

SIUC Student Conduct Code

(Excerpt: Academic Dishonesty Procedures)

[The following was approved on May 1991, with amendments on October 3, 1997, May 22, 2001, August 15, 2003, and August 10, 2008, in accordance with provisions set forth in SIU Board of Trustees 3 Policies C.]

IV. PROCEDURES APPLICABLE TO ACADEMIC DISHONESTY

A. Jurisdiction

1. Department Level:

The department chair shall have initial jurisdiction over complaints of academic dishonesty and may resolve the case if the student accepts responsibility for the violation. In a case where the student does not accept responsibility for the violation, the chair shall review the complaint of alleged academic dishonesty and decide whether there are sufficient grounds to formally charge the student with a violation of this code. When social misconduct is also involved in an incident of academic dishonesty, the chair in consultation with the Director of Student Judicial Affairs may charge the student with all violations. All charges shall be adjudicated under the procedures for academic dishonesty.

2. College Level

Each Dean has the responsibility for the formal resolution of charges against a student. For the purpose of administering these standards, the Graduate School Dean shall operate at the level of other Deans. Charges of falsifying information on applications for admission shall originate from the Director of Admissions, but the appropriate Dean will have responsibility for adjudication.

B. Informal Resolution

1. Informal Hearing:

In cases where the student admits to a violation of the standards relating to academic dishonesty, the matter may be resolved at the department level. An informal discussion between the instructor and the student shall be held.

- a. If the student accepts responsibility, the instructor shall inform the department chair and the student whether, as a sanction for the violation, the instructor will assign a failing grade for the work and/or course. The instructor shall also recommend to the chair any other sanction that may be imposed, pursuant to IV.B.2.

- b. The chair shall meet with the instructor and the student, receive the acknowledgement of responsibility from the student, receive the recommendation from the instructor, and apprise the student of the sanction.

2. **Sanctions:**

The Chair shall consider the full disciplinary history of the student in determining sanctions. Sanctions which may be imposed when the student accepts responsibility for the conduct are as follows:

- a. The instructor may assign the student a failing grade for the work and/or course.
- b. The student may be placed on disciplinary probation.
- c. The student may be suspended from the class for the remainder of the semester.
- d. Any combination of the above.
- e. The department Chair may recommend to the Dean that the student be suspended from the university.
 - i. If the Dean accepts the recommendation of the Chair, he/she will refer the recommendation to the Director of Student Judicial Affairs for final determination.
 - ii. The Director of Student Judicial Affairs will make the decision regarding university suspension after consultation with the Provost and Vice Chancellor.
 - iii. The department Chair shall also inform the student in writing that a disciplinary suspension is recommended as the appropriate sanction for the student's violation of this code.
- f. If the student elects to challenge the recommended suspension, the student may request an informal hearing on the proposed sanctions before the Dean.
 - i. The student must submit a request in writing for an informal hearing on the proposed sanctions within 5 days of receipt of the chair's recommendation if personally served on the student or 7 days from the date of the decision if it was mailed to the student at the last known address.
 - ii. In such cases the Dean or his/her designee shall meet with the student, the chair, and/or instructor and apprise the student of the sanctions.

3. **Notification**

The department Chair shall send written verification of the sanctions to the student. Such notification will normally be sent within 5 days of the meeting with the instructor and the student.

4. **Appeal**

The student may appeal the severity of the sanction or failure to follow prescribed procedure, pursuant to Section VIII. A student may not appeal the question of responsibility.

C. **Formal Disciplinary Procedures**

1. **Initiation of a Complaint**

Any member of the University community may initiate disciplinary proceedings by filing a complaint within 90 days of discovery of an alleged violation of the Student Conduct Code.

- a. The complaint must be made in writing with all available evidence attached.
- b. The complaint shall be filed with the department Chair of the unit in which the violation is alleged to have occurred.
- c. The complaint may include a recommendation concerning the appropriate sanctions to be imposed if, following formal adjudication, the student is found in violation of the standards outlined in the Student Conduct Code.
- d. In any case initiated by an instructor, the complaint shall state whether or not the instructor will assign a failing grade for the work and/or course if, following formal adjudication, the student is found in violation of this code in the manner alleged in the complaint. In any such case, the instructor shall assign an "Incomplete" in lieu of a letter grade pending adjudication and final resolution of the complaint.

