IU Code of Student Rights, Responsibilities, and Conduct

Part V: Student Disciplinary Procedures for Academic Misconduct Involving the IUPUI Campus

Preamble

Indiana University procedures for imposing academic and disciplinary sanctions are intended to provide students with due process and procedural fairness, to ensure equal protection for all students, and to allow for the imposition of similar sanctions for similar acts of misconduct. At the same time, the procedures reflect concern about the individual student involved in a particular case. The procedures, therefore, provide that the imposition of disciplinary sanctions should take into consideration the circumstances and evidence in a particular case, including a student's prior record of misconduct, if any.

A. Jurisdiction

1. Academic Misconduct

a. Allegations of academic misconduct may consist of two basic types:

   (i.) academic misconduct by a student enrolled in a course and who commits an act of misconduct related to that course;

   (ii.) academic misconduct by a student that is not related to a course in which the student is enrolled.

b. When a student commits an act of academic misconduct related to a particular course, the faculty member responsible for the course has the authority to initiate academic misconduct proceedings against the student whether that student is enrolled in the course or not.

c. When a student commits an act of academic misconduct related to a course in which the student is not enrolled, the Campus Dean of Students, or the Office of Student Conduct has the authority to initiate academic misconduct proceedings against the student after consulting with the appropriate Academic Officer of the School, Unit, or Division (henceforth called the Academic Officer) in which the student is enrolled.

2. Simultaneous Acts of Academic and Personal Misconduct

When a student commits an act of academic misconduct related to a particular course and a simultaneous act of academic or personal misconduct unrelated to that course, separate academic misconduct and/or personal misconduct proceedings may be initiated by the faculty member responsible for the course and the IUPUI Office of Student Conduct, as outlined in these procedures. Prior to taking any action the Office of Student Conduct
36 should consult with the Academic Officer to decide if the matter will be handled jointly
37 or by only one of them.

B. Action by a Faculty Member in Cases Related to Academic
39 Misconduct in a Course

1. When a faculty member becomes aware that a student has committed an act of
40 academic misconduct related to a course, the faculty member must initiate efforts
41 to determine if academic misconduct did really occur (i.e., investigate the matter).
42 Within 5 business days (See Appendix) of discovering possible academic
43 misconduct, the faculty member must schedule a meeting with the student. The 5
44 days begins the first business day after the discovery by the faculty member.
45 During that meeting the faculty member must:
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47 (a) advise the student of the alleged act of misconduct and the information
48 upon which the allegation is based;
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50 (b) provide an opportunity for the student to respond to the allegation;
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52 (c) complete an Academic Misconduct Reporting Form (See Appendix or
53 download from the IUPUI Office of Student Conduct website.)
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55 2. After the meeting, if the faculty member concludes that the preponderance of
56 information available to them indicates that the student did commit an act of
57 misconduct, the faculty member is authorized to impose an academic sanction
58 related to the particular course involved. Sanctions imposed by the faculty
59 member may include, but are not limited to, any one or a combination of the
60 following:
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62 (a) no formal penalty, but the student is given a written reprimand
63 outlining the offense;
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65 (b) the student is required to repeat or to resubmit the work or to complete
66 additional work for the course in which the act of misconduct
67 occurred;
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69 (c) the student may be
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71 (i) given a lower grade than the student would otherwise have
72 received for any course work (e.g., an assignment, examination, or
73 paper) involved in the act of misconduct, as well as the final course
74 grade.
75
76 (ii.) withdrawn from the course with a grade of W (see B5).
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78 (iii.) The student may receive an F for the course that will be
79 recorded by the registrar as a permanent grade and one that is
80 not able to be replaced using a grade replacement policy.
At the end of the meeting with the student, the faculty member must provide the student with a copy of the completed reporting form and a list of any sanctions that were imposed.

3. Whenever an academic sanction is imposed the faculty member must, within 5 business days of meeting with the student, report the matter and the sanction imposed. The faculty member must provide copies of the Academic Misconduct Reporting Form and documentation completed after the meeting with the student to the Academic Officer in the School, Unit, or Division in which the course is being offered and who will be responsible for notifying

   a. the Academic Officer in the School, Unit, or Division in which the student is officially enrolled and

   b. the Office of Student Conduct.

4. Until the case has been resolved, the faculty member must allow the student to continue attending and participating in the course, to complete all assignments, and to have all grades recorded normally.

5. In the event that the matter cannot be resolved before final grades are due, an interim course grade of Incomplete (I) may be given.

