

## **Student Academic Conduct Policy**

*Policy effective for alleged misconduct occurring after January 1, 2010.*

As a community of students and scholars, the University strives to maintain the highest standards of academic integrity. All members of the community are expected to exhibit honesty and competence in academic work. This responsibility can be met only through earnest and continuing effort on the part of all students and faculty.

Any dishonesty related to academic work or records constitutes academic misconduct including, but not limited to, activities such as giving or receiving unauthorized aid in tests and examinations, improperly obtaining a copy of an examination, plagiarism, misrepresentation of information, altering transcripts or university records. Academic misconduct is incompatible with the standards of the academic community. Such acts are viewed as moral and intellectual offenses and are subject to investigation and disciplinary action through appropriate University procedures. Penalties may range from the loss of credit for a particular assignment to dismissal from the University. Degree revocation may be warranted in cases involving academic misconduct by former students while they were students at USA. Note that dismissal from any University of South Alabama college or school for reasons of academic misconduct will also result in permanent dismissal from the University. Faculty, students, and staff are responsible for acquainting themselves with, adhering to, and promoting policies governing academic conduct.

The Office of the Senior Vice President for Academic Affairs (SVPAA) will maintain a permanent record of all Academic Misconduct penalties involving Level I, Level II, and Level III cases that is known as the Academic Misconduct Penalty Record. The record will include the student's name and student number; course title, section and instructor (as appropriate); semester in which the misconduct occurred; type of misconduct; penalty imposed; and student's major(s) at the time the penalty was imposed.

Upon receipt and recording of information regarding penalties imposed as above, the SVPAA will determine if the student has been found guilty of any previous incident(s) of academic misconduct. If a previous instance of academic misconduct has occurred in Level I or Level II cases, the SVPAA will notify the Dean of the college of the student's major. The Dean will then determine whether an additional and higher level charge of Academic Misconduct is warranted and should be brought against the student. In Level III cases, the SVPAA will notify the chair of the University Academic Standards Committee to convene the committee to determine if a more severe penalty is warranted.

The Academic Misconduct Record will be used for the purpose of determination and evaluation of repetition of academic misconduct and if appropriate, for charging the student with an additional charge of Academic Misconduct. The information contained in the Academic Misconduct Record will not be available to the course instructor. College level and University level Academic Standards Committees and/or their members will not have access to information contained in the Academic Misconduct Record prior to the conclusion of the case, including completion of appeals, if any. The only circumstance in which an Academic Standards Committee and/or its members will have access to information in the Academic Misconduct Record is if the Committee(s) is/are charged by the Dean or SVPAA to consider whether a more severe penalty is warranted in cases where it has been determined that repetition of academic misconduct has occurred.

All matters related to academic misconduct are the responsibility of the academic units involved and the Office of the Senior Vice President for Academic Affairs. These matters will be resolved through procedures defined herein for both graduate and undergraduate students.

## **DEFINITIONS**

The term “student” is used in this Policy to refer to one or more student(s) as appropriate to the case. The term “class day” refers to a weekday (Monday through Friday) excluding holidays, during which the offices of the University are open and the classes of the full term are in session, excluding final examination periods. The term “college” refers to colleges, schools, and academic divisions of the University.

## **COMMITTEES**

### **1. College Academic Standards Committee**

Each college shall have a Collegiate Undergraduate Academic Standards Committee. Those colleges offering graduate programs, or graduate course work, shall also have a Collegiate Graduate Academic Standards Committee.

For the Undergraduate Committee, each college shall appoint four (4) full-time faculty members, plus one (1) full-time faculty member designated as an alternate, and two (2) upper-division student members. The Committee shall be constituted early in the Fall Semester of each year.

For the Graduate Committee, each college shall appoint four (4) graduate faculty members, plus one (1) graduate faculty member designated as an alternate, and two (2) graduate student members. The Committee shall be constituted early in the Fall Semester of each year. Should a college have fewer than five (5) graduate faculty members, each eligible faculty member will serve on the Committee, and the SVPAA shall appoint additional qualified members from other colleges to complete the Committee.

### **2. University Academic Standards Committee**

The University Academic Standards Committee shall be composed of five (5) faculty members and one (1) alternate, at least four of whom are graduate faculty, and two (2) students, one graduate and one upper-division undergraduate. The Committee shall be appointed each Fall Semester by the SVPAA.

