Resolution #20, 1984-85

TO: President John E. Van de Watering

FROM: The Faculty Senate

RE: X I. Formal Resolution (Act of Determination)  
     II. Recommendation (Urging the fitness of)  
     III. Other (Notice, Request, Report, etc.)

SUBJECT: Policy on Student Academic Dishonesty

(see attached)

[Stamp] RECEIVED  
MAR 2 1985
[Stamp] PRESIDENT'S OFFICE
[Stamp] BUCKHORN, NEW YORK

[Signature]  
Date Sent 3/20/85
(For the Senate)  
Kenneth P. O'Brien, President, Faculty, Senate

TO: The Faculty Senate

FROM: President John E. Van de Watering

RE: I. Decision and Action Taken on Formal Resolution
    a. Accepted. Effective Date, Fall 85 Forward to College Council
    b. Deferred for discussion with the Faculty Senate on
    c. Unacceptable for the reasons contained in the attached explanation

II., III.  
  a. Received and acknowledged
  b. Comment:

DISTRIBUTION: Vice Presidents: [Signature] [Signature] [Signature] [Signature]

[Signature]  
Date Received by the Senate:

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POLICY ON STUDENT ACADEMIC DISHONESTY

Academic dishonesty is a serious breach of the trust which exists between a student, one's fellow students and the instructor. Academic dishonesty is a major violation of College policy which can result in the failure of a course as well as in a range of disciplinary actions from an official warning to suspension or dismissal from the College. Any student suspected of such a violation will be subject to charges. Violations of academic honesty include, but are not limited to, the actions described in Section I. Published divisional unit and/or individual policies will address additional circumstances unique to specific academic area(s).

I. Definitions of Academic Dishonesty

A. Plagiarism - Presenting as one's own: words, ideas, or products of another without providing a standard form of documentation such as footnotes, endnotes, or bibliographic documentation.

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

C. Presenting someone else's paper, computer work, or other material as one's own work.

D. Writing or attempting to write an examination, paper, computer work or other material for another student; allowing someone else to take one's examination.

E. Buying and selling of examinations; possession of examinations or answers to examinations without permission of the instructor.

F. Using "cheat sheets", looking onto another's paper, or talking to someone other than the instructor or proctor during an examination without the instructor's permission.

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

H. Presenting work for which credit has been received or will be received in another course without the consent of the instructor(s).
II. Policies

A. Range of Sanctions (Sanctions may be given alone or in combination)

1. Assigning an "F" grade for the particular test or assignment in which the offense occurred.

2. Assigning "F" for the entire course in which the offense occurred.

3. Official Warning

   Written notice that further academic dishonesty may be cause for more severe disciplinary action.

4. Conduct Probation

   Status of the student is probationary during a set period of time and further academic dishonesty may warrant suspension or dismissal from the College.

5. Conduct Suspension

   The student's status in the College is terminated temporarily for a specified period of time.

6. Dismissal

   The student's status in the College is terminated and he/she is permanently separated from the College. He/she is restricted from access to campus premises except by written permission of the Vice President for Student Affairs.

   A student who is dismissed for academic or disciplinary reasons prior to the end of an academic term shall be liable for all tuition and fees due for that term.

B. Student's Rights When Charged with Academic Dishonesty

1. The right to be given written notice of the nature of the charges and to be informed of one's rights prior to any hearing.

2. The right to continue in a course until the hearing process is completed.

3. The right to receive upon request a list of the witnesses that will appear in the hearing in support 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 request.

4. The right to deny the charge made by the instructor and to request an administrative hearing before the Dean of the School in which the alleged offense occurred.
5. The right to bring witnesses and/or an advocate to the hearing. Only members of the College community may be selected to be the accused student's advocate, but such persons may not participate in the hearing, e.g., by presenting the student's case or examining witnesses. Postponement of a scheduled hearing may be allowed by the Dean on the basis of unavailability of important witnesses but only if sufficient cause for said unavailability is shown.

6. The right to question witnesses and the person making the charge.

7. The right to produce witnesses and documentary evidence in his or her own behalf.

8. The right to appeal his/her case to the Vice President for Academic Affairs if a sanction has been imposed.

C. General Policies

1. All notices to students shall be in writing and shall be served either in person or by registered mail at the student's official local address.

2. A student who withdraws from the College after being charged with academic dishonesty will not be exempt from campus judicial action. The normal judicial process will be followed with the accused student receiving due notice of hearings. Any resulting sanction of suspension or dismissal will replace the "withdrawal" status on the transcript. Lesser sanctions will be kept on file for reference if the student applies for readmission.

3. A graduating senior who is found to have committed an act of academic dishonesty and who received a suspension for a period extending beyond his/her graduate date may not receive the diploma until the term of academic suspension has been served.

4. A student who is charged with academic dishonesty just prior to the termination of a semester, when there is not sufficient time to hold a hearing before the semester ends, will be given a hearing as soon after the semester ends as is feasible. Said student who leaves the Brockport area is responsible for transportation and other expenses related to his/her right to be present at the hearing as scheduled.

