



**OVERVIEW:** It is important for students to understand that the College faculty and staff value student honesty and integrity as explained in this policy.

**OFFICE/DEPARTMENT RESPONSIBLE:** Vice Provost for Academic Affairs; School Deans

**DATE UPDATED:** August 2008; February 2010

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## **Policy on Student Academic Dishonesty**

(Revised 2007-2008 Resolution #11; Supersedes College Senate 2006-2007 Resolution #17)

Context of policy for students: Academic dishonesty, “cheating” and other forms of misrepresenting others’ work as your own, such as plagiarism, are considered serious breaches of academic integrity and are major violations of the standards of ethical behavior that the College expects from all its students. When detected, as it often is, academic dishonesty can result in a range of disciplinary actions including failure on an assignment, failure of a course, or even Conduct Dismissal from the College. Records of disciplinary actions for dishonesty are kept and conduct dismissals are noted on College transcripts. The best rule is to assume that instructors expect all work (exams, papers, projects, etc.) submitted for grading to be entirely your own, done without collaboration. If the instructor allows or desires collaboration, you should assume that the instructor will make that clear in the assignment. If the instructor has not explicitly stated that collaboration is permitted, all work submitted should be entirely your own.

### **I. Definitions of Academic Dishonesty Covered by this Policy**

Violations of the Student Academic Dishonesty Policy refer to actions related to the standards of honesty required in submission and evaluation of coursework in any undergraduate or graduate course bearing The College at Brockport credit. These violations include, but are not limited to the following:

A. Plagiarism — presenting as one’s own, the exact words of another, not properly indicated by quotation marks, paraphrased text too similar to the original, ideas, or creative products of another without providing an adequate standard form of documentation to identify the source — such as footnotes, endnotes, or bibliographic documentation. Students are advised to scrupulously acknowledge and properly cite all sources to give appropriate credit for borrowed materials.

B. Fabricating facts, data, statistics, or other forms of evidence included in papers, laboratory experiments, theses, or other assignments.

C. Presenting someone else’s examination results, paper, computer work, or other material as one’s own work. This includes work done as part of group/team effort unless collaboration has been specifically approved by the instructor for any particular assignment. Students should always assume that any out-of-class assignments or take home examinations are to be done individually and without help or collaboration unless

the instructor specifically states otherwise. Students should not generalize from one assignment to another as instructors may permit collaboration on some assignments but not on others.

D. Representing one's own performance as another's or knowingly allowing such misrepresentation to occur, e.g., signing another student into class; taking an exam for another student; writing or attempting to write an examination, paper, computer work, or other material for another student.

E. Buying and selling, or sharing of examinations or assignments; being in possession of examinations or answers to examinations without the instructor's permission.

F. Using "cheat sheets," looking onto another's paper, talking to someone other than the instructor or proctor during an examination, or using any other method of communication (e.g. cell phones, text messaging) during an examination without the instructor's permission.

G. Failing to follow the rules of conduct for taking an examination as stipulated by the instructor prior to the examination or as stated in a written course syllabus.

H. Presenting work for a current course (e.g. papers, projects, research) that is substantially the same as a previous submission for another course without obtaining the current instructor's prior consent to do so. When the courses are taught in the same semester, informing and obtaining prior approval of both course instructors is required to avoid a possible dishonesty charge.

Note 1: Published divisional, departmental, unit, and/or individual program policies or individual instructor's course policies may address additional violations but must not be in conflict with this College policy.

Note 2: Faculty may require students to use software (e.g. Turnitin.com) for detecting textual similarities to existing documents. Such software compares submitted student text to previously published documents from a large number of different sources. When similarities between the submitted text and an existing document are found, the software identifies those similarities for student's and/or the instructor's review. This software is best used to assist students in learning how to properly cite textual resources. However, such detection may lead to charges of plagiarism if the matched text in the student's written work has not been properly cited to identify the original source.

## **II. Bringing Charges of Academic Dishonesty against a Student**

The instructor in charge of a course in which an act of academic dishonesty is alleged is responsible for investigating any personally observed, discovered or reported instances of academic dishonesty.

A. The course instructor, any student, or any College employee who has personally witnessed or has knowledge of an act of academic dishonesty can bring a charge of academic dishonesty against a student.