C. Role of the IUPUI Office of Student Conduct in Cases Related to Academic Misconduct in a Course

After the case of academic misconduct has been resolved at the School, Unit, or Division level and the student has been informed of that outcome, the Office of Student Conduct has the authority to impose additional sanction(s) if, after consulting with the appropriate Academic Officer, the Office of Student Conduct believes that such a sanction is justified because of the nature of the student's misconduct or because of other reported acts of misconduct by the student (See Appendix). These additional sanctions may include:

   (a) disciplinary probation for a specified period of time;

   (b) suspension from the University for a specified period of time;

   (c) expulsion from the University.

Any action(s) related to academic sanctions that impact a student’s grade in a course remains under the authority of the Academic Officer in whose School, Unit, or Division the act of misconduct occurred.

D. Right to Appeal
A student has the right to appeal any of the following concerning an alleged act of academic misconduct:

1. the decision of the faculty member that the student committed the act of misconduct;

2. the sanction imposed by the faculty member is grossly disproportionate to the offense committed and the totality of the circumstances;

3. the occurrence of a significant procedural error that reasonably would have affected the outcome of the process;

4. the discovery of new information about the event that was not otherwise known to exist or was not available at the time of the student/faculty meeting. Any new information must be submitted along with the appeal form at the time the appeal is made to the Academic Officer.

5. the decision of the Office of Student Conduct to impose an additional sanction that is grossly disproportionate to the offense committed and the totality of the circumstances. This appeal would be reviewed by the IUPUI Dean of Students.

E. Process of Appeal

1. Appealing the decision made by a Faculty Member

   a. Responsibility of the student

      The student must submit a written request to the Academic Officer for a hearing before the Appeal Board within 5 business days after receiving a copy of the Academic Misconduct Reporting Form at the conclusion of the discussion with the faculty member.

      i. The student is required to provide any statements or evidence and the list of witnesses, if any, the student intends to present at the appeal to the Appeal Board Presiding Officer at least 3 business days prior to the hearing, or they may not be seen or heard by the Appeal Board.

      ii. The student is required to appear before the Appeal Board and failing to appear is grounds to dismiss the appeal if the Board determines that the failure to attend was without good cause. Exceptions to this requirement may be granted at the discretion of the board.

      iii. The student is required to actively participate in the proceedings.

   b. Rights of the student
1. The student may present witnesses who possess relevant and factual information concerning the matter at the appeal hearing.

2. The student may be accompanied by an advisor. The advisor may confer or pass notes to the student but the advisor will not be allowed to address the Board or otherwise actively participate in the appeal hearing process.

3. The student will have an opportunity to address the Appeal Board and to respond to all information provided concerning the alleged misconduct.

F. The Appeal Board

1. Constituting an Appeal Board

   Within 5 business days after receiving such a written appeal, the Academic Officer will constitute an Appeal Board and appoint a faculty member to serve as the Presiding Officer. The Presiding Office will be responsible for convening the Appeal Board.

2. Composition of the Appeal Board

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

   b. If the School, Unit, Division, or Area should not have enough faculty members or students to fully constitute a Board, it may utilize members from other Schools, Units, Divisions, or Areas, but the Presiding Officer, if possible, is to be a faculty member from the School, Unit, Division, or Area in which the appeal is being made.

   Note: A hearing may only be held if at least two faculty members and one student member of the Appeal Board are present. If, upon notification of selection, an Appeal Board member is unable to be present or requests to be excused from serving for any good cause, the member is to be replaced with a like member.

3. Appeal Board Presiding Officer

   Five business days prior to the scheduled hearing, the Presiding Officer will send a letter to the student and to the faculty member who imposed the sanction(s) being appealed.
The letter to the student will:

a. include the date, time, and place the appeal will be heard;

b. state that the faculty member will be present;

c. state that the student is required to attend the hearing;

d. inform the student a list of any witnesses the student intends to have
called before the Appeal Board must be presented to the Presiding
Officer 3 business days before scheduled date of the hearing or they
may be precluded from presenting witnesses or evidence at the appeal if
the information has not been provided prior to the meeting.

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

(f) state the student is expected to address the Appeal Board and to respond to the
testimony and information provided concerning the alleged misconduct, even if
the student simply states that they do not wish to comment;

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

The letter to the faculty member will:

a. include the date, time, and place the appeal will be heard;

b. state that the faculty member is required to attend the hearing;

c. inform the faculty member that a list of any witnesses they intend to have
called before the Appeal Board must be presented to the Presiding Officer 3
business days before scheduled date of the hearing;

d. state the faculty member is expected to present the case to the Board and
respond to testimony and information provided or they may be precluded from
presenting witnesses or evidence at the appeal if the information has not been
provided prior to the meeting;

e. state that a failure to appear before the Appeal Board shall be sufficient to
justify the dismissal of the appeal if the Board determines that the failure to
attend was without good cause.
Three business days prior to the scheduled hearing, the Presiding Officer will send any additional information provided to them (e.g., witness list) to the student and to the faculty member who imposed the sanction(s).

