

*Note: this document contains the current version of AR 15, the proposed clean version (as it will appear if the proposed revisions are approved), the proposed mark-up version, and the verbiage for the Student Conduct links.*

*Current version:*

## **AR 15. Honesty in Academic Work**

The administration of the classroom rests with the instructor. When evidence of academic dishonesty comes to the instructor's attention, the instructor should: (a) document the incident, (b) permit the accused student to provide an explanation, (c) advise the student of possible penalties, and (d) take action. The instructor may impose any academic penalty up to and including an F grade in the course after consulting with his or her department chair and informing the student of the action taken. Using the standard form, the instructor must report the incident and the action taken to his or her department chair, who, in turn, shall forward the report to his or her dean.

If the student is not enrolled in the college or school in which the course is offered, the dean of that college shall forward the report to the dean of the college or school in which the student is enrolled for possible disciplinary action.

Grade penalties imposed as a result of academic dishonesty may be appealed by the student in accordance with the procedures developed by the department and college or school in which the course is offered.

*Proposed clean revision:*

## **AR 15. Academic Misconduct**

Definitions and examples of academic misconduct are outlined in the Student Conduct Code, Section 4.2.1. [\[link to Student Conduct Code, Section 4.2.1\]](#)

The administration of the classroom rests with the instructor. When potential academic misconduct comes to the instructor's attention, the instructor documents the incident and permits the student to provide an explanation. If the matter can be resolved without an academic sanction, no report is necessary. If the instructor believes academic misconduct has occurred and that the violation warrants the application of an academic sanction, the instructor: (a) consults with the unit head, (b) submits an Academic Misconduct Report (AMR) documenting the allegations and indicating the proposed sanction, and (c) informs the student of the action taken. The instructor may recommend any academic sanctions.

Allegations of academic misconduct are reviewed and adjudicated by a college-designated hearing officer (CHO) in accordance with the procedures outlined in the Student Conduct Code, Section 5.11. [\[link to Student Conduct Code, Section 5.11\]](#)

If the student is not a major in the college in which the course is offered, the CHO of the college in which the student is a major also receives a copy of the AMR.

Depending upon the severity of the violation, or if a record of previous academic misconduct exists, the college and/or university may impose additional sanctions. Sanctions imposed as a result of academic misconduct may be appealed by the student in accordance with the procedures outlined in the Student Conduct Code, Section 8. [\[link to Student Conduct Code, Section 8\]](#)

Proposed mark-up version:

Note: the shaded blue, bolded text indicates proposed additions, strike-through text indicates proposed revisions, and the red text refers to the Student Conduct links which begin on page 3.

## AR 15. Academic Misconduct

Definitions and examples of academic misconduct are outlined in the [Student Conduct Code, Section 4.2.1](#). [\[link to Student Conduct Code, Section 4.2.1\]](#) The administration of the classroom rests with the instructor. When ~~evidence of~~ **potential** academic ~~dishonesty~~ **misconduct** comes to the instructor's attention, the instructor ~~should:~~ ~~(a) document~~ **s** the incident, ~~(b) and permits~~ **s** the accused student to provide an explanation, ~~(c) advise the student of possible penalties, and (d) take action.~~ **If the matter can be resolved without an academic sanction, no report is necessary. If the instructor believes academic misconduct has occurred and that the violation warrants the application of an academic sanction, the instructor: (a) consults with the unit head, (b) submits an Academic Misconduct Report (AMR) documenting the allegations and indicating the proposed sanction, and (c) informs the student of the action taken.** The instructor may ~~impose~~ **recommend** any academic ~~penalty~~ **sanctions** ~~up to and including an F grade in the course after consulting with his or her department chair and informing the student of the action taken. Using the standard form, the instructor must report the incident and the action taken to his or her department chair, who, in turn, shall forward the report to his or her dean.~~

