

UW REGULATION 6-802
Procedures and Authorized University Actions
in Cases of Student Academic Dishonesty

1. PURPOSE

To establish the policies and procedures for actions in situations of student academic dishonesty.

2. GENERAL INFORMATION

All members of the University community are responsible for upholding the values of academic integrity. The faculty considers academic integrity a matter of common concern, not merely a private issue between instructor and student. Honesty in all academic endeavors is a component of academic integrity that is vital to the educational functions of the University. Whatever form academic dishonesty may take, the faculty considers it as establishing a student's failure to demonstrate the acquisition of knowledge and the failure to apply it to an academic endeavor. It is a student's responsibility to learn the standards of conduct for the performance of academic endeavors; it is an instructor or faculty member's responsibility to make reasonable effort to make known the standards of conduct for the performance of academic endeavors. Through an atmosphere of mutual respect we enhance the value of education and maintain high standards of academic excellence. Failure on the part of the student to observe and maintain standards of academic honesty, as hereafter defined or made known by an instructor responsible for a course or other academic endeavor, requires corrective action as hereafter authorized.

3. SCIENTIFIC OR RESEARCH MISCONDUCT

Allegations of student academic misconduct involving federal grants and scientific misconduct or research misconduct shall be referred to the Vice President for Research and Economic Development to be handled pursuant to the University of Wyoming policy for responding to allegations of scientific or research misconduct. Further action under this UW Regulation is dependent on the outcome of that process. Sanctions under this UW Regulation may be imposed when an allegation of scientific misconduct has been substantiated. Only the sanction is appealable under this UW Regulation. A student may not appeal the finding of scientific misconduct. If no scientific misconduct has been substantiated, but issues of academic dishonesty remain, this UW Regulation may be utilized.

4. DEFINITIONS

A. **ACADEMIC DISHONESTY.** An action attempted or performed that misrepresents one's involvement in an academic endeavor in any way, or

assists another student in misrepresenting his or her involvement in an academic endeavor. Examples of academic dishonesty include, but are not limited to:

- i. Plagiarism: presenting the work (i.e., ideas, data, creations) of another, wholly or in part, as one's own work without customary and proper acknowledgement of sources and extent of use, unless authorized by the instructor.
- ii. Cheating: using information, study aids, notes, materials, devices, or collaboration not explicitly approved by the instructor. For example: doing a class assignment for someone else or allowing someone to copy one's assignment; copying from, or assisting, another student during an examination; or stealing, or otherwise improperly obtaining, copies of an examination before or after its administration.
- iii. Fraud: altering or inventing data, research, or citations for an academic endeavor; fabricating, forging or otherwise misrepresenting to an instructor or an institution one's past or current academic or professional activities; impersonating someone or allowing oneself to be impersonated for an examination or other academic endeavor; using a ghost writer, commercial or otherwise, for any type of assignment.
- iv. Violation of Standards: violations against ethical and professional standards required by individual University programs, academic courses, and clinical programs that may result in qualification for entry into a profession that maintains standards of conduct.
- v. Multiple Submissions: submitting, wholly or in part, the same academic endeavor to earn credit in two or more courses without explicit approval by all concerned instructors.
- vi. Interference or Obstruction: interfering with academic efforts of other students to gain unfair advantage for personal academic advancement. Interference may include but is not limited to, sabotage, harassment, tampering, bribery, or intimidation of another student.
- vii. Complicity: assisting another person in any act of academic dishonesty as defined above.

B. **ACADEMIC ENDEAVOR.** Any student activity undertaken to earn University credit or meet some other University program requirement. Examples of academic endeavors include, but are not limited to:

- i. Course assignments (written and/or oral, projects, research, exhibitions of work)
 - ii. Exams (written and/or oral, quizzes)
 - iii. Clinical assignments (internships, rotations, practical)
 - iv. Presentations (on and off campus)
 - v. Publications
 - vi. Independent study coursework
 - vii. Plan B papers or projects, theses, dissertations
 - viii. Student media associated with academic credit
- C. APPEAL. A written request by a student for review of the findings by the hearing officer.
- D. CHARGE OF ACADEMIC DISHONESTY. Action taken when an instructor has reasonable grounds to believe that a student has committed any act pursuant to 4.A.
- E. COLLEGE OR INTERDISCIPLINARY PROGRAM. The college or interdisciplinary program awarding credit or benefit for the academic endeavor.
- F. FINDING OF ACADEMIC DISHONESTY. A written description of the specific acts and evidence of academic dishonesty, along with supporting materials and any sanction imposed by the appropriate hearing or appeals body.
- G. HEARING. A hearing is at a minimum an administrative review by the Dean of College or designee, or Administrator of an Interdisciplinary Program of a charge of academic dishonesty and a written response from the student. Nothing in this definition shall preclude individual colleges from establishing additional procedures related to academic dishonesty. If additional procedures are in place, they shall be utilized in place of the minimum hearing.
 - i. College Hearing: Established by the individual college
 - ii. Interdisciplinary Program Hearing: Established by the program director
- H. INSTRUCTOR. The instructor is the person responsible for the evaluation of the academic endeavor. Examples include but are not limited to: professors, academic professionals, externship or clinical supervisors, graduate assistants or course directors.
- I. NOTIFICATION. Notification shall be in writing and is satisfied when delivered to the student in person with signed acknowledgment by the student or by certified United States mail to the student's local address on file with the

