

1 **Appendix A: Definitions**

2 **Academic Misconduct**

3 Academic misconduct is considered to have occurred if a student commits an act that
4 brings into question the authenticity of the course work submitted by the student as
5 the student's own original work. Examples of academic misconduct are listed on the
6 academic misconduct reporting form.
7

8 **Academic Misconduct Reporting Form**

9 This form is available on the Dean of Students' website
10 (<http://life.iupui.edu/conduct/>). A faculty member should use the form to document
11 and report an accusation of academic misconduct lodged against a student. A copy of
12 this report should be presented to the student at the initial meeting with the faculty
13 member where alleged misconduct is discussed. After being signed by the student at
14 the meeting a copy of the form should be sent to the Academic Officer of the faculty
15 member's School, Unit, Division, or Area.
16

17 *Note: For those courses that are taught online the meeting with the student*
18 *concerning academic misconduct may need to occur online. However, a faculty*
19 *member is strongly encouraged to hold the student meeting with the student*
20 *physically present whenever possible.*
21

Comment [ry1]: Added after first reading

22 **Academic Officer**

23 This is the individual in the School, Unit, Division, or Area who is responsible for
24 enforcing academic policies and student conduct.
25

26 **Advisor**

27 This is an individual whom the student requests to accompany him or her to a
28 hearing. The advisor may only speak with and advise the student(s). An advisor may
29 **not** directly address members of the Appeal Board or actively participate in the
30 appeal process.
31

32 **Appeal Board**

33 The Appeal Board is a group of faculty and students selected by the Academic
34 Officer to hear an appeal by a student accused of academic misconduct.
35

36 **Dean of Students**

37 The Dean of Students is the individual at the campus level who is responsible for
38 maintaining records on student conduct and who administers the student Code of
39 Rights, Responsibilities, and Conduct.
40

41 **Note:** For graduate or professional students, the Graduate Office or the Dean of Students for
42 Graduate and Professional Students maintains academic records and has the authority to
43 impose additional sanctions.
44

45 **Preponderance of Evidence**

46 The evidence must prove that it is more likely than not that the student(s) committed
47 an act of academic misconduct.

48
49 **Presiding Officer**

50 The presiding officer will be a faculty member chosen by the Academic Officer to
51 serve on and chair the Appeal Board. The presiding officer, in consultation with the
52 Appeal Board, is responsible for selecting a date and time for the appeal to be heard,
53 for conducting and maintaining order during the meeting, for making rulings that are
54 necessary for the fair and expeditious consideration of an appeal, and for making
55 reasonable efforts to provide the student with due process.

56
57 **Sanction**

58 This is a penalty imposed upon a student.

59

60 **School**

61 Some Schools are Core Schools or System Schools. For the purposes of this
62 document, School refers to the Indianapolis campus (IUPUI) operations.

63

64 **Standard of Proof**

65 In cases of academic misconduct, the standard of proof is a preponderance of
66 evidence and does **not** rise to the level of beyond a reasonable doubt that the
67 student(s) committed an act of academic misconduct.

68

69 **Appendix B: The Appeal Board**

70 **1. Composition of the Appeal Board**

71 a. The Academic Officer will select a Board that is as impartial as possible in its
72 composition. The Board will consist of three faculty and two students selected
73 from the Officer's School, Unit, Division or Area. No member should be from the
74 area, or course section in which the offense occurred. A selected faculty member
75 may be a full time tenure or non-tenure track individual holding a 10 or a 12
76 month FTE.

77 b. If the School, Unit, Division or Area should not have enough faculty members or
78 students to fully constitute a Board, they may utilize members from other Schools,
79 Units, Divisions or Areas, but the presiding officer, if possible, should be a
80 faculty member from the School, Unit, Division, or Area in which the appeal is
81 being made.

82 c. The Academic Officer appoints a faculty member to serve as the presiding officer
83 and to convene the Appeal Board.

84 d. A hearing may only be held if at least two faculty members and one student
85 member of the Appeal Board are present. If, upon notification of selection, an

86 Appeal Board member is unable to be present or requests to be excused from
87 serving for any good cause, the member should be replaced with a like member.

88 **2. Role of the Appeal Board**

89 The Appeal Board will hear the case to determine if a preponderance of evidence
90 supports the accusation that academic misconduct did occur [See Appendix A]. It is
91 ultimately the responsibility of the faculty member, the Dean of Students, or the
92 University to provide sufficient information and/or documentation to support their case.
93 The Board may conclude that the evidence and statements provided

94 1. do support the allegation that the student committed the act of academic
95 misconduct, and support the decision of the faculty member, the Dean of Students,
96 or the University and the sanction(s) imposed.

97 2. do support the allegation that the student did commit the act of academic
98 misconduct, but that the sanction or sanctions should be reduced or increased [See
99 Academic Misconduct Reporting Form]. Under these circumstances, the Board
100 may recommend that the Dean, Director, or Academic Officer of the School, Unit,
101 Division, or Area impose a different sanction than that imposed by the faculty
102 member.

