North Dakota State University
Policy Manual

SECTION 335
CODE OF ACADEMIC RESPONSIBILITY AND CONDUCT

SOURCE: NDSU Faculty Senate Policy

The academic community is operated on the basis of honesty, integrity, and fair play. This trust is violated when students engage in academic misconduct, either inadvertently or deliberately. This policy serves as the guideline for cases in which cheating, plagiarism, or other academic misconduct have occurred in an instructional context (e.g., coursework, exams for degree requirements, practical experience, or fieldwork experience). Depending on the nature of the alleged offense, academic misconduct involving graduate or undergraduate research (e.g., thesis, dissertation, honors thesis), may be handled by either this policy or policy 326, ACADEMIC MISCONDUCT. This policy also serves as the guideline for cases in which there is evidence of student academic misconduct in more than one instance.

Procedures established by an academic college (including the College of Graduate and Interdisciplinary Studies) may exceed the minimum standards outlined in this policy. Academic colleges with an approved and published honor commission (or similar mechanism) may employ alternative procedures; however, the standards of expected behavior shall not be less than those in this policy. In all cases, the procedures presented in this policy for tracking academic misconduct must still be followed; see Sections 5.c and 5.d of this policy.

1. Definitions. In this policy, an “instructional staff member” is defined as anyone who has primary responsibility for a course, or other instructional context to which this policy applies. Examples of instructional staff members include tenured and tenure-track faculty members, professors of practice, teaching assistants who have primary responsibility for a course, teaching fellows, instructors, and lecturers.

   In this policy, a “student” is defined as anyone enrolled in undergraduate, professional, or graduate coursework at NDSU. These students include individuals in a non-degree status, such as those taking NDSU courses through a collaborative, consortium, exchange, or early admission program, or in a conditional admit status (e.g., Tri-College, NDUS Collaborative Registration, and Early Entry/dual credit program).

2. Examples of behavior constituting academic misconduct. Academic misconduct (intentional or otherwise) includes but is not limited to the following:

   a) Plagiarizing, i.e., submitting work that is, in part or in whole, not entirely one’s own, without attributing such portions to their correct sources;

      i. Cases of apparently unintentional plagiarism or source misuse must be handled on a case-by-case basis and in the context of the instructor's policies. Unintentional plagiarism may constitute academic misconduct.

      ii. Improper attribution of sources may be a symptom of bad writing and not plagiarism. Instructors are encouraged to recognize that citation skills are developed over time and are contextual.

b) Receiving, possessing, distributing or using any material or assistance not authorized by the instructional staff member in the preparation of papers, reports, examinations or any class assignments to be submitted for credit as part of a course or to fulfill other academic requirements;

c) Unauthorized collaborating on individual assignments or representing work from unauthorized collaboration as independent work;

d) Having others take examinations or complete assignments (e.g., papers, reports, laboratory data, or products) for oneself;

e) Stealing or otherwise improperly obtaining copies of an examination or assignment before or after its administration, and/or passing it onto other students;

f) Unauthorized copying, in part or in whole, of exams or assignments kept by the instructional staff member, including those handed out in class for review purposes;

g) Altering or correcting a paper, report, presentation, examination, or any class assignment, in part or in whole, without the instructional staff member's permission, and submitting it for re-evaluation or re-grading;

h) Misrepresenting one's attendance or the attendance of others (e.g., by PRS or attendance sheet) in a course or practical experience where credit is given and/or a mandatory attendance policy is in effect;

i) Fabricating or falsifying information in research, papers, or reports;

j) Aiding or abetting academic misconduct, i.e., knowingly giving assistance not authorized by the instructional staff member to another in the preparation of papers, reports, presentations, examinations, or laboratory data and products;

k) Unauthorized copying of another student's work (e.g., data, results in a lab report, or exam);

l) Tampering with or destroying materials, (e.g., in order to impair another student's performance);

m) Utilizing false or misleading information (e.g., illness or family emergency) to gain extension or exemption on an assignment or test.

3. The university culture of academic honesty. A primary responsibility of the students, instructional staff members, staff members and administrators is to create an atmosphere in which academic honesty, integrity, and fair play are the norm and academic misconduct is minimized.

   a) Instructional staff members are responsible for providing guidelines concerning academic misconduct at the beginning of each course in each class syllabus, and should use precautionary measures and security to discourage academic misconduct.

   b) Students are subject to disciplinary action even when not enrolled in the course where the academic misconduct occurred.

4. Fairness. Instructional staff members and administrators are responsible for procedural fairness to any student accused of academic misconduct. An instructional staff member who suspects that academic misconduct has occurred in his/her class or other instructional context has an initial

responsibility to:

a) inform the student involved of his/her suspicion and the suspicion's grounds;

b) allow a fair opportunity for the student to respond;

c) make a fair and reasonable judgment as to whether any academic misconduct occurred; and

d) inform the student of the judgment, penalty (if any), and the student's right to appeal. See also Section 5.c of this policy.

