

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

13

14 **A. Jurisdiction**

15 **1. Academic Misconduct**

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

17 (1) academic misconduct by a student who is enrolled in a particular course
18 and who commits an act of misconduct related to that course

19 (2) academic misconduct by a student that is not related to a particular course
20 in which the student is enrolled.

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

25 c. When a student commits an act of academic misconduct related to a course in
26 which the student is not enrolled, the University Dean of Students, their designate,
27 or the Office of Student Conduct (henceforth referred to as the Dean of Students)
28 has the authority to initiate academic misconduct proceedings against the student
29 after consulting with the appropriate Academic Officer of the student's School or
30 Unit (henceforth referred to as the Academic Officer) of record.

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

32 When a student commits an act of academic misconduct related to a course in which the
33 student either is or is not enrolled and *a simultaneous act of academic or personal*

34 *misconduct unrelated to that course*, separate academic misconduct and disciplinary
35 proceedings may be initiated by the faculty member responsible for the course and the
36 Dean of Students, as outlined in these procedures. After consulting with each other, the
37 Academic Officer and the Dean of Students may decide that the matter will be handled
38 either jointly or by only one of them.

39

40 **B. Action by a Faculty Member in Cases Related to Academic** 41 **Misconduct in a Course**

42 1. When a faculty member has either discovered or been given information
43 indicating that a student has committed an act of academic misconduct related to a
44 course, the faculty member of record must initiate efforts to determine if
45 academic misconduct did really occur. Within 5 business days (excluding
46 University recognized holidays and breaks; henceforth, referred to as 5 business
47 days) of the discovery or receiving the information of possible academic
48 misconduct, the faculty member must schedule a meeting with the student.
49 During that meeting the faculty member must

50 (1) advise the student of the alleged act of misconduct and the information
51 upon which the allegation is based

52 (2) provide an opportunity for the student to respond to the allegation

53 (3) complete an Academic Misconduct Reporting Form (See Appendix or
54 go to [https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-
55 Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf](https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf))

56 2. After the meeting, if the faculty member concludes that the student did commit an
57 act of misconduct, the faculty member is authorized to impose an academic
58 sanction related to the particular course involved. Sanctions for academic
59 misconduct may include, but are not limited to, any one or a combination of the
60 following:

61 (1) No formal penalty is assessed, but the student is given a written
62 reprimand by the instructor outlining the offense and the results of the
63 discussion with the student.

64 (2) The student may be required to repeat or to resubmit the work or to
65 complete some additional work for any course work involved in the
66 act of misconduct.

67 (3) The student may be

68 (i) given a lower grade than the student would otherwise have
69 received for any course work (such as, an assignment,
70 examination, or paper) involved in the act of misconduct, as well
71 as the final course grade. In any situation, the awarded grade may
72 be an “F”.

73 (ii) required to withdraw from the course with a grade of “W” or
74 “F”, at the faculty member’s discretion.

75 (iii) expelled from the school, unit, or division in which the
76 academic misconduct occurred. *[Note: The decision to expel a
77 student is made either at the school or campus level and may not
78 be imposed by the faculty member.]*

79 3. Whenever any academic sanction is imposed, the faculty member must, within 5
80 business days report the matter and the sanction imposed, using the Academic
81 Misconduct Reporting Form. The form is available in the Appendices and
82 [https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-](https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf)
83 [Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf](https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf).
84 Copies should be sent to

85 (1) the student

86 (2) the Academic Officer in the School, Unit, or Division in which the
87 course is being offered and who will be responsible for notifying the
88 Dean of Student’s Office

89 (3) the Academic Officer in the School, Unit, or Division in which the
90 student is officially enrolled.

91 This reporting step is important and is meant to provide an avenue for due process
92 to the student.

93 4. Until the case has been resolved, the faculty member must allow the student to
94 continue attending and participating in the course, to complete all assignments,
95 and to have a grade in the course recorded normally. If the case is resolved in
96 favor of the student, this information will be necessary to assign the student an
97 earned grade for the course.