University. If no local address is on file, notification will be sent to the student's permanent address.

- J. **OFFENSE.** An offense occurs when a student, in consultation with the instructor and Department Head, submits a written admission of academic dishonesty and/or the student is found to have committed academic dishonesty pursuant to 5.D.
- K. **SANCTIONS.** Any authorized actions outlined in Section 6, or combinations thereof, imposed as a consequence of a determination under UW Regulation 6-802 that academic dishonesty has occurred.
- L. **CENTRAL REPOSITORY.** Maintenance of disciplinary records will be in the Central Repository. Disciplinary records will be maintained in the Office of the Dean of Students for seven years and then destroyed unless the Dean of Students determines there is good reason to retain the records beyond that date. Access is limited to the Dean of Students and the academic deans and/or designees and any other employees of the University who have a need to know as determined by the Vice President of Academic Affairs.

5. ADMINISTRATIVE PROCEDURES

- A. **SUSPICION OF ACADEMIC DISHONESTY:** Whenever an instructor has reason to suspect that an act of academic dishonesty has been committed in a course, clinical or academic program for which s/he is responsible for supervision or assignment of an academic evaluation, the instructor shall investigate the matter and discuss the matter with the student and, at the instructor's discretion, come to one of the following resolutions:
 - i. If in the judgment of the instructor, the charge of academic dishonesty is not justified and/or there is insufficient evidence of academic dishonesty, then no further action is warranted.
 - ii. If, in the judgment of the instructor, sufficient evidence of academic dishonesty exists, then the instructor pursues the charge of academic dishonesty.
- B. **ESTABLISHING AN ACADEMIC CHARGE:** Pursuant to the charge of academic dishonesty the instructor shall consult with the Department Head and with the concurrence of the Department Head shall prepare a charge of academic dishonesty and recommended sanction for submission to the Dean of College or designee.
- C. **INITIAL PROCESS:** Upon receipt of the charge of academic dishonesty and recommended sanction, the Dean of College or designee shall:

- i. Check the Central Repository to determine if the charge is the student's first or second or subsequent offense.
- ii. Notify student in writing with a brief summary of the charge of academic dishonesty and recommended sanction and provide the student with a copy of UW Regulation 6-802.
 - a. First Offense: If the Dean of College determines that the charge of academic dishonesty is the student's first offense, the Dean of College or designee shall notify the student of the charge of academic dishonesty and recommended sanction.
 - (A) The student may, within five (5) calendar days of notification, request a meeting with the instructor and/or Dean of College or designee to discuss the charge of academic dishonesty and recommended sanctions. At this meeting, the student may:
 - 1. Accept the charge of academic dishonesty and recommended sanctions approved by the dean or designee as filed. The student will do this by signing a waiver recognizing his/her behavior as academic misconduct and waiving his/her right to a hearing, which is then forwarded to the Central Repository by the Dean of College or designee.
 - 2. Disagree with the charge of academic dishonesty and recommended sanction and submit a request for a college hearing to the Dean of College or designee within fifteen (15) calendar days.
 - (B) If the student does not request a meeting as described in part (A), the Dean shall implement the procedures necessary for a hearing as described in section D below.
 - b. Second and subsequent charges: If the Dean of College determines that the present charge of academic dishonesty is preceded by a finding of academic dishonesty from a previous incident, then the Dean of College or designee shall notify the student of the charge of academic dishonesty and of the mandatory sanctions associated with a second finding.
 - (A) The student may request a meeting with the instructor and Dean of College or designee to discuss the charge of academic dishonesty and recommended sanctions within

five calendar days of notification. At this meeting, the student may:

1. Accept the charge of academic dishonesty, mandatory sanction and additional recommended sanction approved by the dean or designee. The student will do this by signing a waiver recognizing his/her behavior as academic misconduct and waiving his/her right to a hearing, which is then forwarded to the Central Repository by the Department Head or designee.