During the Appeal Board the Presiding Officer will

1. make an official voice recorded transcript of the appeal hearing;

2. provide both the student and the faculty member with an opportunity to present evidence to support their side of the case and to address the Board;

3. provide the student an opportunity to make a concluding statement in support of the appeal;

4. provide the faculty member with an opportunity to respond to the student’s final statement concerning the appeal.

4. Role of the Appeal Board

During the hearing, the Appeal Board will consider the information presented to it, including statements and materials submitted by the student as well as the documentation submitted by the faculty member supporting their original finding.

The Board may conclude that the preponderance of the evidence before it:

a. does support the allegation that the student committed the act of academic misconduct, and support the decision of the faculty member, to find the student responsible for academic misconduct and the assigned sanction(s).

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

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

5. Report of Appeal Board
Within **5 business days** after hearing the appeal, the Presiding Officer in consultation with the Academic Officer must prepare a written statement that includes an explanation of the Board’s action and the rationale for the outcome reached by the Appeal Board. The decision must be sent to

1. the student;
2. the faculty member;
3. members of the Appeals Board;
4. the Academic Officer of the School, Unit, Division or Area in which the student is enrolled;
5. the Office of Student Conduct.

All decisions and/or recommendations made by the Board are considered to be final and the appeals process is terminated with the filing of the Board’s report.

A copy of the report will be maintained by the Academic Officer.

G. **Action by the IUPUI Office of Student Conduct**

The Office of Student Conduct is required to maintain the University record of all sanctions imposed by, or reported to, that Office in order to determine if a particular student is developing a record of repeated acts of misconduct.

Note: The Office of Student Conduct has no authority to reconsider an academic decision made at the School, Unit, Division or Area level.

1. **Review by the Office of Student Conduct**

   (a) is required to review the complete record provided by the school, which includes the faculty member's report concerning a student's act of academic misconduct and any outcomes reached by the Appeals Board, to determine whether the act might warrant probation, suspension, or expulsion.

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

   (c) must, within **5 business days** after receiving the University record, notify the student via University e-mail or U.S. mail that a date has been set for an informal conference between the student and a representative of the Office of Student Conduct. That letter must state either that a decision not to impose
additional sanctions has been made or that the Office is considering additional sanctions.

If the Office of Student Conduct is considering additional sanctions, the notification to the student will include:

- (a) a statement that the Office has been notified of the academic proceedings taken by the student’s School, Unit, Division, or Area;
- (b) a statement that the student is required to meet with a representative of the Office of Student Conduct;
- (c) a statement that the student may, at the student’s own expense, have an adviser present during the informal conference. An advisor may only speak with the student and no other individuals involved in the informal conference.

2. The student conference with the Office of Student Conduct

The conference will be limited to a consideration of the seriousness of the academic misconduct involved, any record of student’s relevant misconduct as maintained by the Office of Student Conduct, and any additional sanction(s) the Office is considering. The Office of Student Conduct will review with the student the purpose of the informal conference, the University record, and any prior acts of misconduct that would be considered relevant to the possible creation of additional sanctions. The student will be given an opportunity to respond.

(a) If the student fails to appear for the conference and if the Office of Student Conduct reasonably concludes that the failure to appear is without good cause, the Office may impose any of the authorized additional sanctions.

(b) The student has the right to appeal a decision of the Office of Student Conduct to impose an additional sanction(s) directly to the Dean of Students.

Note: The informal conference is not an appeal, and any previous academic sanctions are not to be reconsidered in the discussion.

3. Report of the Office of Student Conduct

After the informal conference, the Office of Student Conduct and, if the sanctions include probation, suspension, or expulsion, in consultation with the Academic Officer of the relevant School, Unit, or Division has the authority to impose an additional sanction.
(a) The Office of Student Conduct must inform the Academic Officer of the academic unit(s) involved of the Office’s dispensation of the case.

(b) If a sanction of suspension or expulsion from the University is imposed, the Office of Student Conduct is required to notify the Office of the Registrar to indicate the suspension or expulsion on all copies of the student's academic transcript. In cases of suspension, the Registrar will remove the notation from the transcript when the term of the suspension has ended.

H. Appealing a decision made by a representative of the IUPUI Office of Student Conduct

The IUPUI Dean of Students may hear appeals of a sanction imposed by a representative of the Office of Student Conduct. Any decision made by the Dean of Students is final and terminates this part of the appeals process.

