related to Academic Misconduct in a Course

After the case of academic misconduct has been resolved at the School, Unit, or Division level and the student has been informed of that outcome, the Office of Student Conduct has the authority to impose additional sanction(s) if, after consulting with the appropriate Academic Officer, the Office of Student Conduct believes that such a sanction is justified because of the nature of the student's misconduct or because of other reported acts of misconduct by the student (See Appendix).

E. Role of the University

When an allegation of misconduct is made prior to degree conferral, the School, Unit, or Division that awarded the degree will conduct an investigation to determine whether misconduct occurred, and if so, it may recommend revocation of the degree to the University Board of Trustees.

Should an allegation of misconduct be made for an act of misconduct that occurred while the student was still attending the University but not discovered until after graduation, the School, Unit, or Division that awarded the degree will conduct an

investigation to determine whether misconduct occurred, and if so, it may recommend revocation of the degree to the University Board of Trustees.

F. Right to Appeal

A student alleged to have committed an act of academic misconduct has the right to appeal the original decision on the following grounds:

1. the decision of the faculty member that the student committed the act of misconduct is mistaken;
2. the sanction imposed by the faculty member is grossly disproportionate to the offense committed and the totality of the circumstances;
3. a significant procedural error occurred that reasonably would have affected the outcome of the process;
4. new information about the event that was not otherwise known to exist or was not available at the time of the student/faculty meeting has been discovered. Any new information must be submitted along with the appeal form at the time the appeal is made to the Academic Officer; and/or
5. the Office of Student Conduct imposed an additional sanction that is grossly disproportionate to the offense committed and the totality of the circumstances. This appeal would be reviewed by the IUPUI Dean of Students.

G. Appealing the decision made by a Faculty Member

1. Responsibility of the student

A student appealing a decision made by a faculty member should submit the appeal to the Academic Officer in the School, Unit or Division in which the offense occurred.

The student must submit a written request to the Academic Officer for a hearing before the Appeal Board within five **(5) business days** after receiving a copy of the Academic Misconduct Reporting Form at the conclusion of the discussion with the faculty member.

The student is required to provide any relevant statements or information to be presented as well as a list of witnesses and the name of an advisor, if any, who will be present during the hearing to the Appeal Board Presiding Officer at least three **(3) business days** prior to the hearing.

2. Rights of the student

- a. The student may present witnesses who possess relevant and factual information concerning the matter at the appeal hearing.
- b. The student may be accompanied by an advisor. The advisor may confer or pass notes to the student but the advisor will not be allowed to address the Board or otherwise actively participate in the appeal hearing process.
- c. The student will have an opportunity to address the Appeal Board and to respond to all information provided concerning the alleged misconduct.

H. The Appeal Board

1. Constituting an Appeal Board

Within five (5) business days of receiving a written appeal, the Academic Officer will assemble an Appeal Board and appoint a faculty member to serve as the Presiding Officer. The Presiding Officer will be responsible for convening the Appeal Board.

2. Composition of the Appeal Board

- a. The Board will consist of three faculty and two students selected from the Officer's School, Unit, Division or Area. No member is to be from the subject area, or course section in which the offense occurred. A selected faculty member may be a full-time tenure or non-tenure track individual holding a 10- or a 12-month appointment.
- b. If the School, Unit, Division, or Area do not have enough faculty members or students to fully constitute a Board, it may utilize members from other Schools, Units, Divisions, or Areas, but the Presiding Officer, if possible, is to be a faculty member from the School, Unit, Division, or Area in which the appeal is being made.

Note: A hearing may only be held if at least two faculty members and one student member of the Appeal Board are present. If, upon notification of selection, an Appeal Board member is unable to be present or requests to be excused from serving for any good cause, the member is to be replaced. A faculty member would be replaced with another faculty member and a student member would be replaced with a student member.

3. Role of the Appeal Board Presiding Officer Prior to Appeal Board Meeting

- a. The Presiding Officer will be responsible for convening the Appeal Board. Prior to the meeting of an Appeal Board, the Presiding Officer will consult with members of the Appeal Board and the Academic Officer, to select a date and time for the appeal to be heard.
- b. **Five (5) business days** prior to the scheduled hearing, the Presiding Officer, in consultation with the Academic Officer, will send a letter to the student and to the faculty member who imposed the sanction(s) being appealed.