### **3. Committee Authority**

Committees may prescribe penalties, sustain penalties, reduce penalties including reduction to no penalty, or dismiss charges, as appropriate to the case. However, when acting on an appeal request, a committee may not increase the severity of the previously prescribed penalty.

## **PROCEDURES**

In cases of alleged academic misconduct, the committee will make every effort to maintain confidentiality of all parties during the process. Information regarding the case is generally not communicated to non-involved parties, and communications regarding the matter are on a need-to-know basis. If, however, informational material relative to the case is subpoenaed through a court process, or is required to be divulged in some other type of investigation, then it would not be deemed to be a breach of confidentiality and the requested material would be void of its confidentiality.

This policy recognizes three levels of academic misconduct (see the following identification of levels I, II, III). The college in which a Level I case is heard shall normally be the college in which the misconduct occurred, not necessarily the college of the student's major program. A Level II case will normally be heard in the college of the student's major program. A Level III case will normally be heard by the University Academic Standards Committee.

The committee chair will be elected by the committee. The chair shall maintain complete, confidential records of all proceedings, including minutes of all meetings held regarding the case.

Neither the student nor the faculty member involved shall have representation, including legal representation, during the presentation of the case or during the appeal process. However, legal assistance in preparing a defense or statement for presentation to the committee is permissible.

The committee will confirm their decision by vote. The chair of the committee will not vote except in case of a tie. After a decision is rendered, an appeal may be requested (see section under **Appeal**). Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student.

All penalties must be within the authority or purview of the involved unit. For example, an instructor may impose a penalty of failure in a course where cheating is involved, but the instructor may not dismiss the student from the program.

A student accused of alleged academic misconduct, or involved in the appeals process for alleged academic misconduct, will not be allowed to withdraw from a class (es) related to the charge of academic misconduct until the charges, penalties and/or appeals have been resolved through due process as described below. The student must be allowed to remain in or complete the class (es) until the case is resolved. The student may not withdraw from a class (es) in which a penalty is pending for academic misconduct.

The three levels of misconduct consideration in this Policy are as follows:

### **Level I - Cases Limited to a Specific Class and/or Instructor**

- When an instructor discovers an act of academic misconduct, the student involved shall be informed verbally or in writing of the alleged violation.
- If the instructor decides to impose a penalty, the instructor shall prepare a dated, written statement describing the alleged violation and the recommended penalty, along with a copy of the Student Academic Conduct Policy. The instructor shall either mail the statement, with attachment, by U.S. mail with Return Receipt Requested, or hand deliver the statement, with attachment, to the student and ask the student to sign for receipt of the statement. A copy of the written statement will be submitted to the department chair. The instructor will also request that the department chairperson immediately notify the registrar to block the student from withdrawing from the course. At any point in the process in which it is determined that the student is innocent of the charge of academic misconduct, the block will be removed.
- The student has ten (10) class days from receipt of the written notification to submit a written response to the instructor. Failure of the student to respond in a timely manner (not to exceed ten (10) class days from receipt of the notification) will be considered as either subversion of the process, or agreement with the misconduct charge and acceptance of the imposed penalty. This information will be communicated as follows: The instructor will inform the student in

writing of the penalty. If the student responds with a written denial of the charge, the department chair will be notified and a review conference shall be arranged. If the student does not respond in writing with denial of the charge, the instructor will submit a report of the penalty using the Standard Form: Academic Misconduct Penalty Record (AMPR) to the departmental chair who will in turn forward it through the dean of the college to the SVPAA.

- At any stage in the Level I process, the department chair may decide that the alleged misconduct is of such a serious nature as to warrant inquiry beyond the Level I proceeding and to refer the case to the College Academic Standards Committee (Level II) for disposition.
- **Academic Standards Case Review Conference** - Upon receipt of the written denial of charges, the following procedure applies (in the event the department chair is the accuser, the college dean shall perform the functions ascribed below to the chair):

The department chair shall arrange a conference within ten (10) class days of the notification.

The conference shall be conducted with the student and the involved instructor to examine the details of the academic standards case. Prior to the conference, the department chair will ensure that both the student and instructor have copies of the Academic Standards Policy.