103 3. do not support the allegation that the student committed the act of academic
104 misconduct, and direct the Dean, Director, or Academic Officer of the School,
105 Unit, Division, or Area to set aside the sanction(s) imposed. If the decision of the
106 faculty member concerning the student's alleged act of misconduct is reversed by
107 the Board, any additional sanction(s) imposed by the Dean of Students is
108 automatically reversed.

109 **Appendix C: Prior to the Appeal Board Hearing**

110 **1. Within Seven Business Days after Receiving the Appeal**

111 The presiding officer will first consult with other members of the Board and then
112 send a letter to the student, the faculty member who initiated the sanction(s), and
113 to the Dean of Students if the Dean of Students has imposed a sanction(s).

114 All notifications will include the date, time, and place the appeal will be heard.
115 The student's letter will be sent to the student's permanent address on record and
116 the student's University e-mail account. The letter to the faculty member and, if
117 appropriate, the Dean of Students, will be sent via e-mail to the faculty member's
118 or Dean's University account.

119 | [A+](#). The letter will

- 120 (a) include the date, time, and place the appeal will be heard,
121 and a statement that the faculty member will be present. If the
122 appeal involves an academic sanction by the Dean of Students, the
123 letter should state that the Dean of Students will be present at the
124 meeting.
- 125 (b) state that
- 126 i. the appeal will be a closed meeting, unless the
127 student notifies the presiding officer within 5 business days of
128 receiving notification of the Appeal Board meeting that he or she
129 desires the appeal to be open to the public.
- 130 ii. if the student requests an open hearing, the
131 presiding officer is authorized to make a final decision concerning
132 the place where the appeal meeting is to be held and the number of
133 observers to be accommodated.
- 134 iii. the faculty member or Dean of Students must prepare a list
135 of any witnesses that they may present at the hearing and/or whose
136 statements may be offered as evidence at the hearing;
- 137 iv. the list must be submitted to the presiding officer and the
138 student involved no later than 5 business days before the hearing;
- 139 v. the faculty member may be precluded from presenting
140 witnesses or evidence at the appeal if the information has not been
141 provided prior to the meeting.
- 142
- 143 | B2. The letter to the faculty member and, if appropriate, the Dean of Students
144 will be sent via e-mail. The letter will
- 145 (a) include the date, time, and place the appeal will be heard and that
146 the faculty member or Dean of Students is required to attend the hearing
147 or the accusation of academic misconduct will be nullified.
- 148 (b) state that
- 149 i. the faculty member or Dean of Students must prepare a list
150 of any witnesses that they may present at the hearing and/or whose
151 statements may be offered as evidence at the hearing;
- 152 ii. the list must be submitted to the presiding officer and the
153 student involved no later than 5 business days before the hearing;

154 iii. the faculty member may be precluded from presenting
155 witnesses or evidence at the appeal if the information has not been
156 provided prior to the meeting.

157 | **2. Five Business Days Prior to the Hearing**

158 The presiding officer will send a letter to the student’s permanent address on record and
159 the student’s University e-mail account. The letter will

160 1. inform the student of any witnesses who may appear at the meeting of the appeal
161 board, and/or whose statements may be offered as evidence, and a summary of the
162 information upon which the allegation is based;

163 2. state that

164 (a) the student is expected to be present at the appeal

165

166 (b) the student may provide witnesses at the appeal

167 (c) any statements or evidence that the student may present must be
168 provided to the presiding officer and the faculty member no later than 5
169 business days before the appeal board meeting

170 (d) the student may be precluded from presenting witnesses or
171 evidence at the appeal if the information has not been provided prior to the
172 meeting

173 (e) the student may be accompanied by an advisor, and that the
174 advisor will not be allowed to address any other participants involved in
175 the appeal process

176 (f) the student will have an opportunity to address the Appeal Board
177 and to respond to the testimony and information provided concerning the
178 alleged misconduct

179 (g) that a decision not to address the Appeal Board will not be
180 considered as an admission of guilt

181 (h) that a failure to appear before the Appeal Board shall be sufficient
182 to justify the dismissal of the appeal if the Board determines that the
183 failure to attend was without good cause.

184

185 **Appendix D: The Appeal Board Hearing**

186 During the appeal board meeting the presiding officer will

- 187 1. make an official voice recorded transcript of the appeal meeting,
- 188 2. provide both the student and the faculty member with an opportunity to
189 present evidence to support their side of the case.

190 In hearings where the student has chosen to have the faculty member present throughout
191 the hearing, the presiding officer will

- 192 1. provide the student an opportunity to make a concluding statement in
193 support of the appeal,
- 194 2. provide the faculty member with an opportunity to respond to the
195 student's final statement concerning the appeal.

