

1 **IU Code of Student Rights, Responsibilities, and Conduct**

2 **Part V: Student Disciplinary Procedures for Academic Misconduct** 3 **Involving the IUPUI Campus**

4 **Preamble**

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

12

13 **A. Jurisdiction**

14 **1. Academic Misconduct**

- 15 a. Allegations of academic misconduct may consist of two basic types:
- 16 (i.) academic misconduct by a student enrolled in a course and who commits
17 an act of misconduct related to that course;
- 18 (ii.) academic misconduct by a student that is not related to a course in which
19 the student is enrolled.
- 20 b. When a student commits an act of academic misconduct related to a particular
21 course, the faculty member responsible for the course has the authority to initiate
22 academic misconduct proceedings against the student whether that student is
23 enrolled in the course or not.
- 24 c. When a student commits an act of academic misconduct related to a course in
25 which the student is not enrolled, the Campus Dean of Students, or the Office of
26 Student Conduct has the authority to initiate academic misconduct proceedings
27 against the student after consulting with the appropriate Academic Officer of the
28 School, Unit, or Division (henceforth **called** the Academic Officer) in which the
29 student is enrolled.

30 **2. Simultaneous Acts of Academic and Personal Misconduct**

31 When a student commits an act of academic misconduct related to a **particular** course and
32 *a simultaneous act of academic or personal misconduct unrelated to that course*, separate
33 academic misconduct **and/or personal misconduct proceedings** may be initiated by the
34 faculty member responsible for the course and the **IUPUI Office of Student Conduct**, as
35 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.

38

39 **B. Action by a Faculty Member in Cases Related to Academic** 40 **Misconduct in a Course**

41 1. When a faculty member **becomes aware** that a student has committed an act of
42 academic misconduct related to a course, the faculty member must initiate efforts
43 to determine if academic misconduct did really occur (**i.e., investigate the matter**).
44 Within **5 business days** (See Appendix) **of discovering** possible academic
45 misconduct, the faculty member must schedule a meeting with the student. **The 5**
46 **days begins the first business day after the discovery by the faculty member.**
47 During that meeting the faculty member must:

48 (a) advise the student of the alleged act of misconduct and the information
49 upon which the allegation is based;

50 (b) provide an opportunity for the student to respond to the allegation;

51 (c) complete an Academic Misconduct Reporting Form (See Appendix or
52 download from the **IUPUI Office of Student Conduct** website.)

53 2. After the meeting, if the faculty member concludes **that the preponderance of**
54 **information available to them indicates** that the student did commit an act of
55 misconduct, the faculty member is authorized to impose an academic sanction
56 related to the particular course involved. Sanctions imposed by the faculty
57 member may include, but are not limited to, any one or a combination of the
58 following:

59 (a) **no** formal penalty, but the student is given a written reprimand
60 outlining the offense;

61 (b) **the student is** required to repeat or to resubmit the work or to complete
62 additional work for **the** course in **which** the act of misconduct
63 occurred;

64 (c) **the student may be**

65 (i) given a lower grade than the student would otherwise have
66 received for any course work (e.g., an assignment, examination, or
67 paper) involved in the act of misconduct, as well as the final course
68 grade.

69 (ii.) **withdrawn** from the course with a grade of W (see B5).

70 (iii.) **The student may receive an F for the course that will be**
71 **recorded by the registrar as a permanent grade and one that is**
72 **not able to be replaced using a grade replacement policy.**

- 73 At the end of the meeting with the student, the faculty member must provide the
74 student with a copy of the completed reporting form and a list of any sanctions
75 that were imposed.
- 76 3. Whenever an academic sanction is imposed the faculty member must, within **5**
77 **business days of meeting with the student**, report the matter and the sanction
78 imposed. **The faculty member must provide copies of the Academic Misconduct**
79 **Reporting Form and documentation completed after the meeting with the student**
80 to the Academic Officer in the School, Unit, or Division in which the course is
81 being offered and who will be responsible for notifying
- 82 a. the Academic Officer in the School, Unit, or Division in which the
83 student is officially enrolled and
- 84 b. **the Office of Student Conduct.**
- 85 4. Until the case has been resolved, the faculty member must allow the student to
86 continue attending and participating in the course, to complete all assignments,
87 and to have **all grades recorded normally.**
- 88 5. In the event that the matter cannot be resolved before final grades are due, an
89 interim course grade of Incomplete (I) may be given.