The letter to the student will state:

- a. the date, time, and place the appeal will be heard;
- b. the faculty member will be present;
- c. the student is required to attend the hearing;
- d. the student must provide a list of any witnesses the student intends to have called before the Appeal Board as well as the name of an advisor, if any, to the Presiding Officer **three (3) business days** before scheduled date of the hearing.
- e. the student may be accompanied by an advisor, and that the advisor will not be allowed to address any other participants involved in the appeal process;

The letter to the faculty member will state:

- a. the date, time, and place the appeal will be heard;
- b. that the faculty member is required to attend the hearing;
- c. if the faculty member wants to present witnesses at the hearing, he or she must provide list of any witnesses to the Presiding Officer **3 business days** before scheduled date of the hearing;
- d. the faculty member is expected to
 - i. provide any information the Board requests before the hearing
 - ii. provide a summary of why the case is being brought before the Board

- iii. respond to questions the Board may have during the hearing
- e. a failure to appear before the Appeal Board may be sufficient to justify the dismissal of the appeal if the Board determines that the failure to attend was without good cause.

Three (3) business days prior to the scheduled hearing, the Presiding Officer will send any additional information provided to them (e.g., witness list) to the student and to the faculty member who imposed the sanction(s).

4. Role of Presiding Officer During an Appeal Board Meeting

The Presiding Officer will be responsible for

- a. maintaining order during the meeting and providing a fair and expeditious process;
- b. making an official voice recorded transcript of the appeal hearing;
- c. providing both the student and the faculty member with an opportunity to address and present information to the Board;
- d. providing the student an opportunity to make a concluding statement in support of the appeal; and
- e. providing the faculty member with an opportunity to respond to the student's final statement concerning the appeal.

5. Role of the Appeal Board

During the hearing, the Appeal Board will consider the information presented to it, including statements and materials submitted by the student as well as the documentation submitted by the faculty member supporting their original finding.

The Board may conclude that the preponderance of the information:

- a. does support the allegation that the student committed the act of academic misconduct, and support the decision of the faculty member, to find the student responsible for academic misconduct and the assigned sanction(s).
- b. does support the allegation that the student did commit the act of academic misconduct, but that the sanction or sanctions should be reduced or increased [See Academic Misconduct Reporting Form]. Under these circumstances, the Board may recommend that the Dean, Director, or Academic Officer of the School, Unit, Division, or Area impose a different sanction than that imposed by the faculty member.

- c. does not support the allegation that the student committed the act of academic misconduct, and direct the Dean, Director, or Academic Officer of the School, Unit, Division, or Area to set aside the sanction (s) imposed. If the decision of the faculty member concerning the student's alleged act of misconduct is reversed by the Board, any additional sanction(s) imposed by the Dean of Students is automatically reversed.

6. Decisions and/or Recommendation made by the Appeal Board

All decisions and/or recommendations made by an Appeal Board are determined by majority vote of the board members.

7. Report of Appeal Board

Within five **(5) business days** of hearing the appeal, the Presiding Officer, in consultation with the Academic Officer, must prepare a written statement that includes an explanation of the Board's action and the rationale for the outcome reached by the Appeal Board. The decision must be sent to

- a. the student;
- b. the faculty member;
- c. members of the Appeals Board;
- d. the Academic Officer of the School, Unit, Division or Area in which the student is enrolled; and
- e. the Office of Student Conduct.

All decisions and/or recommendations made by the Board are considered to be final and the appeals process is finished with the filing of the Board's report.

A copy of the report will be maintained by the Academic Officer and the Office of Student Conduct.

I. Action by the Office of Student Conduct

The Office of Student Conduct is required to maintain the University record of all sanctions imposed by, or reported to, that Office in order to determine if a particular student is developing a record of repeated acts of misconduct.

The Office of Student Conduct has no authority to reconsider an academic decision made at the School, Unit, Division or Area level.