B. All charges of academic dishonesty that do not originate with the course instructor must be made in writing by a signed complainant and delivered to the instructor in charge of the course in which the alleged act of dishonesty occurred. Anonymous accusations are not acceptable. If the course instructor does not personally witness the alleged act of academic dishonesty, evidence in addition to the testimony of the claimant is required to support the charge of academic dishonesty.

C. If the instructor concludes that a violation of the Student Academic Dishonesty Policy has occurred, the instructor must immediately file a *Report of Academic Dishonesty* form, along with all documentation, with the department chairperson and, within five business days, present the student with a copy of the form, either in person or by certified, restricted delivery mail. The form will state the sanctions the instructor intends to apply to the student. This form also informs the student of her/his appeal rights.

### **III. Procedures for Investigating and Adjudicating Academic Dishonesty**

#### **A. The Course Instructor's Role**

1. The course instructor is responsible for investigating any personally observed, discovered or reported instances of alleged academic dishonesty, and for making a determination of guilt or innocence based on that investigation, and notifying the student and the department chair.

2. The student has ten (10) business days from receipt of her/his copy of the *Report of Academic Dishonesty* form to notify the school dean in writing if s/he wishes to appeal the case to the school dean's level.

3. If necessary, when the instructor discovers suspected dishonesty after the semester has ended and is considering imposing a grade penalty, s/he should submit an "I" on the final course grade sheet and note whatever "alternative grade" s/he believes is justified on an *Incomplete Contract* (I Contract) that states that an academic dishonesty charge is pending. After the instructor's investigation is complete, the "I" can be changed to a letter grade.

#### **B. The Department Chairperson's Role**

The chairperson's responsibility is to consult with the instructor to make certain that College policy has been followed with respect to the charges, evidence considered, sanctions applied, and notification of appeal rights. This is a review; not an appeal step.

1. The department chairperson will review the case within three (3) days after receiving the *Report of Academic Dishonesty* from the course instructor.

2. The chairperson may consult with the instructor if s/he finds any problems with the instructor's procedure in the matter, and attempt to resolve these problems.

3. Upon concluding her/his review, the chairperson will send a copy of the *Report of Academic Dishonesty* through the school dean to the Office of the Provost.

4. If the student notifies the school dean of her/his wish to file an appeal of the charges or the sanctions applied (see Dean's Level Dishonesty Appeal Hearing and Procedures the dean may ask the chairperson to forward a copy of the *Report of Academic Dishonesty* form to the dean, along with any supporting documentation that the course instructor has supplied.

### **IV. Departmental Sanctions for a First Academic Dishonesty Defense**

**A. Instructor's sanctions.** After concluding that a student is guilty of academic dishonesty (in accordance with the procedures described in Section III of this policy), the instructor may at her/his discretion apply the following sanctions:

1. Assign a lowered grade (including an "E" grade) for the particular test or assignment in which the offense occurred, and/or

2. Assign a lowered grade (including an “E”) for the entire course in which the offense occurred.

**B. Other Departmental sanctions.** After being notified that a violation of the Academic Dishonesty Policy has been confirmed, the chairperson of the department in which the offense occurred may have cause to begin an action to dismiss the student from a departmental major or other departmental program.

1. Dismissal from a program would normally only take place if the student, through the confirmed act of dishonesty, has also violated an existing, written, and published department/program policy designed to enforce a system of professional ethics.

2. After receipt of the *Report of Academic Dishonesty* form, the department chairperson must communicate a dismissal from program action to the student in writing stating the cause or reason for the action and notifying the student of her/his appeal rights. Such dismissals will be done in compliance with published departmental procedures on dismissal from program. Dismissals from program are only done after consultation of department chairperson with the school dean. An appeal of the dishonesty charge would normally have to be completed prior to adjudicating any appeal of a dismissal from program action.

C. The determination of academic dishonesty, and/or the grade sanctions imposed by the instructor, and the dismissal from program can be appealed to the school dean (see Dean’s Level Dishonesty Appeal Hearing and Procedures).