If a mutually satisfactory resolution is achieved during the conference, the process will end and no further action will be taken. A record of the outcome of the conference will be filed in the department chair's office and the dean's office. If the outcome of the conference results in the dismissal of the charge, the chair is responsible for taking necessary steps for removing blocks on registration.

If a successful resolution is not achieved at the conference, the department chair will conclude the conference. The department chair will advise the student that he or she has the right to accept the original penalty given or to request a hearing before the College Academic Standards Committee. The student has two class days after the conclusion of the conference to request a hearing, otherwise the original penalty will stand and the student will forfeit the opportunity to appeal the case to the College Academic Standards Committee. The student's decision should be noted in writing and signed by the student and department chair. If the student decides not to appeal, the process ends.

If the student does not request a hearing, the department chairperson will submit a report of the penalty (if any) using the Standard Form: Academic Misconduct Penalty Record (AMPR) through the Dean to the SVPAA.

If the student requests a hearing before the College Academic Standards Committee, the department chair will notify the dean's office of the need for a hearing. This notification needs to take place within three class days of the conclusion of the conference. The Academic Misconduct Penalty Record (AMPR) will also be forwarded to the Dean.

- **Appeal Hearing** –The dean shall notify the College Academic Standards Committee in writing to begin a hearing within ten (10) class days of receipt of notification. The College Academic Standards Committee hearing process will afford both parties the right to submit any documentation, testimony of supporting witnesses, or relevant information at the hearing. Legal or other representation at the hearing is prohibited. The committee will review the evidence presented by both parties and interview both parties and any witnesses. At the

conclusion of the hearing the Committee shall convene to review the evidence and determine whether or not the charge of academic misconduct is sustained or dismissed. In cases where the Committee sustains the charges, the Committee may affirm or reduce the previously imposed penalty. The Committee shall submit its decision to the dean in writing within five (5) class days of receipt of the conclusion of the hearing. The dean shall provide written notification of the Committee's decision to the student within five (5) class days of receipt of notification from the Committee. The decision of the College Academic Standards Committee shall be final. The dean will submit a report of any penalty imposed using the Standard Form: Academic Misconduct Penalty Record (AMPR) to the SVPAA. The dean is also responsible for removing or continuing registration holds as appropriate.

## **Level II - Cases Involving Action by a College or School**

If the alleged academic misconduct is beyond the scope of a specific class and/or instructor, or is of such a serious nature as to warrant review of continued participation in an academic program, the procedures shall be as described below. Note that dismissal from a college or school for reasons of academic misconduct will result in permanent dismissal from the University. Because of the possible severity of the penalty, all allegations of academic misconduct at this level are heard by the College Academic Standards Committee of the College of the student's academic program or major, and the penalty will be determined by that Committee if the allegations are sustained.

- The instructor, department chair, or other involved party shall forward a written notification of the alleged violation(s) with evidence to the academic dean or equivalent administrator of the academic program or major of the student involved. A copy of the written notification will be given to the student.
- The college dean shall notify the College Academic Standards Committee in writing of the allegations, transmit any evidence to the Committee, and instruct the Committee to begin the hearing process within ten (10) class days of the notification (in the event that the college dean is the accuser, the college assistant/associate dean or person appointed by the SVPAA shall perform the functions ascribed below to the dean).
- The hearing shall be conducted in the presence of the involved student, faculty member, and/or administrator, and witnesses. The student and faculty/ administrator(s) shall have opportunities to present all relevant information and witnesses.
- At the conclusion of the hearing, the Committee shall convene to review the evidence and determine whether or not the charge of academic misconduct is sustained. The Committee, in its best judgment, may sustain or dismiss the charges. In cases in which the Committee sustains the charges, the Committee may impose a penalty, including suspension from the University or permanent dismissal from the University. The Committee shall submit its decision to the dean in writing within five (5) class days of the conclusion of the hearing. The dean shall provide written notification of the Committee's decision to the student within five (5) class days of the receipt of notification from the Committee and the following actions shall be taken:
  1. If the Committee's decision is to dismiss the charges, the Dean is responsible for removing the registration blocks on the student, or
  2. If the Committee's decision is to sustain the charges, and if the case is not appealed,