98 5. In the event that the matter cannot be resolved before final grades are due, a
99 course grade of Incomplete may be given.

100 6. After the student has been informed, the Dean of Students has the authority to
101 impose additional sanction(s) if the Dean of Students in consultation with the
102 appropriate Academic Officer believes that such a sanction is justified because of

103 the nature of the student's misconduct or because of the student's prior reported
104 acts of misconduct (See appendix). These additional sanctions may include

105 (1) disciplinary probation for a specified period of time

106 (2) suspension from the University for a specified period of time

107 (3) expulsion from the University.

108

109 **C. Right to Appeal**

110 A student has the right to appeal any of the following decisions concerning an alleged act
111 of academic misconduct:

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

114 2. the decision of the faculty to impose a particular academic sanction

115 3. the decision of the Academic Officer

116 4. the decision of the Dean of Students to impose an additional sanction.

117

118 **D. Process of Appeal**

119 **1. Appealing the decision made by a Faculty Member**

120 a. The student may choose to appeal a faculty member's decision reported on the
121 Academic Misconduct Reporting Form. A written request for a hearing before
122 an Appeal Board must be submitted to the Academic Officer by the student,
123 within 5 business days after receiving a copy of the Academic Misconduct
124 Reporting Form at the discussion with the faculty member. (See B. 1. Action
125 by a Faculty Member in Cases Related to Academic Misconduct in a Course.)

126 b. Within 5 business days after receiving such a written appeal, the Academic
127 Officer should convene an Appeal Board. (See Appendix.)

128 **2. Appealing the decision made by an Appeal Board**

129 Only if a documentable procedural error occurred during the Appeal Board process, may
130 the student, within 5 business days of the posting of the Appeal Board's decision, make a
131 final appeal directly to the Dean of the Faculties. This appeal would only be for a review

132 of the process. The decision reached by the Dean of the Faculties or designate will be
133 final and end the appeals process. In this regard, it is ultimately the responsibility of the
134 student to provide sufficient information and/or documentation to support the case.

135 **3. Appealing a decision made by the Dean of Students or**
136 **designate**

137 An appeal involving a decision by the Dean of Students or designate may be made to the
138 Dean of Faculties. The appeal process is the same as the one outlined for appealing
139 sanctions imposed by a faculty member. The Dean of Faculties will convene a campus-
140 level appeal board composed of faculty and students obtained from a pool nominated by
141 the faculty and student governments, such as the Hearing Commission for personal
142 misconduct cases. In this case, a decision by the Appeal Board is considered to be
143 absolute and final. Upon the Campus Appeal Board's decision, the appeal process is
144 terminated.

145

146 **E. Unique circumstances**

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

150 1. students for whom English is a second language.

151 2. students with a disability.

152 If the student wishes, in these unique circumstances the Academic Officer or the
153 Presiding Appeal Board Officer may make provisions which allow an advocate or advisor
154 to

155 1. address the Board, in cases of academic misconduct

156 2. address the Dean of Students, in cases of personal misconduct.

157

158 **Appendix A: Definitions**

159 **Academic Misconduct**

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

164
165 Academic misconduct has been defined by Indiana University and is included below.
166 [<http://studentcode.iu.edu/responsibilities/academic-misconduct.html>]]

167
168 Academic misconduct is defined as any activity that tends to undermine the
169 academic integrity of the institution. The university may discipline a student for
170 academic misconduct. Academic misconduct may involve human, hard-copy, or
171 electronic resources.

172
173 Policies of academic misconduct apply to all course-, department-, school-, and
174 university- related activities, including field trips, conferences, performances, and
175 sports activities off-campus, exams outside of a specific course structure (such as
176 take-home exams, entrance exams, or auditions, theses and master's exams, and
177 doctoral qualifying exams and dissertations), and research work outside of a specific
178 course structure (such as lab experiments, data collection, service learning, and
179 collaborative projects). The faculty member may take into account the seriousness of
180 the violation in assessing a penalty for acts of academic misconduct. The faculty
181 member must report all cases of academic misconduct to the dean of students, or
182 appropriate official.