#### **V. College-wide Sanction for a Second Academic Dishonesty Offense**

A. A second confirmed violation of the Student Academic Dishonesty Policy may result in the student’s dismissal from the College. This applies when the second dishonesty charge is filed in a later semester after the first charge. At the discretion of the Provost, when more than one dishonesty charge is filed in the same semester and there are no charges from a prior semester, the student will be strongly warned but not dismissed from the College.

B. The process for dismissal will begin when the second *Report of Academic Dishonesty* form is presented to the Provost’s office file. This will initiate a letter to the student (copy to the dean and chair) informing her/him that a second dishonesty charge has been filed, that this could lead to Conduct Dismissal, and that s/he may wish to file an appeal with the school dean’s office within the required time frame. If an appeal is not filed or a subsequently filed appeal is unsuccessful, the Provost will order the student’s dismissal from the College. This will be a Conduct Dismissal.

C. The appeal of the impending Conduct Dismissal for dishonesty will usually be a dean’s level appeal of the second dishonesty charge. However, the Provost and the President of the College always have the right to review any charge that would result in a student’s dismissal.

D. Students under threat of dismissal for dishonesty who do not appeal or whose appeal is not successful will be separated immediately from the College (except as described in Dean’s Level Dishonesty Appeal Hearings and Procedures) and be assigned a failing grade for the course in question. Such students will receive whatever grades (or within deadlines, drops or “Ws”) are appropriate for Conduct Dismissal at that point in the semester for any other courses. Dismissed students will remain liable for all charges incurred for the semester. A Conduct Dismissal will be recorded on the student’s transcript.

#### **VI. Dean’s Level Dishonesty Appeal Hearings and Procedures**

A student may appeal the course instructor's determination of academic dishonesty, the chair's review, or any sanctions imposed, to the dean (or designee) of the school in which the alleged offense occurred. If a student files an appeal of "dismissal from program" with the dean within the required time limit, the dismissal will be deferred until the dean acts on the dishonesty appeal. If the appeal is denied, the dismissal will take place immediately thereafter. All appeals must be based on one of the following grounds:

- The student asserts that s/he can provide evidence to disprove the instructor's charge.
- The student asserts that the instructor's or department's imposed sanction is grossly inappropriate to the proven or admitted offense.

A. The student must request an appeal in writing to the school dean within the specified time limit (see Procedures for Investigating and Adjudicating Academic Dishonesty). The appeal letter must specify the ground(s) on which the appeal is based (see above).

B. Within three days of receiving the student's written appeal, the dean will obtain and examine all documentation related to the instructor's charges and the chairperson's review and determine whether a hearing is merited. The dean may summarily deny the appeal if s/he feels the evidence in support of the charge and/or assigned sanction is compelling and/or that the grounds for appeal are not present.

C. Within three days of receiving the request for appeal, the dean will notify the student in writing of her/his decision on whether to hold a hearing. If there is to be a hearing, the dean's office will contact the student to schedule a meeting date and time.

D. At the hearing, the dean (or designee) will accept relevant evidence and testimony from both sides. The appeal hearing will include the dean (or designee), the course instructor, the student and any witnesses requested by either the instructor or the student. The dean (or designee) will hear all statements, examine the evidence, and adjudicate the claim of academic dishonesty. The dean also has the option of appointing a committee of three faculty members of her/his choice to conduct the hearing and make a recommendation to the dean on the matter.

E. If the dean finds that the charge of academic dishonesty is not substantiated, any sanctions that have been applied will be removed. The student will continue in the course (and/or program) without penalty. If the semester has ended, the dean will inform the faculty member of her/his responsibility to determine what the final grade should be and to submit a revised grade through the dean as appropriate. All copies of the *Report of Academic Dishonesty* form relating to the alleged incident will be removed from departmental, Provost's, and student conduct coordinator's files.

F. If the dean finds that the academic dishonesty charge is substantiated, s/he may review the sanctions previously recommended by the course instructor (or department chair) and allow these sanctions to stand or change them. The dean will inform the student of her/his decision in writing within three (3) days of the date the hearing is held and a record of this decision will be filed with the provost. Any pending dismissal from program will be imposed upon denial of the appeal.

## **VII. Student Rights**

Students have the following rights in regard to an instructor's investigation of charges and all appeal hearings regarding academic dishonesty charges:

A. The right to a written notice of the nature of the charges and to be informed of one's

rights prior to any hearing or investigation of the charges.