**Allegations of academic misconduct are reviewed and adjudicated by a college-designated hearing officer (CHO) in accordance with the procedures outlined in the Student Conduct Code, Section 5.11** [\[link to Student Conduct Code, Section 5.11\]](#). If the student is not ~~enrolled~~ **a major** in the college ~~or school~~ in which the course is offered, the dean **CHO** of that ~~the~~ college shall forward the report to the dean of the college or school in which the student is enrolled for possible disciplinary action **in which the student is a major also receives a copy of the AMR.**

**Depending upon the severity of the violation, or if a record of previous academic misconduct exists, the college and/or university may impose additional sanctions. Sanctions imposed as a result of academic misconduct may be appealed by the student in accordance with the procedures outlined in the Student Conduct Code, Section 8** [\[link to Student Conduct Code, Section 8\]](#).

~~Grade penalties imposed as a result of academic dishonesty may be appealed by the student in accordance with the procedures developed by the department and college or school in which the course is offered.~~

*Rationale: The proposed revisions to AR 15 are intended to: (a) improve due process for students accused of academic misconduct; (b) ensure consistency of process for the adjudication and appeal of academic misconduct reports across the university; and (c) maintain alignment between the academic regulation and the revised Student Conduct Code.*

## Student Conduct Links

### 4.2 Academic Misconduct (Policy 1)

1. **Academic Misconduct.** Any action that misrepresents a student or group's work, knowledge, or achievement, provides a potential or actual unequitable advantage, or compromises the integrity of the educational process. When done in a manner that meets at least one of the three preceding criteria, this includes committing, preparing or attempting to commit, or assisting others in any of the following or otherwise prohibited behaviors:
  - a. **Cheating.** Unauthorized assistance, or access to or use of unauthorized materials, information, tools, or study aids. Examples include, but are not limited to, unauthorized collaboration or copying on a test or assignment, using prohibited materials and texts, unapproved use of cell phones, internet, or other electronic devices, etc.
  - b. **Plagiarism.** Representing the words or ideas of another person or presenting someone else's words, data, expressed ideas, or artistry as one's own. Examples include, but are not limited to, presenting someone else's opinions and theories as one's own, using another person's work or words (including unpublished material) without appropriate source documentation or citation, working jointly on a project and then submitting it as one's own, etc.
  - c. **Falsification.** Fabrication or invention of any information. Examples include, but are not limited to, falsifying research, inventing or falsely altering data, citing fictitious references, falsely recording or reporting attendance, hours, or engagement in activities such as internships, externships, field experiences, clinical activities, etc.
  - d. **Assisting.** Any action that helps another engage in academic misconduct. Examples include, but are not limited to, providing materials or assistance without approval, altering someone's work, grades or academic records, taking a test/doing an assignment for someone else, compelling acquisition, selling, bribing, paying or accepting payment for academic work or assistance that contributes to academic misconduct, etc.
  - e. **Tampering.** Interfering with an instructor's evaluation of work by altering materials or documents, tampering with evaluation tools, or other means of interfering.
  - f. **Multiple submissions of work.** Using or submitting work completed for another or previous class or requirement, without appropriate disclosure, citation, and instructor approval.
  - g. **Unauthorized recording and use.** Recording and/or dissemination of instructional content without the express permission of the instructor(s), or an approved accommodation coordinated via Disability Access Services.

**5.11 Academic Integrity Process.** Academic misconduct violations (see Policy 4.2) are primarily investigated and adjudicated within the Academic College in which the alleged violation was reported. When reported, students are generally invited to resolve the situation by participating in the Academic Integrity Process. The purpose of this process is to provide an equitable forum for the review of the available information regarding an alleged incident of misconduct. The hearing authority will decide by the preponderance of the evidence whether or not the accused student is found responsible for the charge(s). The following procedures will be used in an academic misconduct review process.

1. A report of academic misconduct and all supporting evidence is submitted through the online Academic Misconduct Report portal. Primarily faculty members or instructors will be submitting this report and information. Instructors may, but are not required to, contact students before submitting a report in order to assess accuracy of information indicating if academic misconduct occurred, to explore the manner or context of the observed behavior, to ascertain information integral to the report, or to give additional notice that an Academic Misconduct Report is

forthcoming. Per Academic Regulation 15 (AR 15), instructors will consult with their unit head prior to submitting an Academic Misconduct Report.