2. **Formal Charges**

The department Chair shall review the complaint and, generally within 10 days, determine whether there are grounds to support that a violation may have occurred.

- a. If the chair finds sufficient grounds to believe a violation may have occurred, within 5 days of such determination the Chair shall notify the student in writing of the violation with which the student is charge. A copy of the charges shall be submitted to the appropriate academic Dean.

- b. If the chair finds no grounds for disciplinary charges, the complainant shall be notified. If the complainant wishes to proceed with a disciplinary charge, a written request must be submitted to the appropriate academic Dean within 5 days. The Dean shall review the request, the complaint, and the department Chair decision and decide whether to allow the complainant to pursue formal charges of the alleged violation set forth in the complaint.

3. **Formal Resolution**

In cases of alleged academic dishonesty where responsibility is disputed by the student, the case will be adjudicated at the Dean's level with a formal hearing. The Dean shall notify the student in writing regarding the date, time, and place of the hearing. The notification will be considered to have been delivered if the notice is sent to the current local address of the student as provided to Records and Registration by the student. Thus, failure to notify the university of changes of address could result in a hearing being held in the student's absence.

- a. The student has the right to
 - 1) be apprised of all evidence and view any and all supporting documents on the alleged violation;
 - 2) decline to offer evidence which may be self-incriminating;
 - 3) advisory assistance, at the expense of the student. The responsibility for selecting an advisor is placed on the charged student. The advisor may be any individual except a principal or witness in the hearing. The advisor shall be limited to advising the student and shall not participate directly in the hearing except by permission of the hearing agent and then only when the hearing agent finds special circumstances such as a party's inability or difficulty communicating;
 - 4) an open or closed hearing;
 - 5) hear and question available witnesses;
 - 6) have witnesses testify in his/her behalf. While sworn statements will be accepted from those persons unable to attend the hearing, they may not constitute the sole form of evidence offered. The student must provide, in addition to such sworn statements, substantial corroborating evidence, either in the form of testimony by live witness or in the form of circumstantial evidence. Character witnesses may be excluded by the hearing agent.

- 7) receive a written decision specifying judicial actions;
and
- 8) appeal the decision, pursuant to Section VIII.

b. **Hearing Agent:**

The charged student may submit a preference for a hearing before a Student Conduct Board or the Dean or his/her designee. The Dean shall decide the hearing agent.

4. **Academic Conduct Board**

- a. An Academic Conduct Board shall be composed of 7 members. A quorum required to conduct a hearing shall be 5 members. A decision shall be reached by majority vote.

b. **Membership**

- 1) Student members shall meet the following standards:
 - a) be full-time as defined by the Director of Records and Registration;
 - b) be in good disciplinary standing since matriculation;
 - c) have a minimum grade point average of 2.5 (undergraduate) or 3.0 (graduate), or be in good standing (professional student).

Full-time university employees who are enrolled in classes may not serve as student members. Graduate assistants and student workers in the department in which the incident occurred shall be excluded from the Academic Conduct Board.

- 2) Faculty members may be any person with a faculty appointment, excluding administrators.
- 3) All appointments shall be reviewed by Student Judicial Affairs to ensure that candidates meet the minimum requirements. A list of Academic Conduct Board members may be obtained from the Dean.

c. **Administrative Advisors**

Each Academic Conduct Board shall have an administrative advisor from Student Judicial Affairs. The advisor's role shall be limited to providing guidance and clarification. The advisor shall sit with the panel in both open and executive sessions.

d. **Terms**

Each Academic Conduct Board shall be in session for twelve weeks during the fall and spring terms and for four weeks during the summer term. A board is not expected to meet during the first two nor the last two weeks of a term. Disciplinary cases shall be adjudicated by an administrative hearing officer designated by the Dean when a board is not in session or is defunct.

e. **Powers**

An Academic Conduct Board shall make a decision of Responsible or Not Responsible and shall recommend appropriate sanctions to the Dean.