B. The right to continue in a course until the process for confirming academic dishonesty is completed (including appeals).

C. The right to receive, upon request and in advance, a list of the witnesses who will appear to give evidence in any hearing or investigation of the charges. The provision of such a list of witnesses shall not preclude the testimony of witnesses who were unknown at the time of such a request.

D. The right to bring witnesses to give evidence on the part of the student and to examine any witnesses brought by the instructor. Only the accused student may present the student's case and examine witnesses. Postponement of a scheduled dean's hearing may be allowed on the basis of unavailability of important witnesses but only if the cause for unavailability is reasonable.

E. Members of the College community or parents or guardians may be present for "moral support" but cannot actively participate in the hearing.

F. In accordance with the Family Education Rights and Privacy Act of 1974, the College may release information pertaining to individual judicial cases to appropriate College personnel and to parents of students who are dependent. With those exceptions, information from a student's judicial file will not be made available to anyone other than the student without the student's written consent except in compliance with a lawfully issued subpoena or court order or in the event of a health or safety emergency.

#### **VIII. General Policies Governing Dishonesty Actions and Hearings**

A. A student who withdraws from the course (or the College) after being charged with academic dishonesty will not be exempt from the Student Academic Dishonesty Policy. The normal process will be followed and the accused student will receive due notice of any hearings and his/her right to respond.

B. When there is insufficient time to hold a hearing on a dishonesty charge before a semester ends, a hearing will be held as soon after the semester ends as is feasible. In such circumstances, a student who leaves the Brockport area is responsible for transportation and other expenses related to her/his right to be present at the hearing as scheduled.

C. Failure to appear in response to the charge(s) on the date set for a dean's appeal hearing, unless there is a continuance for good cause approved by the dean prior to the hearing, shall be deemed an admission of the facts as stated in the instructor's charges. By failure to appear, the student also forfeits any right to further appeal of these charges.

D. All hearings are closed to the public.

E. An academic dishonesty hearing or examination of charges shall not be bound by technical rules of evidence, but may include testimony or evidence that is relevant and material to the issues presented by the charge(s) and which will contribute to a full and fair disposition of the charge(s).

F. Cameras or recording equipment are not permitted in a hearing or examination of charges.

G. The student's academic dishonesty record may be used in any future judicial proceedings or readmission decisions involving the student.

H. The term "days" used in this code with reference to scheduling and notification means days on which the administrative offices of the College are officially open for business.

I. When necessary, the College reserves the right to extend the time periods set for actions under this policy and such extensions will not invalidate the charges and sanctions. However, actions on the part of the College will be carried out with all due haste. With good reason, students charged may also request extension of deadlines by written request to the school dean.

J. The president of the College always has the right to grant clemency or pardon in regard to any sanction assigned under this policy.

**Summary of actions and deadlines under this policy:**

| ACTION   | DEADLINES FOR ACTION   |
|--|--|
| Discovery and investigation by instructor of dishonesty policy violation.  | Notify student (and department chair) as soon as possible and within five days of discovery using the Report of Student Dishonesty (RSD) form according to policy. |
| Department chair reviews case; then submits RSD form to provost through school dean.                                   | Within 3 days after receiving RSD form from instructor.  |
| Provost's office notifies student if this is a second dishonesty charge carrying the possibility of Conduct Dismissal. | Letter sent to student within one day of receiving the RSD from the dean's office.   |
| Student notification of intent to appeal to school dean.   | Within 10 days from student receipt of RSD form.   |
| Dean's decision on whether or not to hold hearing.   | Within 3 days of receiving student's letter of appeal.   |
| Dean's decision following hearing.   | Communicated to student within 3 days of the date the hearing is held.   |

**FACULTY REPORT OF STUDENT VIOLATION OF THE  
ACADEMIC DISHONESTY POLICY**

*Note to student: Notice of intent to appeal this charge must be filed by letter to the school Dean within ten (10) business days from the date you receive this violation report.*

STUDENT Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ BANNER ID #800 \_\_\_\_\_

INSTRUCTOR filing violation report: \_\_\_\_\_ Date of Violation:    /    /

Department/Unit: \_\_\_\_\_ Instructor telephone or e-mail address: \_\_\_\_\_

If violation occurred in a course, give the course number: \_\_\_\_\_

**Circumstances of violation** – Instructor’s description (add extra pages if needed):

**Description of any penalty applied by instructor:**

Official Warning only  (further instances of academic dishonesty may be cause for more severe disciplinary action.)