183
184 **Academic Misconduct Reporting Form**

185 This form is available [at](https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf)
186 [https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-](https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf)
187 [Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf](https://academicaffairs.iupui.edu/AAContent/Html/Media/AAContent/06-Policies/Academic%20Misconduct%20Reporting%20Form_April%202012.pdf). A faculty
188 member should use the form to document and report an accusation of academic
189 misconduct lodged against a student. A copy of this report should be presented to the
190 student at the initial meeting with the faculty member where alleged misconduct is
191 discussed. After being signed by the student at the meeting a copy of the form should
192 be sent to the Academic Officer of the faculty member's School, Unit, Division, or
193 Area.

194
195 *Note: For those courses that are taught online the meeting with the student*
196 *concerning academic misconduct may need to occur in an electronic format.*
197 *However, a faculty member is strongly encouraged to hold the student meeting with*
198 *the student physically present whenever possible.*

199
200 **Academic Officer**

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

203

204 **Advisor**

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

209

210 **Appeal Board**

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

213

214 **Calendar Day**

215 The term “*calendar day*” refers to any day, Monday through Friday, in which the
216 University offices are open.

217

218 **Dean of Students**

219 The Dean of Students is the individual at the campus level who is responsible for
220 maintaining records on student conduct and who administers the student Code of
221 Rights, Responsibilities, and Conduct.

222

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

226

227 **Personal Misconduct**

228 Personal misconduct involves but is not limited to preventing, impairing, interfering
229 with or obstructing the orderly process of conducting a class, activity or, a
230 University function.

231

232 **Preponderance of Evidence**

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

235

236 **Presiding Officer**

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

243

244 **Sanction**

245 This is a penalty imposed upon a student.

246

247 **School**

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

250

251 **Standard of Proof**

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

255

256 **Appendix B: The Appeal Board**

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

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

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

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

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

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

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

281 1. do support the allegation that the student committed the act of academic
282 misconduct, and support the decision of the faulty member, the Dean of Students,
283 or the University and the sanction(s) imposed.

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

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

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

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

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

301 All notifications will include the date, time, and place the appeal will be heard.
302 The student's letter will be sent to the student's permanent address on record and
303 the student's University e-mail account. The letter to the faculty member and, if
304 appropriate, the Dean of Students, will be sent via e-mail to the faculty member's
305 or Dean's University account.

306 A. The letter will

307 (a) include the date, time, and place the appeal will be heard,
308 and a statement that the faculty member will be present. If the
309 appeal involves an academic sanction by the Dean of Students, the
310 letter should state that the Dean of Students will be present at the
311 meeting.

312 (b) state that

313 i. the appeal will be a closed meeting, unless the
314 student notifies the presiding officer within 5 business days of
315 receiving notification of the Appeal Board meeting that he or she
316 desires the appeal to be open to the public.

317 ii. if the student requests an open hearing, the
318 presiding officer is authorized to make a final decision concerning

319 the place where the appeal meeting is to be held and the number of
320 observers to be accommodated.

321 iii. the faculty member or Dean of Students must prepare a list
322 of any witnesses that they may present at the hearing and/or whose
323 statements may be offered as evidence at the hearing;

324 iv. the list must be submitted to the presiding officer and the
325 student involved no later than 5 business days before the hearing;

326 v. the faculty member may be precluded from presenting
327 witnesses or evidence at the appeal if the information has not been
328 provided prior to the meeting.

329 B. The letter to the faculty member and, if appropriate, the Dean of Students
330 will be sent via e-mail. The letter will

331 (a) include the date, time, and place the appeal will be heard and that
332 the faculty member or Dean of Students is required to attend the hearing
333 or the accusation of academic misconduct will be nullified.