5. **Academic Conduct Hearings**

a. **Time Limitations**

1) A student electing formal student conduct hearing shall be notified of the hearing date, which will occur no sooner than 5 days after receiving notice of a scheduled hearing or 7 days from the date of a mailed written notice.

2) A student shall have 7 days after receiving notification of the decision in which to submit an appeal.

b. **Failure to Appear**

Hearings shall be held in the student's absence if the charged student fails to appear. An appeal shall be dismissed if the student fails to appear unless extenuating circumstances exist which requires documentation.

c. **Recordings**

All formal hearings shall be recorded. After the appeal period has expired, the recording may be erased. Copies of hearing recordings will be made available to the charged student upon his/her request and at his/her expense.

d. **Challenge for Cause**

A student may challenge Academic Conduct Board members for cause. The decision to remove an Academic Conduct Board member will be made by majority vote of the other members.

e. **Confidentiality**

All evidence, facts, comments, and discussion at a closed hearing and all executive sessions shall be held in strict confidence. Failure to maintain confidentiality may result in removal of board members by the Dean.

6. **Sanctions**

A student's disciplinary history shall have no bearing on the question of finding them Responsible or Not Responsible. If, however, a student is found to be Responsible of violating the standards outlined in the Student Conduct Code, the full disciplinary

history shall be considered in determining the sanction. The academic Dean shall request the student's disciplinary record from Student Judicial Affairs. The academic Dean and the Director of Student Judicial Affairs shall develop lines of communication to keep each other apprised of a student's disciplinary history, for this purpose. Sanctions which may be imposed are as follows:

- a. The student may be assigned a failing grade for the work and/or course.
- b. The student may be placed on disciplinary probation.
- c. The student may be suspended from the class for the remainder of the semester.
- d. The student may be suspended from the college.
The Dean may recommend to the Director of Student Judicial Affairs that the student be suspended from the university. The Director of Student Judicial Affairs will make the decision regarding university
- e. suspension after consultation with the Provost and Vice Chancellor.
- f. The student may be issued an educational condition of sanction.
- g. any combination of the above.

The Dean and Vice Chancellor and Provost must communicate the finding and sanction(s) imposed to the Director of Student Judicial Affairs.

7. **Notification**

The Dean shall send written notification of the results of the hearing and the sanctions to be imposed to the student. Such notification will normally be sent within 5 days of receipt of the Academic Conduct Board's recommendation or within 5 days of the administrative hearing.

8. **Appeals**

Any disciplinary determination or sanction relating to academic dishonesty may be appealed as outlined in Section VIII.

9. **Implementation of Sanction**

- a. Sanctions shall be implemented when the student has waived or exhausted the right of appeal, or the appeal period has expired.
- b. If an appeal is filed, any sanction(s) shall take effect as soon as the Vice Chancellor has issued his/her decision. On sanctions less severe than suspension from the university, the appropriate Vice Chancellor's decision is the final decision at the campus level.

- c. The sanction shall be specified by the final hearing agent. However, when the sanction relates to the assignment of a grade, the instructor has the responsibility for assigning the grade. In a case where an "Incomplete" was assigned for a course, pending adjudication of charges of academic dishonesty against the student, the instructor shall immediately change the "Incomplete" to an appropriate letter grade.
- d. A student separated from the university for disciplinary reasons is subject to the normal guidelines for tuition and fee refunds, grades, and financial penalties for terminating a housing contract.
- e. Following the implementation of the sanction, all records relating to the case will be filed with Student Judicial Affairs.

10. **Time Extensions**

Either the student or the university may request an extension of time for the preparation of an appeal, the date of a conduct hearing, or for the preparation of any sanction or condition. These extensions must be made in writing prior to the original due date. For academic dishonest cases, this extension must be turned in to the Dean of the appropriate college, or his/her designee. The Dean of his/her designee has the final determination regarding approval of the extension.