

APPENDIX C

ACADEMIC MISCONDUCT DISCIPLINARY POLICY

I. Academic Misconduct

A. Academic misconduct includes all acts of dishonesty in any academically-related matter and any knowing or intentional help or attempt to help, or conspiracy to help, another student commit an act of academic dishonesty. Academic dishonesty includes, but is not limited to, each of the following acts when performed in any type of academic or academically-related matter, exercise, or activity.

1. Cheating--using or attempting to use unauthorized materials, information, study aids, or computer-related information.
2. Plagiarism--representing the words, data, works, ideas, computer program or output, or anything not generated in an authorized fashion, as one's own.
3. Fabrication--presenting as genuine any invented or falsified citation or material.
4. Misrepresentation--falsifying, altering, or misstating the contents of documents or other materials related to academic matters, including schedules, prerequisites, and transcripts.

B. Except in divisions which have an alternate academic misconduct policy which has been approved by the ~~Academic Vice President~~ Provost/Vice President for Academic Affairs, academic misconduct cases shall be resolved by the divisional academic misconduct monitor or the academic dean of the division in which the alleged action took place. However, the monitor or dean will consult the monitor or dean of the division where the student is enrolled and, with the concurrence of both deans, the responsibility for resolving an academic misconduct case can be transferred to the dean of the division in which the student is enrolled. Appeals from the monitor's decisions may be made to the academic dean; appeals from the academic dean's decisions may be made to the Office for Academic Affairs.

C. Penalties for academic misconduct can range from a reprimand to a penalty as severe as suspension for a definite time or even indefinite suspension. Academic deans have the authority to impose the full range of penalties. Divisional academic misconduct monitors may impose penalties only after receiving a voluntary written confession. Misconduct monitors are authorized to impose penalties up to but not including suspension, and may impose penalties of suspension or indefinite suspension if authority to do so has been delegated by the academic dean. All persons who admit to or are found guilty of an academic offense for which a penalty less than an indefinite suspension is imposed will receive a penalty of indefinite suspension if they admit to or are found guilty of another offense of academic misconduct.

II. Resolution by the Misconduct Monitor

A. A course instructor (or any other person(s)) who has reasonable cause to believe a student has engaged in an act of academic misconduct shall report the matter to the divisional academic misconduct monitor (appointed by the academic dean) of the division within which the alleged misconduct occurred. The instructor will take no other action in the matter until a decision has been reached by the monitor or the dean. When suspected incidents of academic misconduct occur in settings other than an academic division, the matter will be reported to and processed by the academic division in which the student is enrolled.

B. The monitor will discuss the circumstances involved with the course instructor (and/or other appropriate person(s)) and review any pertinent materials in order to determine if a reasonable basis exists for believing that academic misconduct may have occurred. If the monitor concludes that there is a reasonable basis for believing an act of academic misconduct may have been committed, the monitor will determine whether the student has been disciplined for any prior academic misconduct offense(s) (see V - Records) and will arrange a conference with the student. The monitor may invite the course instructor to attend any conference(s) with the student. The student will be informed at the start of the conference that an issue of possible academic misconduct exists and will be given a copy of this Academic Misconduct Disciplinary Policy. The monitor will call the student's attention to the following provisions:

1. The student is not required to make any statement at all regarding the matter under investigation.
2. The student may make a voluntary statement if he or she chooses.
3. The student has a right to present any evidence, supporting witnesses, and other information to the misconduct monitor.
4. The student has a right to be advised and represented by anyone of his or her choice.
5. The student is entitled to a recess in the conference for one week in order to take advantage of the rights listed in items 3 and 4.

C. At the conference, the student will be informed that one of three steps will be taken by the monitor.

1. The matter will be dismissed if evidence is presented which leads the monitor to conclude that there is not convincing proof that the student

engaged in an act of academic misconduct.

2. The matter will be concluded at the conference level and a penalty imposed if the student makes a voluntary written admission that he or she engaged in an act of academic misconduct. (The penalty will be imposed by the dean if it is more severe than the monitor is authorized to impose; see I-C concerning penalties.) The student will be given written notice of the penalty. If the penalty imposed by the monitor includes assignment of a grade, the course instructor must approve the specific grade before the grade can be assigned.