334 (b) state that

335 i. the faculty member or Dean of Students must prepare a list
336 of any witnesses that they may present at the hearing and/or whose
337 statements may be offered as evidence at the hearing;

338 ii. the list must be submitted to the presiding officer and the
339 student involved no later than 5 business days before the hearing;

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

343 **2. Five Business Days Prior to the Hearing**

344 The presiding officer will send a letter to the student's permanent address on record and
345 the student's University e-mail account. The letter will

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

349 2. state that

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

351

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

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

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

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

362 (f) the student will have an opportunity to address the Appeal Board
363 and to respond to the testimony and information provided concerning the
364 alleged misconduct

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

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

370

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

372 During the appeal board meeting the presiding officer will

373 1. make an official voice recorded transcript of the appeal meeting,

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

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

378 1. provide the student an opportunity to make a concluding statement in
379 support of the appeal,

380 2. provide the faculty member with an opportunity to respond to the
381 student's final statement concerning the appeal.

382 **Appendix E: Appeal Board Report**

383 **Report of Appeal Board**

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

- 387 1. the student;
- 388 2. the faculty member;
- 389 3. the Academic Officer of the School, Unit, Division, or Area in
390 which the offense occurred;
- 391 4. the Academic Officer of the School, Unit, Division or Area in
392 which the student is enrolled;
- 393 5. the Dean of Students.

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

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

398 If the penalty includes a failing grade for the course, the Registrar will be notified that the
399 grade was given because of academic misconduct. The Registrar will record the grade of
400 "F" on the student's permanent academic transcript without any notation concerning the
401 reason for the grade. In accordance with other academic policies or procedures, such as
402 the "FX" or grade replacement policy, the Registrar must, however, follow procedures to
403 ensure that the grade of "F" will not thereafter be removed from the transcript. An "F"
404 given because of academic misconduct must be calculated in a determination of the
405 student's grade point average, but the grade will not prevent the student from repeating
406 the same course for credit.

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

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

411 *Note: The Dean of Students may not place a student on disciplinary probation, suspend*
412 *the student, or expel the student from the University, from a School, or from a*
413 *Unit or Area within the University because of an act of academic misconduct*
414 *unless the Dean of Students and the Academic Officer of the School, Unit,*

415 *Division, or Area in which the student is enrolled agree that the circumstances*
416 *justify the sanction .*

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

418 1. The Dean of Students

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

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

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

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

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

436 (b) a statement that the student is required to appear in the Office of
437 the Dean of Students at the specified date and time for a
438 conference

439 (c) a statement that the student may, at the student's own expense,
440 have an adviser present during the conference. An advisor may
441 only speak with the student and not other individuals involved in
442 the conference.

443 3. The conference will be limited to a consideration of the seriousness of the
444 academic misconduct involved, any record of student's relevant misconduct as
445 maintained by the Dean of Students, and any additional sanction(s) the Dean of
446 Students is considering.

447 (a) If the student fails to appear for the conference and if the Dean
448 reasonably concludes that the failure to appear is without good

449 cause, the Dean of Students may impose any of the authorized
450 additional sanctions.

451 (b) The student has the right to appeal a decision of the Dean of
452 Students to impose an additional sanction(s).

453 4. At the conference, the Dean of Students will remind the student of the
454 conference's purpose and, if applicable, of the student's record of misconduct.
455 The student will be given an opportunity to respond.

456 *Note: This conference is not an appeal, and any previous sanctions are not to be*
457 *reconsidered in the discussion.*

458 5. After the conference, the Dean of Students and, if the sanctions include
459 probation, suspension, or expulsion, in consultation with the Academic Officer of
460 the relevant unit, has the authority to impose an additional sanction.

461 (a) The Dean of Students must inform the Academic Officer of the
462 academic unit(s) involved of the Dean of Students' dispensation of
463 the case.

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