5. Penalties from instructional staff members for academic misconduct. Instructional staff members have the prerogative of determining the penalty for academic misconduct in their classes and other instructional contexts.
   a) Penalties may be varied with the gravity of the offense and the circumstances of the particular case. Penalties may include, but are not limited to, failure for a particular assignment, test, or course.

   b) If an instructional staff member imposes a penalty, the student may not drop the course in question without the permission of the instructional staff member. (The instructional staff member is responsible for notifying the Registrar to prevent the student from dropping the class.)

   c) If an instructional staff member imposes a penalty, the instructional staff member must complete the Student Academic Misconduct Tracking Form and submit copies to the student, the chair/head of the instructional staff member's primary department, or the program director if the student is enrolled in an interdisciplinary program. It is the chair/head or program director's responsibility to forward copies of the tracking form to the dean of the college of the student's primary major, the dean of the instructional staff member's primary college, the Registrar, and the Provost/VPAA. In the case of graduate student academic misconduct, the Dean of the College of Graduate and Interdisciplinary Studies also must receive a copy of the completed Student Academic Misconduct Tracking Form.

   d) Within three class days of receiving the Student Academic Misconduct Tracking Form, the Registrar shall enter the information from the Student Academic Misconduct Tracking Form into a FERPA compliant Student Academic Misconduct Database.

   e) In cases of particularly egregious academic misconduct, the dean of the college of the student's primary major or the dean of the college where the academic misconduct occurred may recommend suspension or expulsion as outlined in Sections 9 and 10 of this policy.

6. Penalties from instructional staff members for students not enrolled in course. If a student involved in a case of academic misconduct is not enrolled in the course in which the academic misconduct occurred, the instructional staff member teaching that course may recommend a penalty to the dean of the instructional staff member's primary college. If the student is enrolled in a different college, the dean will forward the recommendation to the dean of the college of the student's primary major.

a) The dean of the college of the student's primary major may impose academic warning or probation in the college, according to established college policy.

b) Alternatively, the dean of the college of the student's primary major may recommend suspension or expulsion to the Academic Standards Committee (http://www.ndsu.edu/fileadmin/vpaa/POLICIES_FOR_NDSU_UNIVERSIY_ACADEMIC_STANDARDS_COMMITTEE-Rev_6_22_10.doc), as outlined in Sections 9 and 10 of this policy.

7. Penalties for students with multiple instances of academic misconduct. If, when entering an instructional staff member's report into the Student Academic Misconduct Database, it is discovered that the student has a prior record of academic misconduct, the Registrar shall notify the Provost/VPAA and dean of the college of the student's primary major about the student's repeated academic misconduct.

   a) In case of repeat offenses, the Provost/VPAA and/or the dean of the college of the student's primary major may recommend additional penalties up to and including suspension or expulsion, as outlined in Sections 9 and 10 of this policy.
   b) In the case of graduate student academic misconduct, the Dean of the College of Graduate and Interdisciplinary Studies also must be notified.

8. Non-graduate student appeals for penalties from instructional staff members. A student who has received a penalty from an instructional staff member for academic misconduct may appeal the penalty on one or more of the following bases: the penalty was too severe for the offense; the instructional staff member's decision was made in an arbitrary or capricious manner; the instructional staff member's decision was not substantiated by adequate evidence; or the student's rights were violated.

   a) If the student chooses to appeal the instructional staff member's penalty, the student must initiate the appeal process within fifteen class days after the beginning of the following semester. For spring or summer courses, the appeal must be initiated within fifteen class days of the start of the fall semester. The student must appeal the penalty in writing. The appeal must be pursued in the following sequence: the instructional staff member, the chair/head of the instructional staff member's primary department, and the dean of the instructional staff member's primary college.

   b) If the appeals outlined in Section 8.a. are not granted, the student may request a hearing by the Student Progress Committee in the college where the academic misconduct occurred to appeal the penalty. The student may request that two additional students be appointed to the Student Progress Committee for the hearing: one student shall be a member of the Student Court appointed to the Student Progress Committee by the Chief Justice of the Student Court, and the other student shall be a student senator for that college appointed to the Student Progress Committee by the Student Body President.

      i. The outcome of the appeal shall be communicated to the Registrar by the Student Progress Committee within three class days after the Student Progress Committee has made its final decision. The decision of the Student Progress Committee is final.

      ii. If the Student Progress Committee decides that no academic misconduct has occurred, then the Registrar shall delete all relevant information relating to the case from the Student Academic Misconduct Database. Otherwise, the Registrar shall enter the decision of the Student Progress Committee into the

Student Academic Misconduct Database.