3. The matter will be forwarded to the academic dean:

- a. if it is not dismissed by the monitor and the student does not make a written admission of academic misconduct, or
- b. if, within one week from the date the conference is concluded, either the student or the course instructor requests that there be further review.

III. Resolution by the Academic Dean

Any matter not resolved by the misconduct monitor will be resolved by the academic dean. The dean may act alone or in conjunction with a standing divisional committee or an ad hoc committee appointed by the dean, but the dean shall make the decision. The academic dean will arrange an individual or group conference(s) with the course instructor, the student, and any other appropriate persons, to discuss the matter in question. The student will be allowed to make a statement and to present evidence, witnesses, and other relevant materials; the student may be accompanied and advised or represented by anyone the student chooses.

The dean will seek the advice of the course instructor prior to assigning a grade penalty. However, the dean is not obligated to follow the instructor's recommendation since a penalty is being assigned rather than an evaluation of academic work.

Notice of the dean's decision will include a statement of the academic misconduct charges and will be sent to the student by certified mail with copies to the instructor and other involved parties; the student or the instructor may appeal the dean's decision to the Office for Academic Affairs if the appeal is filed within 15 working days of the date of mailing of the dean's decision. No penalty will be imposed until:

- ~~A-1.~~ there is a failure to file a timely appeal, or
- ~~B-2.~~ a decision on the appeal has been reached.

IV. Appeal

The dean will consider timely appeals from students or instructors who are not satisfied with the penalty imposed by the monitor. The dean will also make decisions concerning guilt and penalties for students who have not made an admission of misconduct.

The dean's decision(s) may be appealed to the Office for Academic Affairs within 15 working days of the mailing of the dean's decision(s). Appeals must be based on substantive grounds such as procedural errors, new evidence, or inconsistencies in penalties assigned.

When an appeal is received by the Office for Academic Affairs, an official from that office will schedule a conference(s) with the student and other concerned parties to discuss the reasons for the appeal. If meetings with the student and other concerned parties result in an agreeable solution to the matter, the appeal process will end. If no such solution is reached, the official from the Office for Academic Affairs will recommend to the ~~Academic Vice President~~ Provost/Vice President for Academic Affairs, giving reasons for the recommendation, whether the appeal should be heard or denied. If the ~~Academic Vice President~~ Provost/Vice President for Academic Affairs denies the appeal, the appeal process will end. If the appeal is to be heard, the official from the Office for Academic Affairs will convene a panel to resolve the issues that remain. The panel will consist of a person designated by the Vice President for Student Affairs, a person designated by the ~~Academic Vice President~~ Provost/Vice President for Academic Affairs (not the official convening the panel), one student (appointed by the President of the SGA), and one faculty member (appointed by the President of the Faculty Senate); both the student and the faculty member will come from the division holding jurisdiction for resolving the alleged misconduct if it is possible to find such people who have no prior connection with the case. In cases involving graduate students, the faculty and student members of the appeal panel should hold graduate faculty or graduate student status respectively. The person designated by the ~~Academic Vice President~~ Provost/Vice President for Academic Affairs will serve as hearing administrator and will coordinate and preside at all meetings conducted to resolve the academic misconduct appeal.

The hearing by a panel is an administrative hearing and the proceedings will be informal rather than those used in courts of law. The panel may admit any evidence which is of probative value in determining the issues, subject to the panel's judgment as to the relevance, credibility, and weight of the evidence. The panel may ask the parties to produce evidence on specific issues, may examine witnesses, and may call and examine its own witnesses. The student may be represented at the hearing by a person of his or her choice; if the student is represented by an attorney, then the other parties may be represented by a person from the Office of the University Counsel. Each party (or the representative of the party) will have the right to confront and cross-examine all opposing witnesses. The panel will decide each of the issues raised in the appeal. The panel's decision will be final and will conclude the process insofar as the University is concerned.

A decision contrary to the student's position must be supported by the votes of at least three of the four panel members. The panel will give written

notice of its decision(s) to the student, the course instructor, the dean, and the ~~Academic Vice President~~ *Provost/Vice President for Academic Affairs*.

V. Records

The name, student number, and academic division of each University of Alabama student who admits or is found guilty of academic misconduct shall be forwarded to the Office for Academic Affairs together with a brief description of the offense and the penalty imposed.