2. A designated College Officer will be assigned to review the case. This officer will be selected by designation of the Academic College in which the violation occurred. The Academic Dean of each College, or in the case of a remanded case post-appeal, the appeal authority, may designate an alternative College Officer when a particular need, such as conflict of interest, arises.
3. The accused student will be emailed a notice to inform them of the report, the specific alleged behaviors that indicate a violation occurred, and to provide information about the Academic Integrity Process and other resources. The student will be instructed to respond within three (3) business days to schedule an appointment to review the reported information.
4. The student has the opportunity to meet with the College Officer, review all evidence relevant to the alleged behavior, provide their account of what happened before, during, or after the incident, provide additional information and context, and/or engage in questioning relevant to the report or allegation. If a student fails to respond or fails to appear for a scheduled meeting, the College Officer may proceed to the next steps of reviewing the allegation.
5. Within ten (10) business days from the date of the meeting, or failure to respond or attend the scheduled meeting, the student may submit a written statement or response and provide additional information relevant to the allegation. An online portal will be provided to submit the response and information securely. If a student fails to submit a response within the afforded timeframe, the College Officer may proceed after that time. A student may elect to submit response or waive their ability to submit further response prior to ten days, which would permit the College Officer expedite their review of the case.
6. The College Officer will confer with SCCS and, if the accused is a graduate student, the Graduate School. The College Officer may communicate, solely on a need-to-know basis, with the reporting party, relevant fact witnesses, the college or program of the accused student, or other campus entities, in order to collect/assess relevant information or provide support. This may occur at any step of the Academic Integrity Process as needed.
7. The College Officer may refer the case for hearing by the SCCS Committee at any step of the process if it is warranted, in accordance with section 5.9.
8. The College Officer will determine if the Student is "responsible" or "not responsible" for violating each of the policies alleged using the preponderance standard of proof as outlined in Section 5.2.
9. The accused student will receive an outcome letter that will detail the College Officer's decision of responsibility and, if responsible, sanctions. Generally, for first-time, non-egregious violations, sanctions will include an educational sanction and an academic penalty. The academic penalty can range from a reduction of assignment or exam points up to an F on the assignment or exam. For more severe or repeated violations, the full range of College Officer sanctioning authority can include a grade penalty up to an "F" for the course, a restriction and reversal of grade replacement or withdrawal options regarding the academic transcript and Registrar's records, or removal from the student's enrollment in a College or program.
10. Any sanctions will be tracked by the SCCS office, or designee until completion. Failure to satisfactorily complete sanctions as assigned will likely result in a registration hold that will prevent a student's registration related actions until conditions of sanctions are met.

## **SECTION 8: Appeals**

**8.1 Overview.** The accused student has the right to one appeal per decision (unless otherwise noted) of student conduct findings. The purpose of an appeal is not to serve as a second hearing for the case, but rather a review of information to assess if the process provided met the standards of this *Code of Student Conduct*.

