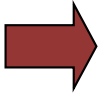


Policy Change Cover Sheet

This form must be attached to each policy presented. All areas in **red**, including the header, must be completed, if not it will be sent back to you for completion.



If the changes you are requesting include housekeeping, please submit those changes to Kim Matzke-Ternes first so that a clean policy can be presented to the committees.

SECTION: *335: Code of Academic Responsibility and Conduct*

1. Effect of policy addition or change (explain the important changes in the policy or effect of this policy. Briefly describe the changes that are being made to the policy and the reasoning behind the requested change(s).

Adds paragraph 5 regarding responsibilities and actions on rescinding a degree.

2. This policy was originated by (individual, office or committee/organization):

General Counsel

3. This policy has been reviewed/passed by the following (include dates of official action):

This portion will be complete by Kim Matzke-Ternes

Policy Committee: 10/14/09 presented to the PCC

University Senate:

10/21/09 routed to US Exec for Input:

Staff Senate:

10/27/09 routed for input

President's

Council:

10/27/09 routed for input

If you have any questions regarding this cover sheet, please contact Kim Matzke-Ternes at 1-7080 or kim.matzke-ternes@ndsu.edu

NDSU

NORTH DAKOTA STATE UNIVERSITY
FARGO, N.D.

POLICY MANUAL

For any questions please send e-mail to: NDSU.Policy.Manual@ndsu.edu

SECTION 335: CODE OF ACADEMIC RESPONSIBILITY AND CONDUCT

SOURCE: NDSU University Senate Policy

The academic community is operated on the basis of honesty, integrity, and fair play. Occasionally, this trust is violated when cheating occurs, either inadvertently or deliberately. This Code will serve as the guideline for cases where cheating, plagiarism, or other academic improprieties have occurred and an established procedure has not been approved by the faculty of a college such as the Honor System of the College of Agriculture.

1. The primary responsibility of the students, faculty, and administration is to create an atmosphere where the honesty of individuals will not be questioned.
 - a. Faculty members are responsible for providing guidelines concerning cheating and plagiarism at the beginning of each course, and should use precautionary measures and security in cases where cheating is likely to occur.
 - b. Students are responsible for submitting their own work. Students who cooperate on oral or written examinations or work without authorization share the responsibility for violation of academic principles and the students are subject to disciplinary action even when one of the students is not enrolled in the course where the violation occurred.
2. The faculty member and the administration are responsible for procedural fairness to the accused student or students in accordance with the following procedure:
 - a. Faculty members who suspect that prohibited academic conduct has occurred in their class have an initial responsibility to: 1) inform the student or students involved of their suspicion and the grounds; 2) allow a fair opportunity to respond; and 3) make a fair and reasonable judgment as to whether or not any prohibited academic conduct occurred.
 - b. Faculty members have the prerogative of determining the penalty for prohibited academic conduct in their classes. Faculty members may, among other sanctions, fail

the student for the particular assignment, test, or course involved. Penalties may be varied with the gravity of the offense and the circumstances of the particular case. In this situation, the student may not drop the course in question without the permission of the instructor. Faculty members will provide a written statement of the action to the department chair, dean, and Provost and Vice President for Academic Affairs. In the case of the graduate students, the graduate dean will also be notified.

- c. In addition to the prerogative above, or if the student is not enrolled in his or her course, the faculty member may recommend a disciplinary sanction to the dean of the college in which the infraction occurred. If the student is not enrolled in this college, the dean will forward the charge to the dean of the student's home college. That dean may impose academic warning or probation in the college, or the dean may recommend suspension or expulsion to the Academic Standards Committee as outlined in Section 4 [of this policy]. If the student is not enrolled in the college where the infraction occurred, the dean of the college for the student must be informed before the disciplinary sanction is imposed and may impose a disciplinary sanction for that college, also.

Accusations involving academic misconduct of graduate students will follow the procedure described with the following exception. The dean of the home academic college will recommend a sanction (including academic warning, academic probation, suspension, or expulsion) to the graduate dean, not the Academic Standards Committee. The graduate dean will provide the student with written notice of the action, describe the graduate student appeal process, and indicate to the student the date by which an appeal must be filed. Failure to file an appeal will result in implementation of the specified action. If an appeal is filed, the graduate dean will notify the student of the result following the completion of the appeal process.

- d. If a person not currently enrolled at NDSU is involved in prohibited academic conduct, the Provost and Vice President for Academic Affairs, Vice President for Student Affairs, and the Director of Admission shall be informed of the violation.
3. A student who has received a penalty or a disciplinary sanction for prohibited academic conduct may appeal the decision.
 - a. The student must consult with the instructor, the department chair, and the Dean, in sequence, to resolve the conflict.
 - b. Then, the student may request a hearing by the Student Progress Committee in the college where the violation occurred. In addition, the student may request that two students be appointed to the Student Progress Committee for the hearing; one student shall be a member of the Student Court appointed by the Chief Justice of the Student Court, and the other student shall be a student senator for that college appointed by the student body president.

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- 4. A student may be suspended or expelled for prohibited academic conduct by the Academic Standards Committee in accordance with the following procedure:
 - a. The dean must notify the student that they will recommend suspension or expulsion to the Academic Standards Committee, but the student must be given two school days to file a written notice of appeal with the Student Progress Committee before the recommendation is presented to the Academic Standards Committee.
 - b. The student may appeal the recommendation of suspension or expulsion to the Student Progress Committee as outlined in section 3.b. above.
 - c. The Academic Standards Committee may impose suspension or expulsion, if an appeal with the Student Progress Committee is not in progress.

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5. A degree previously awarded may be rescinded if it is determined that the recipient's actions taken to obtain the degree involved fraud, deceit, error, or misconduct. The degree conferring college reserves the right to recommend to the Provost, with notice to the Vice President for Student Affairs, the rescission of any wrongfully obtained degree(s). The Dean of Student Life may also recommend to the Provost, with notice to the Vice President for Student Affairs, the recommendation to rescind a degree based on actions (directly related to obtaining a degree) in violation of the Code of Student Behavior.

a. Written notice of the concerns and recommendation to rescind the recipient's degree(s) shall be sent via certified mail with return receipt to the recipient, with a hold placed on the student's record, if applicable. The graduate will have 30 days after the notice was received to respond in writing or request a hearing with the conferring college's Academic Standards 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 days after receiving the recommendation. The recipient has 10 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.

c. The respondent may file an appeal of this decision with the President of the University within 30 days of receiving the notice of the decision. The President's decision will normally be made within 30 days after receiving the appeal.

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

Policy 335 Version ~~2~~ 10/19/09

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HISTORY: December 10, 1973; Amended May 12, 1975; April 1992; December 2006; March 2007