

FACULTY SENATE

Faculty Senate Resolution Number S-2018-09

To: Joe Bertolino, Ed.D., President, Southern Connecticut State University
From: Maria Diamantis, Ed.D., President, SCSU Faculty Senate


The attached Resolution of the Faculty Senate is entitled:
RESOLUTION REGARDING THE POLICY ON ACADEMIC MISCONDUCT

This Resolution was approved by Faculty Senate on: **February 21, 2018**

- This Resolution is presented for APPROVAL
 This Resolution is presented for INFORMATION

In accordance with the CSU-AAUP Contract (Article 5.10), "When the Senate makes a written recommendation to the President, the President shall acknowledge and respond to the recommendation in writing within fifteen (15) school days of receiving the Senate's recommendation. "

After considering this resolution, please indicate your action on this form and return it to the President of the Faculty Senate.

 2/23/2018
Maria Diamantis, Ed.D., President, Faculty Senate Date

cc: Robert S. Prezant, Ph.D., Provost and Vice President for Academic Affairs

ACTION OF THE UNIVERSITY PRESIDENT

To: Maria Diamantis, Ed.D., President, SCSU Faculty Senate
From: Joe Bertolino, Ed.D., President, SCSU

Resolution for approval:

- Resolution APPROVED
 Resolution DISAPPROVED (Provide comments below or attach statement)

Comments _____

Resolution for information:

- Resolution NOTED (applies to Informational Resolutions only)

Comments _____

 2-23-18
Joe Bertolino, Ed.D., President, SCSU Date

SOUTHERN CONNECTICUT STATE UNIVERSITY FACULTY SENATE

Faculty Senate Resolution Regarding the ACADEMIC MISCONDUCT POLICY

Whereas, Southern Connecticut State University (SCSU) exists for the primary purpose of furthering academic excellence;

Whereas, the BOR and the SCSU student academic misconduct policies are not consistent in terms of reporting final grades in the case of an appeal;

Whereas, the department policies for dismissal from a major are not included in the SCSU academic misconduct policy; therefore be it

Resolved, That the following changes be implemented to the student academic misconduct policy.

1) In Section 1b, the following bullet shall be added:

the faculty member bringing the claim of academic misconduct may petition department for the student's dismissal from the major program per the department's policy when applicable.

2) In Section 4e, the following bullet shall be added:

e. In the case of an appeal, the grade given for that class will not be considered final until the appeal process is complete. The grade shall be entered as an "I+" by the instructor until the end of the following semester or until the appeal is finalized.

Southern Connecticut State University

Guidelines for Addressing Academic Misconduct

Academic honesty is a fundamental requirement in higher education. Ethical behavior is expected of all members of the University community. This document provides guidelines for addressing allegations of student academic misconduct at Southern Connecticut State University, as defined in the Student Code of Conduct and other University graduate and undergraduate documents. Faculty members and students are responsible for knowing this definition upon which all claims of academic misconduct and defenses thereto shall be based. Graduate students are also responsible for additional expectations pertinent to graduate study, research and writing for publication, as officially defined by the University in the SCSU code of conduct document: <http://www.southernct.edu/offices/judicialaffairs/StudentCodeofConductrevised6.16.16.pdf>

These guidelines are based on the principle that the faculty has oversight over academic honesty, including the authority and responsibility to impose appropriate penalties when academic misconduct occurs. In instances where both academic and non-academic misconduct are alleged, only the academic portion shall be handled according to the disciplinary procedures for academic misconduct described here. The Student Conduct Office, whose action may precede any academic disciplinary action, shall address separately charges of non-academic misconduct.

These guidelines address

1. Instructor's Role and Responsibilities
2. Complaint by Person Other Than the Course Instructor
3. Student Conduct Office's Role
4. Faculty Hearing Board and Hearing Panels
5. Hearing Procedures
6. Student Rights and Responsibilities
7. Appeal of the Faculty Hearing Board Ruling
8. Annual Reporting
9. Revisions to this Academic Misconduct Guidelines
10. Time Line for Appeals

1. Instructor's Role and Responsibilities.

a. Instructors shall inform students in course syllabi of course-specific requirements related to academic misconduct and the penalties that may be imposed for academic dishonesty according to the guidelines in the Student Code of Conduct and professional judgment. Statements in course syllabi shall refer students to the definition of academic misconduct in the Student Code of Conduct and any other pertinent University documents.