Any other penalty, describe below:

**Any response by the student to the charge and the report:**

Student admits violation with no dispute

Student disputes violation (place brief comments below)  Student notified of appeal rights

**One of the following methods of notification is required by policy:**

Hand delivered  Date delivered:    /    /

Mail with confirmation of delivery  Date mailed:    /    /

**Optional contact with student: Telephone call or e-mail to student:**  Date of contact:    /    /

Signature of instructor filing violation report: \_\_\_\_\_

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**Review by department/unit chair:** I have reviewed the report. Unless noted below, I agree that the charge and sanction are appropriate:

Signature of department/unit chair or dean: \_\_\_\_\_ Date:    /    /

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**IMPORTANT NOTE TO STUDENT ON APPEAL RIGHTS:** You have the right to a Dean’s level appeal of the charge and/or the penalty imposed by filing a written appeal with the school Dean within ten business days of the receipt of this form. The entire Academic Dishonesty Policy can be found in the Student Policies section of the Brockport web page. If you have questions about the charge or the policy, please contact the Dean’s Office immediately. If you have prior dishonesty charges on file with the Provost’s Office, you may also be subject to Conduct Dismissal from the College.

Person to whom student may address an appeal of this charge or penalty:

Dean’s Name: \_\_\_\_\_ Contact Information: \_\_\_\_\_

Instructor or Department Chair should provide School Dean’s name and contact numbers or e-mail address above.

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Date filed in Office of Provost and Vice President for Academic Affairs:    /    /

Are dishonesty reports from previous semesters found in the Provost’s file?    Yes  No

[Continues on p. 2] (See the reverse of this report form for policy information and explanations.)

## Policy Information and Explanation

- ◆ Definitions of academic dishonesty, procedures, and the rights of students accused of academic dishonesty can be found in “The Policy on Student Academic Dishonesty” posted on the Brockport web site.
- ◆ The burden of proof that a violation as defined by policy has not occurred is on the student.
- ◆ Instructors must complete this report for all violations of the Academic Dishonesty policy for which a student is penalized. Faculty are also encouraged to file this report even if an “official warning” (without other penalties) is the extent of punishment for any violation.
- ◆ The instructor must briefly describe the violation including any explanation the student offers in his/her defense, and record any penalty the instructor places on the student as a result of the violation. The course instructor is responsible for notifying the student of the violation using this report form and for filing the violation report with the department chair. The department chair will acknowledge the report by signature and carry out other responsibilities as defined by the policy.
- ◆ One copy of the report will be sent through the School Dean’s office to the Office of the Provost and Vice President for Academic Affairs where it will be placed in the appropriate confidential file. The student’s copy will be given to the student in person or by registered mail.
- ◆ Upon filing this report, the Provost’s file containing the dishonesty reports will be checked for previous violations by the same student. Following a second offense, the Provost may initiate additional disciplinary action including suspension or Conduct Dismissal from the College. The only appeal of this action, according to policy, is a Dean’s level appeal of the second dishonesty charge. The Provost will take appropriate action depending on any appeal and the outcome of an appeal as reported by the School Dean.
- ◆ Appeals of violation reports and penalties applied as a result of such reports should be directed to the appropriate School Dean as specified in IIIA and B, and IVA, B and C of the policy. The student must file a notice of an intent to appeal by letter to the school Dean **no later than 10 business days after the receipt of the violation report**. If a dispute proceeds to a hearing at the Dean’s level, a formal appeal hearing will be scheduled by the Dean’s office. The Dean also can dismiss the appeal without a hearing if s/he believes the evidence for the charge justifies this.
- ◆ If a student appeal of the dishonesty violation is successful, the report in question will be removed from all files and destroyed.
- ◆ The violation report can be used as specified by College policy but is confidential for all other purposes as specified in the “Policy on Academic Dishonesty.” The report must remain in the file until the student named has graduated from SUNY Brockport. The report can, thereafter, be removed upon direct petition of the student to the Provost of the College.