1. Review by the Office of Student Conduct

- a.** is required to review the complete record provided by the Academic Officer to determine whether the act or record of previous acts might warrant additional sanctions; and
- b.** must, **within five (5) business** days after receiving the University record, notify the student via University e-mail or U.S. mail that a date has been set for an informal conference between the student and a representative of the Office of Student Conduct. That letter must state either that a decision not to impose additional sanctions has been made or that the Office is considering additional sanctions

If the Office of Student Conduct is considering additional sanctions, the notification to the student will include

- a.** a statement that the Office has been notified of the academic proceedings taken by the student's School, Unit, Division, or Area;
- b.** a statement that the student is required to meet with a representative of the Office of Student Conduct; and
- c.** a statement that the student may, at the student's own expense, have an advisor present during the informal conference. An advisor may only speak with the student and no other individuals involved in the informal conference.

2. The student conference with the Office of Student Conduct

The Office of Student Conduct will review with the student the purpose of the conference, the University record, and any prior acts of misconduct that would be considered relevant to the possible creation of additional sanctions. At this time the office can also define any acts of personal misconduct that may have occurred. The student will be given an opportunity to respond to the incident(s) being investigated.

- a.** If the student fails to appear for the conference and if the Office of Student Conduct reasonably concludes that the failure to appear is without good cause, the Office may impose any of the authorized additional sanctions.
- b.** The student has the right to appeal a decision of the Office of Student Conduct to impose an additional sanction(s) directly to the Dean of Students.

c.

The informal conference is not an appeal, and any previous academic sanctions are not to be reconsidered in the discussion.

3. Report of the Office of Student Conduct

If after the conference the Office of Student Conduct imposes any additional sanctions the Office will notify the Academic Officer of the School, Unit, or Division in which the offense occurred.

J. Appealing a decision made by the Office of Student Conduct

The IUPUI Dean of Students may hear appeals of a sanction imposed by a representative of the Office of Student Conduct. Any decision made by the Dean of Students is final and terminates this part of the appeals process. An appeal made to the Dean of Students must be in writing and made within five days from the conference held with the Office of Student Conduct.

K. Unique circumstances

The University recognizes that in some situations it may be difficult for a student to clearly articulate their case or to quickly process and interpret the proceedings.

If requested by the student, the Academic Officer and the Presiding Appeal Board Officer or the Office of Student Conduct in consultation with Adaptive Educational Services [AES] will arrange accommodations to meet the student's needs.

Appendix A: Definitions

Academic Misconduct

The current definition in the Code states that “Academic misconduct is defined as any activity that tends to undermine the academic integrity of the institution. The University may discipline a student for academic misconduct. Academic misconduct may involve human, hard-copy, or electronic resources.”

Academic Misconduct Reporting Form

This form can be accessed by way of the Office of the IUPUI Faculty Council website (<http://go.iu.edu/24ly>). A faculty member must use the form to document and report an accusation of academic misconduct lodged against a student. A copy of this report must be presented to the student at the initial meeting with the faculty member where alleged misconduct is discussed. After being signed by the student at the meeting a copy of the form must be sent to the Academic Officer of the faculty member’s School, Unit, or Division.

Advisor

This is an individual whom the student requests to accompany him or her to a hearing. The advisor may only speak with and advise the student(s). An advisor may not directly address members of the Appeal Board or actively participate in the appeal.

Appeal Board

The Appeal Board is a group of faculty and students selected by the Academic Officer in the School, Unit, or Division where the alleged misconduct occurred that will be responsible for hearing an appeal made by a student accused of academic misconduct.

Business Day

A business day is any day Monday through Friday when the campus is not closed and is conducting normal business.

IUPUI Dean of Students

Undergraduate Dean of Students

This is the individual at the campus level who is responsible for maintaining records on undergraduate student conduct and who administers the IUPUI Office of Student Conduct.

Graduate Dean of Students

This is an individual at the Graduate School level who maintains records on graduate student and professional student conduct and who is responsible for administering the Graduate Office.

Office of Student Conduct

Office of Student Conduct refers to the office designated to administer the Code.

Office of the Registrar

The Office of the Registrar maintains a student's academic course records.

Official Communications

The University has the option to send communications via a University e-mail account or other delivery service such as the United States Postal Service.

Preponderance of Evidence

The evidence must prove that it is more likely than not that the student(s) committed an act misconduct.

Presiding Officer

The Presiding Officer will be a faculty member chosen by the Academic Officer to serve on and chair the Appeal Board.

School

Some Schools are Core Schools or System Schools. For the purposes of this document, School refers to the units on the Indianapolis campus (IUPUI).