b. Incidents of academic misconduct can range in severity from minor to major violations. Instructors determine sanctions according to their professional judgment of the severity of misconduct. Academic sanctions should be commensurate with the severity of misconduct and may include one or more of the following:

- a reduced grade for the assignment in question;
- the opportunity to revise the assignment in which the act of dishonesty occurred or complete additional course work;
- a grade of F for the assignment in question;
- a grade of F for the course;
- **the faculty member bringing the claim of academic misconduct may petition department for the student's dismissal from the major program per the department's policy when applicable.**

c. When an instructor determines that an act of academic misconduct has occurred, within three (3) University calendar days, the instructor shall inform the student in writing of the infraction and will provide an opportunity for the student to respond to the allegation in person or in writing within five (5) days. Instructors may decide to handle minor violations informally, according to their discretion, especially when there is no sanction imposed beyond requiring the revision of an assignment. For the purpose of discussing allegations and sanctions, the instructor may meet with the student alone or in the presence of the department chair or departmental committee assigned to review instances of academic misconduct. For all violations not deemed minor, instructors shall file an Academic Misconduct Report with the Department Chair and School Dean. The Dean shall forward a copy of the report to the Student Conduct Office in order to monitor repeat offenses, and also send a copy to the affected student. The Academic Misconduct Report must indicate academic sanctions imposed.

2. Complaint by Person Other Than the Course Instructor.

Any member of the University community may file a complaint against a student alleging academic misconduct. Accusations of alleged violations by a person other than the student's instructor must be reported in writing within ten (10) calendar days of discovery of the alleged violation either to the instructor or to the University Student Conduct Office, which shall inform the instructor in writing within three (3) University calendar days. Upon receipt of notification, the instructor shall assess the merit of the allegation. An instructor who decides to pursue a claim of academic misconduct shall follow the procedure outlined in Section 1.c. of these guidelines, acting within three (3) University calendar days of receipt of the complaint.

3. Student Conduct Office Role.

The Student Conduct Office shall have specific responsibilities regarding notification, record keeping and hearings relative to academic misconduct.

1. The Student Conduct Office shall retain records of all reported cases of academic misconduct, including Academic Misconduct Reports submitted by instructors and written complaints received from others. For any student who has complaints on file, the Student Conduct Office may report the number and nature of incidents and the disposition of hearings to an instructor seeking input on how to regard the severity of an incident and to hearing officers during the sanctioning phase of an academic misconduct hearing.
2. The Student Conduct Office shall notify instructors of academic misconduct complaints it receives from sources other than the course instructor, as described in Section 2 of these guidelines.
3. Upon receipt of an Academic Misconduct Report, the Student Conduct Office will review recommendations by the instructor for disciplinary action and determine whether or not the case merits a hearing based upon the approved criteria found in section 4c. The instructor

accusing the student can also request a hearing on the case as described in the reporting form found at the end of this document. In this case, director of Student Conduct Office shall review the request and determine merit for a hearing or the opportunity for administrative resolution in consultation with faculty chair of the department in which the class was taught. If warranted by the frequency and/or severity of academic misconduct infractions on the student's record (as described in 4c) the Student Conduct Office will call a hearing. It is then the role of the Hearing Panel to decide whether or not to bring charges against the student that could lead to disciplinary probation, suspension or expulsion from the University.

4. Faculty Hearing Panels.

a. A Faculty Hearing Panel made up of members of the University-wide Academic Standing Committee shall have the responsibility of reviewing allegations of academic misconduct.

b. In the adjudication of allegations of academic misconduct, three (3) members of the ASC, appointed by the Student Conduct Office on a rotational basis, shall constitute a Hearing Panel and be convened to address a specific academic misconduct complaint. A Hearing Panel shall have representation from three academic schools, and may not include a member from the student's home department nor from the department that houses the course in which the alleged misconduct occurred. A representative from the Student Conduct Office shall be the convener and a non-voting member of the Panel.

c. A Hearing Panel shall be convened when:

- a student seeks to appeal sanctions imposed by an instructor for academic dishonesty, and the faculty member did not already elect to pursue a SOC hearing;
- an accused student's record of prior academic misconduct reaches 2 or more instances while at Southern Connecticut State University
- Or the director of the Student Conduct Office determines that there has been an egregious violation as reported by the instructor.

d. A student may appeal an accusation of academic misconduct which was not referred to a full hearing. A student appeal shall automatically go in front of a Hearing Panel. When a student appeal is brought before it, a Hearing Panel shall determine the merits of the academic misconduct claim. In the case of an appeal the Hearing Panel shall not increase the punishment that was originally imposed by the accusing professor.

e. In the case of an appeal, the grade given for that class will not be considered final until the appeal process is complete. The grade shall be entered as an "I+" by the instructor until the end of the following semester or until the appeal is finalized.