5. Failure to appear in response to the charge(s) on the date fixed for hearing, unless there has been a continuance for good cause approved by the Dean prior to the hearing, shall be deemed an admission of the facts stated in such charge(s). The hearing will be held and a determination of sanction will be made. The student will be notified of the sanction. Within ten business days of the notice of sanction, if the student shows good cause for failure to appear and failure to give prior notice of intention not to appear, the Dean may withdraw the sanction and arrange a re-hearing.
6. All hearings are closed.

7. An academic dishonesty hearing shall not be bound by technical rules of evidence, but may hear and receive any testimony or evidence which is relevant and material to the issue presented by the charge(s) and which will contribute to a full and fair disposition of the charge(s).

8. Cameras or tape recorders are not permitted in a hearing.

9. Any sanctions which result from an administrative or board hearing will be sent to the student in writing and a copy of the decision letter will be kept on file in the Vice President for Academic Affairs' office. The file may be used as a disciplinary record in any future judicial proceedings involving the student.

10. In accordance with the Family Educational 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.

11. A sanction of suspension or dismissal from the College will appear on the student’s transcript as "Suspension," with period of suspension specified, or "Dismissal."

12. A student's academic dishonesty record will be maintained for a period of seven (7) years from the date of the last entry or until the student graduates, except in a matter of suspension or dismissal, in which case the record is maintained indefinitely.

13. The term "business 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.

III. Procedures

A. A suspected academic dishonesty in a course may be observed by the instructor of the course or may be reported by any other person to the instructor. If the instructor does not accept or does not wish to act on the report of an alleged academic dishonesty, the complaint may refer the allegation directly to the Dean of the School. At the Dean’s request, the instructor will obtain any evidence and contact any witnesses needed to substantiate the charge.

The instructor will notify the student discreetly of the suspected offense and of the range of sanctions that may be applied if proven. The student will be given the opportunity to state his/her side of the matter. If the instructor finds the charges valid he/she may assign grade penalties as described above. If the issue remains unresolved,
either the instructor or the student refers the case to the department chair. If the chair is unable to resolve the matter satisfactorily or if the instructor or chair feels that further official sanction should be assigned (such as an Official Warning, Probation, Suspension, or Dismissal) the chair will refer the case to his/her dean.

B. The Dean may adjudicate alleged academic dishonesty upon referral from the chair of the course instructor's department, or upon the accused student's appeal of the instructor's assignment of grade penalty, or upon referral from the instructor or a third party complainant. All parties must submit written statements to the Dean. He/she will hold an administrative hearing in which relevant evidence and witnesses for both sides are heard. If the Dean finds that academic dishonesty has occurred, he/she may assign a grade penalty and either Official Warning or Academic Probation for a specified period. If the Dean feels that the offense warrants suspension or dismissal from the College, he/she will arrange for a hearing before the Academic Dishonesty Review Board. The Dean will schedule the hearing and will forward all materials to the review board with copies to all parties to the case. The hearing will be held no less than three business days from the date the student is personally served notice of charges in writing, or not less than seven business days if the service is by registered mail.

C. The Academic Dishonesty Review Board has three members, consisting of two faculty members from two different schools and one student. Faculty from the department from which charges originate cannot serve on an Academic Review Board, nor can a student majoring in that department. Each Dean will designate two faculty and two student members from his/her School at the beginning of the academic year. The Vice President for Academic Affairs will choose members and alternates from this group.

The Board will review all materials, hearing both the faculty member's and the student's case and any evidence and witnesses. A simple majority vote in closed session will determine this case and the sanction to be imposed if the charges are substantiated. The Board will provide the Dean with a written report.

The Dean will convey in writing the findings and any sanctions imposed by the Board.

If the Dean or Hearing Board find that the charge of academic dishonesty is not substantiated, none of the sanctions listed in II. A. Range of Actions may be taken. The Dean will confer with the faculty member to determine the need for a change of the grade.

IV. Appeals Procedures

A. The Vice President for Academic Affairs (or President's designee in his absence) will hear appeals from an Academic Dishonesty Review Board hearing or a Dean's administrative hearing only on the following grounds:
1. that the Board or Dean failed to observe the procedural requirements established by this code;

2. that new evidence has appeared which was not available at the time of hearing which could have substantially affected the original findings;

3. the sanction is grossly inappropriate to the proven offense.

B. Any appeal must be requested in writing within ten business days after the original sanction has been announced to the student. The reason for the appeal must be stated in detail based on one or more of the grounds stated in IV above. The Vice President for Academic Affairs, upon receiving a written appeal, will determine whether a rehearing is needed based on sufficient evidence of improper procedures or new evidence. Depending on the nature of the case and the procedures or evidence in question, the Vice President for Academic Affairs may hear the case himself and make a final decision or remand it back to the Dean or Board that originally heard the case. In an appeal hearing in which the severity of sanction is in question, the Vice President for Academic Affairs will make the final decision to increase or decrease the sanction.

C. The President of the College may grant clemency or pardon in any case.

RDM: cvr
March 1985