- a. The Chair of the College Committee on Academic Standard will submit a report to the SVPAA through the College Dean of the penalty imposed, if any, using the Standard Form: Academic Misconduct Penalty Record (AMPR), and
  - b. The Dean is responsible for notifying the Registrar to remove or continue registration blocks, and/or to take necessary actions such as suspension or dismissal as appropriate.
- **Appeal** – Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student. If the student wishes to appeal the decision of the College Academic Standards Committee, a written request for appeal must be filed with the dean within five (5) class days of receipt of the written notification of the Committee’s decision from the dean. The dean will forward the appeal to the Senior Vice President for Academic Affairs (SVPAA). The SVPAA shall notify the University Academic Standards Committee in writing to begin a review within ten (10) class days of receipt of the notification. The Committee will first determine if grounds exist for an appeal based upon its review of the record developed in the hearing process. If there is a decision to hear the appeal, the appeal shall be based upon the record developed in the hearing process, and the Committee may interview case principals as it deems appropriate. At the conclusion of the hearing, the Committee shall review the evidence and determine whether or not the charge of academic misconduct is sustained or dismissed. In cases where the Committee sustains the charges, the Committee may sustain or reduce the previously imposed penalty. The Committee shall submit its decision to the SVPAA in writing within five (5) class days of receipt after the conclusion of the hearing. The decision of the University Academic Standards Committee related to the appeal shall be final. Also, at the conclusion of the appeal process, the Chair of the University Standards Committee will submit a report of the penalty imposed, if any, to the SVPAA using the Standard Form: Academic Misconduct Penalty Record (AMPR). The SVPAA shall provide written notification of the Committee’s decision to the student within five (5) class days of receipt of notification from the Committee, and as appropriate, the written notification to the student will include notification of additional charges if previous incident(s) of academic misconduct have occurred as indicated in the SVPAA review of the Academic Misconduct Penalty Record. The SVPAA will be responsible for informing the Registrar to remove or continue registration blocks on the student, and for taking necessary action(s) such as suspension or dismissal, as appropriate.

### **Level III - Cases Involving Action Beyond a College or School**

If the academic misconduct warrants inquiry beyond a college or school, the procedure shall be as follows:

- The department, academic unit, or other party shall submit a written notification and statement of allegations to the SVPAA. A copy of the notification/statement of allegations shall be sent to the student.
- The SVPAA shall notify the University Academic Standards Committee in writing of the allegations, transmit any evidence to the Committee, and instruct the Committee to hold a review within ten (10) class days of the notification.
- The hearing shall be conducted in the presence of the student, witnesses, and other involved parties. All parties shall have opportunities to present all relevant information and witnesses.

- At the conclusion of the hearing, the Committee shall convene to review the evidence and determine whether or not the charge of academic misconduct is sustained or dismissed. For cases in which the Committee recommends a penalty, the penalty may range up to and including dismissal from the university. The Committee shall submit its decision in writing to the SVPAA within five (5) class days of the conclusion of the hearing. The SVPAA shall provide written notification of the Committee's decision to the student within five (5) class days after receipt of notification from the Committee.
- **Appeal** – Grounds for appeal are the alleged lack of due process in the case or alleged discrimination against the student. If the student wishes to appeal the decision of the Committee, a written request for appeal must be submitted to the SVPAA within five (5) class days of the decision notification. The SVPAA will first determine if grounds exist for an appeal. If there is a decision to consider the appeal, the SVPAA shall conduct the appeal review beginning within ten (10) class days of receipt of the request. The review shall be based upon the study of the record developed through the hearing process. The SVPAA may interview case principals and conduct other reviews as deemed appropriate. The SVPAA shall notify the student promptly in writing of his/her decision. The decision of the SVPAA shall be final.

At the conclusion of the Level III process, including appeal, if any, the SVPAA will report the penalty imposed, if any, using the Standard Form: Academic Misconduct Penalty Record (AMPR). If previous incidents of academic misconduct have occurred, the Chair of the University Academic Standards Committee will convene the committee to determine if a more severe penalty is warranted. The SVPAA is responsible for notification of the Registrar to remove or continue registration blocks, and/or to take necessary actions such as suspension or dismissal, as appropriate.