5. Hearing Procedures.

When a Hearing Panel is convened, the Panel shall operate according to the following procedures and timeline:

- a. **Scheduling of Hearing.** Hearings are scheduled during the fall and spring semesters of the academic year, and will normally be conducted within ten (10) University calendar days of receipt by the Office of Student Conduct of an academic misconduct report or an accused student's request for a hearing, Notice of Hearing. An accused student shall be notified in writing by the Student Conduct Office that a hearing has been scheduled. The notice shall advise the student of: i) the specific allegation(s) of academic misconduct, ii) possible sanctions, iii) the date, time, and place of the hearing, iv) hearing procedures, including who may attend, and v) the student's rights. The student shall be afforded a reasonable period of time to prepare for the hearing, which shall be not less than three (3) University calendar days.
- b. **Right to Appear.** The accused student and the instructor shall have the right to be present at all stages of the hearing process except during the private deliberations of the Hearing Panel, which shall be closed to the accused student, the instructor, supporting persons, and any other accuser. The Hearing Panel may, at its discretion, admit any person into the hearing room. The Hearing Panel **by a majority vote** shall have the authority to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.
- c. **Opportunity to Present Positions.** Both the instructor and the accused student shall have the opportunity to present their positions to the Hearing Panel, including the opportunity to present the testimony of witnesses and documents in support of their positions, according to the hearing procedures outlined in the Notice of Hearing communicated by the Student Conduct Office.
- d. **Support Person.** The accused student shall be allowed to have one person attend the meeting for the purpose of providing support. The support person must be someone who is available to attend at the scheduled date and time of the hearing. Delays will not be allowed due to the scheduling conflicts of a support person. The supporting person may not provide written or verbal testimony during the Hearing.
- e. **Record of Hearing.** The University shall make an audio recording of the hearing. The recording shall be the property of the University. No other recordings shall be made by any person during the hearing. Upon request, the accused student shall be allowed to review the recording in a designated University office in order to prepare for an appeal of the decision rendered by the Hearing Panel. Applicable state and federal law shall govern further disclosure of the recording.
- f. **Written Notice of Decision.** Within two (2) University calendar days after the hearing, the Student Conduct Office shall inform the accused student and the instructor of the Hearing Panel's action in writing, indicating whether the student has been determined to be "Responsible" or "Not Responsible" for the academic misconduct. The decision of the Hearing Panel, as well as any disciplinary sanction(s) imposed, generally will not be released to parties other than the student and instructor in question, Department Chair, Dean and Provost. **No other parties** will be notified without the prior written consent of the accused student. However, certain information may be released if and to the extent authorized by state or federal law.
- g. If the Hearing Panel determines that the Instructor did not provide sufficient evidence to support the alleged misconduct, the Hearing Panel shall direct the Instructor to assign a grade based on the quality of the work as originally submitted. If the instructor declines to do so, the matter will be referred to the instructor's Department Chair or designee, who will select two (2) anonymous reviewers with sufficient expertise in the area to reevaluate the assignment. In this case, the final grade shall be the average of the two anonymous evaluations.

6. Student Rights and Responsibilities.

1. A student accused of academic dishonesty has the right to appeal an instructor's allegations. An appeal hearing is requested by completing and submitting an "Academic

Misconduct Appeal Form” to the Student Conduct Office. The appeal shall include substantial evidence supporting the student’s innocence and will follow the guidelines laid out in section 4d.

2. An accused student may request that **any** faculty member on the convened Hearing Panel be replaced if the student believes that the faculty member chosen by the Student Conduct Office for the three-member panel may be unable to render an objective judgment. The final decision on the removal of the member shall be rendered by the head of the Student Conduct Office. If the chair deems that the member can be impartial they can refuse the request.
3. A student found to have violated the Academic Misconduct Policy by a Hearing Panel may appeal the decision, as described in Section 7.