196 **Appendix E: Appeal Board Report**

197 **Report of Appeal Board**

198 Within 10 business days after the hearing, the presiding officer must prepare a written
199 decision which includes an explanation of the board's action and the findings of fact upon
200 which the action is based. The decision must be sent via both regular mail and e-mail to

- 201 1. the student;
- 202 2. the faculty member;
- 203 3. the Academic Officer of the School, Unit, Division, or Area in
204 which the offense occurred;
- 205 4. the Academic Officer of the School, Unit, Division or Area in
206 which the student is enrolled;
- 207 5. the Dean of Students.

208 Unless a documentable procedural error has occurred, all decisions and/or
209 recommendations made by the Board are considered to be final and the appeals process is
210 terminated with the filing of the Board's report.

211 **Appendix F: Action by the Office of the Registrar**

212 If the penalty includes a failing grade for the course, the Registrar will be notified that the
213 grade was given because of academic misconduct. The Registrar will record the grade of

214 "F" on the student's permanent academic transcript without any notation concerning the
215 reason for the grade. In accordance with other academic policies or procedures, such as
216 the "FX" or grade replacement policy, the Registrar must, however, follow procedures to
217 ensure that the grade of "F" will not thereafter be removed from the transcript. An "F"
218 given because of academic misconduct must be calculated in a determination of the
219 student's grade point average, but the grade will not prevent the student from repeating
220 the same course for credit.

221 **Appendix G: Action by the Dean of Students**

222 *Note: The Dean of Students is required to maintain a confidential record of all*
223 *sanctions imposed by, or reported to, the Dean of Students in order to determine*
224 *if a particular student is developing a record of repeated acts of misconduct.*

225 *Note: The Dean of Students may not place a student on disciplinary probation, suspend*
226 *the student, or expel the student from the University, from a School, or from a*
227 *Unit or Area within the University because of an act of academic misconduct*
228 *unless the Dean of Students and the Academic Officer of the School, Unit,*
229 *Division, or Area in which the student is enrolled agree that the circumstances*
230 *justify the sanction .*

231 *Note: The Dean of Students has no authority to reconsider an academic decision.*

232 1. The Dean of Students

233 a. is required to review a faculty member's report concerning a student's act
234 of academic misconduct to determine whether the act might warrant probation,
235 suspension, or expulsion. (See above.)

236 b. is required to determine if the student has a record of any previous acts of
237 academic or personal misconduct and to decide whether probation, suspension, or
238 expulsion might be imposed on the student because of any previous acts of
239 misconduct.

240 c. must, within 5 business days (excluding university recognized holidays
241 and breaks) after receiving the faculty member's report, notify the student that a
242 date has been set for a conference or that a decision not to impose additional
243 sanctions has been made. The student will be notified by e-mail (to the student's
244 University account) and by letter (to the student's permanent address on record).

245 2. If the Dean of Students is considering additional sanctions, the notification to the
246 student will include

247 (a) a statement that the Dean of Students has been notified of the
248 academic proceedings taken by the student's School, Unit,
249 Division, or Area

- 250 (b) a statement that the student is required to appear in the Office of
251 the Dean of Students at the specified date and time for a
252 conference
- 253 (c) a statement that the student may, at the student's own expense,
254 have an adviser present during the conference. An advisor may
255 only speak with the student and not other individuals involved in
256 the conference.
- 257 3. The conference will be limited to a consideration of the seriousness of the
258 academic misconduct involved, any record of student's relevant misconduct as
259 maintained by the Dean of Students, and any additional sanction(s) the Dean of
260 Students is considering.
- 261 (a) If the student fails to appear for the conference and if the Dean
262 reasonably concludes that the failure to appear is without good
263 cause, the Dean of Students may impose any of the authorized
264 additional sanctions.
- 265 (b) The student has the right to appeal a decision of the Dean of
266 Students to impose an additional sanction(s).
- 267 4. At the conference, the Dean of Students will remind the student of the
268 conference's purpose and, if applicable, of the student's record of misconduct.
269 The student will be given an opportunity to respond.
- 270 *Note: This conference is not an appeal, and any previous sanctions are not to be*
271 *reconsidered in the discussion.*
- 272 5. After the conference, the Dean of Students and, if the sanctions include
273 probation, suspension, or expulsion, in consultation with the Academic Officer of
274 the relevant unit, has the authority to impose an additional sanction.
- 275 (a) The Dean of Students must inform the Academic Officer of the
276 academic unit(s) involved of the Dean of Students' dispensation of
277 the case.
- 278 (b) If a sanction of suspension or expulsion from the University is
279 imposed, the Dean of Students is required to notify the Office of
280 the Registrar to indicate the suspension or expulsion on all copies
281 of the student's academic transcript. In cases of suspension, the
282 Registrar will remove the notation from the transcript when the
283 term of the suspension has ended.