90

91 **C. Role of the IUPUI Office of Student Conduct in Cases Related to** 92 **Academic Misconduct in a Course**

93

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

- 101 (a) disciplinary probation for a specified period of time;
- 102 (b) suspension from the University for a specified period of time;
- 103 (c) expulsion from the University.

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

107 **D. Right to Appeal**

108 A student has the right to appeal any of the following concerning an alleged act of
109 academic misconduct:

- 110 1. the decision of the faculty member that the student committed the act of
111 misconduct;
- 112 2. the sanction imposed by the faulty member is grossly disproportionate to the
113 offense committed and the totality of the circumstances;
- 114 3. the occurrence of a significant procedural error that reasonably would have
115 affected the outcome of the process;
- 116 4. the discovery of new information about the event that was not otherwise
117 known to exist or was not available at the time of the student/faculty meeting.
118 Any new information must be submitted along with the appeal form at the time
119 the appeal is made to the Academic Officer.
- 120 5. the decision of the Office of Student Conduct to impose an additional sanction
121 that is grossly disproportionate to the offense committed and the totality of the
122 circumstances. This appeal would be reviewed by the IUPUI Dean of Students.

123

124 E. Process of Appeal

125 1. Appealing the decision made by a Faculty Member

126 a. Responsibility of the student

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

131

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

136

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

141

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

143

144 b. Rights of the student

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- 146 1. The student may present witnesses who possess relevant and factual
147 information concerning the matter at the appeal hearing.
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149 2. The student may be accompanied by an advisor. The advisor may confer or
150 pass notes to the student but the advisor will not be allowed to address the
151 Board or otherwise actively participate in the appeal hearing process.
152
153 3. The student will have an opportunity to address the Appeal Board and to
154 respond to all information provided concerning the alleged misconduct.
155

156 **F. The Appeal Board**

157 **1. Constituting an Appeal Board**

158
159 Within 5 business days after receiving such a written appeal, the Academic
160 Officer will constitute an Appeal Board and appoint a faculty member to
161 serve as the Presiding Officer. The Presiding Officer will be responsible for
162 convening the Appeal Board.
163

164 **2. Composition of the Appeal Board**

- 165
166 a. The Academic Officer will select a Board that is as impartial as possible in
167 its composition. The Board will consist of three faculty and two students
168 selected from the Officer's School, Unit, Division or Area. No member is
169 to be from the subject area, or course section in which the offense occurred.
170 A selected faculty member may be a full-time tenure or non-tenure track
171 individual holding a 10 or a 12 month appointment.
172
173 b. If the School, Unit, Division, or Area should not have enough faculty
174 members or students to fully constitute a Board, it may utilize members
175 from other Schools, Units, Divisions, or Areas, but the Presiding Officer, if
176 possible, is to be a faculty member from the School, Unit, Division, or Area
177 in which the appeal is being made.
178

179 Note: A hearing may only be held if at least two faculty members and one
180 student member of the Appeal Board are present. If, upon notification of
181 selection, an Appeal Board member is unable to be present or requests to
182 be excused from serving for any good cause, the member is to be replaced
183 with a like member.
184

185 **3. Appeal Board Presiding Officer**

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

235 **Three business days prior to the scheduled hearing**, the Presiding Officer will
236 send any additional information provided to them (e.g., witness list) to the student
237 and to the faculty member who imposed the sanction(s).
238

239 During the Appeal Board the Presiding Officer will
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- 241 1. make an official voice recorded transcript of the appeal hearing;
- 242
- 243 2. provide both the student and the faculty member with an opportunity to present
244 evidence to support their side of the case and to address the Board;
- 245
- 246 3. provide the student an opportunity to make a concluding statement in support of
247 the appeal;
- 248
- 249 4. provide the faculty member with an opportunity to respond to the student's final
250 statement concerning the appeal.