- 8.2 Grounds for Appeal.** The request for an appeal must include specific justification on at least one of the grounds listed below:
- An action or omission that occurred that was not in accordance with the procedures outlined in this *Code of Student Conduct*, or was fundamentally unfair, which substantially impacted the outcome;
  - New evidence exists that was unavailable at the time of the original hearing that could substantially impact the original finding or sanction (a summary of this new evidence and its potential impact must be included); failure to participate or otherwise present available information in the original hearing does not constitute new evidence; or
  - The sanctions imposed are disproportionate given the context of the violation.
- 8.3 Appeals Submission.** All appeals other than academic appeals must be submitted electronically at [sccs@oregonstate.edu](mailto:sccs@oregonstate.edu) within five (5) business days of the decision as dated in the notice of decision and must include at least one of the specific grounds listed above. Appeals that are not submitted within five (5) business days, that do not list specific grounds, or that do not fall under one of the listed grounds will not be considered. Academic appeals must be submitted in accordance with the procedures listed within the college or school that issued the outcome.
- 8.4 Appeals of Cases with Multiple Parties.** In conduct hearings that involve sexual misconduct or crimes of violence, the complainant, if one exists, may appeal the conduct decision. In the case where the complainant is informed of the outcome of the matter and an appeal is submitted by the complainant or by the accused student, the other party will be informed of the appeal and provided an opportunity to submit any relevant information they want considered by the appellate authority. This information must be submitted within five (5) business days of notification that an appeal has been submitted.
- 8.5 Appellate Authority.** Appeals are reviewed by the following parties:
- **Administrative Hearing or Committee Hearing Outcomes:** For any sanction of suspension, loss of recognition, or expulsion, the appeal authority is the Vice Provost for Student Affairs. If the SCCS Committee hearing proceedings involve an academic misconduct violation as referred from an Academic College, the Vice Provost for Student Affairs will remain the appeal authority, but will confer with the Vice Provost for Undergraduate Studies, Vice Provost for Graduate Studies, or Senior Vice Provost for Academic Affairs, as applicable. All other Administrative Hearing appeals will be reviewed by the Associate Vice Provost and Dean of Student Life or designee. Appeals received for conduct decisions made by UHDS will be reviewed by the Director of Residential Education or designee.
  - **Academic Integrity Outcomes:** For findings of academic misconduct by a College Officer following the procedures in Section 5.11, appeals will be heard by the appeal authority designated by the student's enrolled program, which is as follows:
    - o The Vice Provost and Dean of Undergraduate Studies will be the appeal authority for all undergraduate student appeals to outcomes determined via an Academic Integrity Process.
    - o The Vice Provost and Dean of Graduate Studies will be the appeal authority for all graduate student appeals to outcomes determined via an Academic Integrity Process, with the exception of cases where the Vice Provost and Dean of Graduate Studies hears the case as the College Officer.
    - o The Senior Vice Provost for Academic Affairs will be the appeal authority for any outcomes determined via an Academic Integrity Process adjudicated by the College of Veterinary Medicine, the College of Pharmacy, or the Vice Provost and Dean of Graduate Studies.

- **Equal Opportunity and Access Outcomes:** For allegations investigated by Equal Opportunity and Access (EOA), the appeal authority is the Vice Provost for Student Affairs or designee.

**8.6 Conflict of Interest and Correction of Errors.** In order to avoid real or perceived conflict of interest, the Associate Vice Provost and Dean of Student Life will not designate as an appeal authority anyone who served as an Administrative Hearing Officer or otherwise was involved in the determination/findings of the case. In any instance where the institution becomes aware of an error in the process that resulted in a detrimental and inaccurate outcome to the student, including where bias was a factor, the institution will take action to remedy the matter via a corrected decision or additional process afforded under the authority of the appellate officer, even if outside of the appeal window or a previous decision on an appeal has already been made.

**8.7 Compliance with Sanctions and Provisional Student Status.** Students/Student Organizations are expected to comply with all sanction deadlines pending the outcome of their appeal. Should a student appeal a suspension or expulsion sanction, the student may be permitted to continue their course of study under a provisional student status (see "Provisional Student Status" in Section 2: Definitions) unless the student has also been excluded from the institution as part of institutional Interim Action. Under provisional student status, a student may continue to progress academically; however, should the student's appeal be denied, the suspension or expulsion sanction goes into effect retroactive to the original date of determination, and the student will not receive grades, any academic credits or degrees earned while on provisional student status, and may not be refunded any money paid during the provisional student status period.

**8.8 Appeal Outcomes.** A final written determination on the Student's/Student Organization's appeal will be issued to the student within a reasonable time. The appellate officer has the authority to:

- Sustain the original decision, including the sanctions imposed.
- Remand (send back) the case to the appropriate hearing body for further consideration.
- Alter the sanction imposed by replacing, or reducing or increasing the severity of, the sanction(s).
- Reverse part or all of the original decision and resolve the case with no additional action.