7. Appeal of the Faculty Hearing Board Ruling.

- a. The student may appeal the decision of the Hearing Panel to the Provost or designee. An appeal shall be in writing and shall be delivered to the Provost or designee within three (3) University calendar days after receipt of the Hearing Panel’s written decision. The Provost or designee shall review the record of the hearing, including any and all documents presented to the Hearing Panel, along with the student’s written appeal.
- b. An appeal may be brought on four grounds: (a) a claim that error in the hearing procedure substantially affected the decision; (b) a claim that new evidence or information material to the case was not known at the time of the hearing; and / or (c) a claim that the academic sanction(s) imposed were not appropriate for the violation of the Code for which the accused student was found responsible and/or (d) a claim that the academic sanction imposed has resulted in a palpable injustice. The Provost shall have the right to deny an appeal not brought on proper grounds.
- c. The decision of the Provost or designee shall be rendered within ten (10) University calendar days of receipt of an appeal of the Hearing Panel’s decision. The decision of the Provost or designee shall be final and there shall be no further right of appeal.

8. Annual Reporting.

At the end of each year, the Student Conduct Office shall notify the Faculty Senate and the Provost of the total number of academic misconduct cases reported for the year, the number of appeals filed, and the number and type of disciplinary sanctions imposed by the Faculty Hearing Board. No individual case decisions or outcomes will be identified in this report. Where necessary, the report will aggregate data over several years in order to maintain confidentiality.

9. Revisions to this Academic Honesty Guidelines.

The Senate, in agreement with the President of the University, shall establish revisions of the Academic Misconduct Guidelines.

10. Timeline. Note: The term “days” in this timeline refers to University calendar days.

1. An individual who witnesses misconduct shall report the incident to the instructor or to the University Office of Student Conduct...	As soon as possible but prior to the end of the semester in which the incident occurred.
2. The University Office of Student Conduct shall provide the instructor with a copy of the written complaint...	within 3 days of receipt of complaint by an individual other than the instructor.
3. The instructor shall notify the student in writing of the infraction...	<ul style="list-style-type: none"> • within 3 days of an instructor’s identification of misconduct, or • within 3 days of receipt of a written complaint from the University Student Conduct Office.
4. A hearing shall take place...	<ul style="list-style-type: none"> • within 10 days of receipt of complaint by the University Office of Student Conduct, or • within 10 days of an accused student’s

	request for a hearing, or <input type="checkbox"/> within 10 days of the Office of Student Conduct bringing charges against a student.
5. Students shall have time to prepare for the hearing...	not to be less than 3 days.
6. The decision of the Hearing Panel shall be sent in writing to the accused student and the instructor...	within 2 days after the hearing.
7. The student may file an appeal in writing to the Provost	within 3 days after receipt of the Hearing Panel’s written decision.
8. The Provost (or designee) shall render a final decision to any student appeal of a Hearing Panel ruling...	within 10 days of receipt of that appeal.

Flow Chart

Approved 12/5/12

Academic Misconduct Report

Academic misconduct, also called academic dishonesty, includes cheating, plagiarism and other academically dishonest acts. Examples of what constitutes academic misconduct are presented in Faculty Senate document on academic misconduct and appear in the Student Handbook.

Instructions

1. When academic dishonesty occurs, this form must be completed and submitted to the Dean of the School and the Chair of the Department in which the course resides.
2. A copy of the form must be sent to the affected student.
3. Instructors may request no further action, or that disciplinary charges be brought by the Office of Judicial Affairs.

Instructor's Name _____ Department _____

Office _____ Phone _____
Email _____

Course _____ Section _____
Term _____

Student Name _____ Student ID# _____

Describe Alleged Misconduct:

Sanction(s) taken By Instructor: _____ Reduced Grade for Assignment
_____ Opportunity to Revise Assignment _____ Grade of F for Assignment
_____ Grade of F for the Course

_____ I Request No Further Action

_____ I Recommend Separate Disciplinary Actions be Initiated by the Office of Judicial Affairs.

Instructor's Signature Date

Copies Sent To: Department Chair _____ Dean _____

Approved 12/5/12

Academic Misconduct Student Request for Hearing Form

Student Name _____

Course _____ Term _____

Instructor's Name _____ Department _____

Explain the basis of your appeal. Be specific.

(Please attach any additional materials that support your case.)

This completed form must be sent to the Office of Judicial Affairs within 5 days following department's or instructor's sanction(s).

Note: Academic Misconduct can include cheating, plagiarism, and other issues. The descriptions of misconduct are described in the Student Handbook and in an instructor's syllabus.

Approved 12/5/12

Revised and Approved by the FS 2/21/2018