251 **4. Role of the Appeal Board**

252 During the hearing, the Appeal Board will consider the information presented to
253 it, including statements and materials submitted by the student as well as the
254 documentation submitted by the faculty member supporting their original finding.
255

256 The Board may conclude that the preponderance of the evidence before it:
257

- 258 a. does support the allegation that the student committed the act of academic
259 misconduct, and support the decision of the faculty member, to find the student
260 responsible for academic misconduct and the assigned sanction(s).
261
- 262 b. does support the allegation that the student did commit the act of academic
263 misconduct, but that the sanction or sanctions should be reduced or increased [See
264 Academic Misconduct Reporting Form]. Under these circumstances, the Board may
265 recommend that the Dean, Director, or Academic Officer of the School, Unit,
266 Division, or Area impose a different sanction than that imposed by the faculty
267 member.
268
- 269 c. does not support the allegation that the student committed the act of academic
270 misconduct, and direct the Dean, Director, or Academic Officer of the School, Unit,
271 Division, or Area to set aside the sanction (s) imposed. If the decision of the faculty
272 member concerning the student's alleged act of misconduct is reversed by the
273 Board, any additional sanction(s) imposed by the Dean of Students is automatically
274 reversed.
275

276 **5. Report of Appeal Board**

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

284

285 1. the student;

286

287 2. the faculty member;

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289 3. members of the Appeals Board;

290

291 4. the Academic Officer of the School, Unit, Division or Area in which the student
292 is enrolled;

293

294 5. the Office of Student Conduct.

295

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

298

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

300

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

302

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

306

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

309

310 1. Review by the Office of Student Conduct

311

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

316

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

321

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

326 additional sanctions has been made or that the Office is considering additional
327 sanctions

328

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

331

332 (a) a statement that the Office has been notified of the academic
333 proceedings taken by the student's School, Unit, Division, or Area;

334

335 (b) a statement that the student is required to meet with a representative
336 of the Office of Student Conduct

337

338 (c) a statement that the student may, at the student's own expense, have
339 an adviser present during the informal conference. An advisor may only
340 speak with the student and no other individuals involved in the informal
341 conference.

342

343 2. The student conference with the Office of Student Conduct

344

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

352

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

357

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

361

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

364

365 3. Report of the Office of Student Conduct

366

367 After the informal conference, the Office of Student Conduct and, if the sanctions
368 include probation, suspension, or expulsion, in consultation with the Academic
369 Officer of the relevant School, Unit, or Division has the authority to impose an
370 additional sanction.

371

372 (a) The Office of Student Conduct must inform the Academic Officer of
 373 the academic unit(s) involved of the Office's dispensation of the case.

374

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

381

382 **H. Appealing a decision made by a representative of the IUPUI** 383 **Office of Student Conduct**

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

387

388 **F. Unique circumstances**

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

- 392 1. students for whom English is a second language;
- 393 2. students who have registered a disability with the Office of Adaptive
 394 Educational Services (AES).

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

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

410 similar accommodations.

411

412 Appendix A: Definitions

413

414 **Academic Misconduct**

415

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

420

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

423

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

428

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

438

439 **Academic Misconduct Reporting Form**

440

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

447

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

452

453 **Academic Officer**

454

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

457

458 **Advisor**

459

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

463

464 **Appeal Board**

465

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

468

469 **Calendar Day**

470

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

473

474 **Business Day**

475

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

479

480 **IUPUI Dean of Students**

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482 **Undergraduate Dean of Students**

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

488

489 **Graduate Dean of Students**

490

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

495

496 **Office of the Registrar**

497

498 The Office of the Registrar maintains a student's academic course records. This record
499 will include grade changes related to cases of academic misconduct.

500

501 If the penalty includes a failing grade for the course, the Registrar will be notified that the
502 grade was given because of academic misconduct. The Registrar will record the grade of
503 "F" on the student's permanent academic transcript without any notation concerning the
504 reason for the grade. In accordance with other academic policies or procedures, such as
505 the "FX" or grade replacement policy, the Registrar must, however, follow procedures to
506 ensure that the grade of "F" will not thereafter be removed from the transcript. An "F"
507 given because of academic misconduct must be calculated in a determination of the
508 student's grade point average, but the grade will not prevent the student from repeating
509 the same course for credit.

510

511 **Official Communications**

512

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

515

516 **Personal misconduct**

517

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

520

521 **Preponderance of Evidence**

522

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

526

527 **Presiding Officer**

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

535

536 **Sanction**

537

538 This is a penalty imposed upon a student.

539

540 **School**

541

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