F. Unique circumstances

The University recognizes that in some situations it may be difficult for a student to clearly articulate their case or to quickly process and interpret the proceedings, for example:

1. students for whom English is a second language;

2. students who have registered a disability with the Office of Adaptive Educational Services (AES).

IUPUI is committed to creating a learning environment and academic community that promotes educational opportunities for all individuals, including those with disabilities. Just as it is the responsibility of students with documented disabilities seeking accommodations to notify their course directors in a timely manner concerning the need for such accommodation, the Academic Officer receiving the appeal requests similar notice from the student if any accommodation is to be considered. The Academic Officer will work with the student and Adaptive Educational Services to arrange reasonable accommodations for access to programs, services, and facilities as outlined by applicable state and federal laws. Students requesting disability-related accommodations and/or services should contact Adaptive Educational Services at 317-274-3241.

If requested by the student the Academic Officer and the Presiding Appeal Board Officer in consultation with Adaptive Educational Services will arrange accommodations to meet the student’s needs. The Office of Student Conduct provides
similar accommodations.

Appendix A: Definitions

Academic Misconduct

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

Academic misconduct has been defined by Indiana University in the IU Code of Student Rights, Responsibilities and Conduct.

The current definition in the Code states that “Academic misconduct is defined as any activity that tends to undermine the academic integrity of the institution. The University may discipline a student for academic misconduct. Academic misconduct may involve human, hard-copy, or electronic resources.”

Policies of academic misconduct apply to all course, Department, School, Campus, and University related activities, including field trips, conferences, performances, and sports activities off campus, exams outside of a specific course structure (such as take home exams, entrance exams, or auditions, theses and master's exams, and doctoral qualifying exams and dissertations), and research work outside of a specific course structure (such as lab experiments, data collection, service learning, and collaborative research projects). The faculty member may take into account the seriousness of the violation in assessing a sanction(s) for acts of academic misconduct. The faculty member must report all cases of academic misconduct to the Dean of Students, or appropriate official.

Academic Misconduct Reporting Form

This form is available on the Office of Student Conduct website. A faculty member must use the form to document and report an accusation of academic misconduct lodged against a student. A copy of this report must be presented to the student at the initial meeting with the faculty member where alleged misconduct is discussed. After being signed by the student at the meeting a copy of the form must be sent to the Academic Officer of the faculty member’s School, Unit, or Division.

Note: For courses taught online, the meeting with the student concerning academic misconduct may occur in an electronic format. However, a faculty member is strongly encouraged to hold the student meeting with the student physically present whenever possible.

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

**Advisor**

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

**Appeal Board**

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

**Calendar Day**

The term "calendar day" refers to any day, Monday through Friday, in which the University offices are open.

**Business Day**

The term business day refers to a Monday through Friday calendar day and does not include Saturday and Sunday. The term also excludes any days when Campus offices are closed such as Campus recognized holidays or declared public emergencies.

**IUPUI Dean of Students**

**Undergraduate Dean of Students**

This is the individual at the campus level who is responsible for maintaining records on undergraduate student conduct and who administers the IUPUI Office of Student Conduct. The Dean or the Office of Student Conduct has the authority to impose additional sanctions on undergraduates.

**Graduate Dean of Students**

This is an individual at the Graduate School level who maintains records on graduate student and professional student conduct and who is responsible for administering the Graduate Office. The Graduate Dean of Students or their designee has the authority to impose additional sanctions.

**Office of the Registrar**

The Office of the Registrar maintains a student’s academic course records. This record will include grade changes related to cases of academic misconduct.
If the penalty includes a failing grade for the course, the Registrar will be notified that the grade was given because of academic misconduct. The Registrar will record the grade of "F" on the student's permanent academic transcript without any notation concerning the reason for the grade. In accordance with other academic policies or procedures, such as the “FX” or grade replacement policy, the Registrar must, however, follow procedures to ensure that the grade of "F" will not thereafter be removed from the transcript. An “F” given because of academic misconduct must be calculated in a determination of the student's grade point average, but the grade will not prevent the student from repeating the same course for credit.

**Official Communications**

The University has the option to send communications via a University e-mail account or other delivery service such as the United States Postal Service.

**Personal misconduct**

Personal misconduct encompasses behaviors such as those listed in Code (Part II sections H and I.)

**Preponderance of Evidence**

The evidence must prove that it is more likely than not that the student(s) committed an act misconduct. The preponderance standard shall be applied to resolve cases of alleged acts of academic or personal misconduct.

**Presiding Officer**

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

**Sanction**

This is a penalty imposed upon a student.

**School**

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