9. Suspension or expulsion at the university level of non-graduate students. In cases of particularly egregious academic misconduct, a student may be suspended or expelled for academic misconduct in accordance with the following procedure:

   a) If the dean of the college of the student's primary major or the dean of the college where the academic misconduct occurred decides that suspension or expulsion is warranted, that dean shall recommend suspension or expulsion to the Academic Standards Committee. At the same time, the dean who recommends suspension or expulsion also shall notify the student of this action and inform the student of the hearing and response options described in Sections 9.b. and 9.c. of this policy.

   b) The student has five class days after receiving the dean's notification to request a hearing from the Student Progress Committee (or Honor Commission or similar body) in the college of the dean who has recommended suspension or expulsion.

      i. Such hearings shall be held in accordance with college policy.

      ii. The Academic Standards Committee shall take no action on the case before a hearing is concluded.

      iii. The Student Progress Committee (or Honor Commission or similar body) shall forward its decision and appropriate hearing information to the student, the dean who recommended suspension or expulsion, the dean of the college of the student's primary major, and the Academic Standards Committee.

   c) The student has five class days after receiving notification to respond to the dean's recommendation and/or the hearing outcome in a written statement submitted to the Academic Standards Committee.

   d) If the Academic Standards Committee decides that suspension or expulsion is warranted, the committee chair shall recommend suspension or expulsion to the Provost/VPAA. At the same time, the committee chair also shall notify the student of its decision and inform the student that he/she has the right to respond to the recommendation, as described in Section 9.e. of this policy.

   e) The student has five class days after receiving the Academic Standards Committee's notification to respond to the committee's recommendation in a written statement to the Provost/VPAA.

   f) If the Provost/VPAA decides that suspension or expulsion is warranted, he/she shall impose suspension or expulsion. At the same time, the Provost/VPAA shall notify the student of his/her decision and the terms of the decision, and inform the student that he/she has the right to appeal the penalty, as described in Section 9.g. of this policy. At the same time, the Provost/VPAA also shall notify the Registrar and President of the university of the action and its terms.

   g) The student may file a written appeal of this penalty with the President of the University within thirty calendar days of receiving the notice of the decision. The President's decision normally will be made within thirty calendar days after receiving the appeal. The President's decision on the matter is final.

h) The Office of the President shall notify the following parties of the results of the final decision on suspension or expulsion: the student, the chair/head of the student's primary major department, the dean who recommended suspension or expulsion, the dean of the college of the student's primary major, the Academic Standards Committee, the Provost/VPAA, and the Registrar.

10. Procedures for cases involving graduate students. Accusations involving academic misconduct of graduate students will follow the procedure described in Sections 4-7 above, with the following exceptions. Appeals of penalties imposed by instructional staff member must be filed in accordance with the policy described in the NDSU Graduate Bulletin. Also, the dean of the college of the student's primary major may recommend an additional penalty (including academic warning, academic probation, suspension, or expulsion) to the Dean of the College of Graduate and Interdisciplinary Studies. The imposition of penalties shall be in accordance with the policy described in the NDSU Graduate Bulletin.

    a) The Dean of the College of Graduate and Interdisciplinary Studies will provide the student with written notice of the following:

        i. additional disciplinary action taken, if any;

        ii. description of the graduate student appeal process, as outlined in the NDSU Graduate Bulletin;

        iii. the date by which an appeal must be filed by the student, should the student choose to file an appeal.

    b) If an appeal is filed, the Dean of the College of Graduate and Interdisciplinary Studies will notify the student of the result following the completion of the appeal process.

    c) The following parties shall be notified if the student is suspended or expelled: the student, the chair/head of the student's primary major department, the dean who recommended suspension or expulsion, the dean of the college of the student's primary major, the Academic Standards Committee, the Provost/VPAA, and the Registrar.

11. Procedures for cases involving individuals who are not NDSU students. If a person who is not an NDSU student (according to the definition in Section 1 of this policy) is involved in academic misconduct, the instructional staff member shall send a written statement describing the academic misconduct to the Provost/VPAA, Vice President for Student Affairs, Registrar, and Director of Admission for appropriate action. Appropriate action may include, but is not limited to, holds being placed on admission or readmission to the university, and notification being sent to the individual's home institution.

12. Rescission of degrees. A degree previously awarded may be rescinded if it is determined that the graduate's actions taken to obtain the degree involved academic misconduct. The degree conferring college reserves the right to recommend to the Provost the rescission of any wrongfully obtained degree(s).

    a) Written notice of the concerns and recommendation to rescind the graduate's degree(s) shall be sent via certified mail and email with return receipt to the graduate, with a hold placed on the student's record. The graduate will have 30 days after the notice was received to respond in writing or request a hearing with the conferring college's Student Progress Committee for undergraduate degree holder or the Graduate Council for graduate level

degree holders. A recommendation by the Committee or Council to the Provost whether to rescind the degree(s) shall be made within 30 days after a response is received or hearing is completed.

b) A decision by the Provost shall be made within 30 calendar days after receiving the recommendation. The graduate has 10 business days after receiving the Committee or Council recommendation to respond, in writing, to the Provost. Notice of the decision whether to rescind the degree(s) shall be sent to the respondent via certified mail with return receipt. The respondent may file an appeal of this decision with the President of the University within 30 calendar days of receiving the notice of the decision. The President's decision will normally be made within 30 calendar days after receiving the appeal.

c) The Office of Registration and Records will be notified of the results of the final decision on rescinding the degree(s).

HISTORY:

New	December 10, 1973
Amended	May 12, 1975
Amended	April 1992
Amended	December 2006
Amended	March 2007
Amended	January 27, 2011
Housekeeping	March 04, 2011hk