2. Disagree with the charge of academic dishonesty and recommended sanction, and submit a request for a college hearing to the Dean of College or designee within fifteen (15) calendar days.

(B) If the student does not request a meeting as described in part (A), the Dean shall implement the procedures necessary for a hearing as described in section D below.

D. HEARING: In cases where a hearing is required or requested by the student, the Dean of College will designate an impartial hearing officer, who will hold a hearing to determine whether academic dishonesty has occurred. The student shall be notified in writing of the following:

- i. A description of the specific acts of alleged academic dishonesty, the date and place of occurrence, and the names of witnesses;
- ii. The recommended sanction;
- iii. The time, date, and location of the hearing; and
- iv. The identity of the designated hearing officer.

PREHEARING PROCEDURES: The Wyoming Rules of Administrative Procedure shall not apply to this proceeding and discovery shall be limited to the following:

- i. Prior to the hearing the parties will exchange a list of witnesses for the hearing, a brief summary of the information each witness is expected to provide, and any documents to be presented at the hearing.
- ii. Witnesses shall testify in person or by telephone at the hearing, however, if a witness is unavailable for testimony, the hearing officer may authorize taking testimony in advance.

- iii. The parties may jointly communicate with the hearing officer by telephone on any prehearing matters.
- iv. The student may petition the hearing officer to excuse him/herself by presenting evidence of bias. The hearing officer shall decide whether to excuse him/herself. In that case, the dean will choose another hearing officer.
- v. If the student would like to be accompanied at the hearing by a mentor, advisor, counselor, or attorney at law of his/her choice, s/he must notify the hearing officer at least twenty-four (24) hours prior to the hearing. The role of the mentor, counselor, advisor, or attorney at law shall only be to consult with the student, not to represent the student.

THE HEARING:

- i. The hearing shall be open to the student, a mentor, advisor, counselor, or attorney at law and the instructor who made the charge. The hearing may also be open to others at the discretion of the hearing officer.
- ii. The instructor or department designee shall put forth the evidence supporting the charge of academic dishonesty. The student and instructor/departmental designee may ask questions of any witness. The student may present any relevant information in opposition to the charge of academic dishonesty.
- iii. The standard of proof shall be “substantial evidence” which is such evidence that a reasonable mind might accept as adequate to support a conclusion.
- iv. One of the following findings shall result from the decision from the Hearing:
 - a. Finding of no academic dishonesty and dismissal of the charge.
 - b. Finding of academic dishonesty and concurrence with the recommended sanction.
 - c. Finding of academic dishonesty and modification of the recommended sanction.
- v. The hearing will result in a report being prepared, by the hearing officer, which includes a summary of the evidence presented

against and for the student, the findings made, and any recommended sanctions from the hearing officer and instructor.

E. **Notification of Findings:** The Dean of College will notify the student and the instructor of the findings from the hearing.

i. If the charge was not upheld by the hearing, the Dean of College or designee will dismiss the charge of academic dishonesty and shall have the record expunged and notify the student in writing.

ii. If the finding was upheld, the student has thirty (30) calendar days from the date of the notification to file an appeal pursuant to Section F. below.

a. If the student does not file an appeal, the Dean of College or designee shall forward the report, findings and recommended sanctions to the Provost and Vice President for Academic Affairs and to the Dean of Students. The student may submit to the Provost and Vice President for Academic Affairs a request, with rationale, for sanctions different from those recommended by the hearing officer. If the appeal for a different sanction is based on a finding of scientific misconduct, the appeal shall be to a Vice President, designated by the President, other than the Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs shall decide upon sanctions no harsher than those recommended by the hearing officer. Sanctions involving suspension or dismissal must be justified by a written rationale, based on specific findings of the hearing, the nature of the offense, and the student's record, and are subject to approval of or modification by the President of the University.

b. If the student files an appeal (Section F.), the Dean of College or designee shall forward the report of all proceedings to the provost and Vice President for Academic Affairs.

c. If the instructor has opted for the sanction of the assignment of "F" or "U" grade for the course, an "I" grade will be submitted until the completion of the appeals process, when the Provost Vice President for Academic Affairs shall either exercise the sanction of "F" or "U" or remove the "I" grade as per the report from the final appeal.

(A) If the alleged act of academic dishonesty occurs during finals week or within a time frame in which the opportunity for a fair hearing would be difficult, the instructor may submit a grade of "I" until the appeals process can be effectuated.

(B) If a student charged with academic dishonesty withdraws from the course in question, and the charge is eventually upheld, the “W” grade reverts to the grade of “F.”

- F. APPEAL: An appeal of the final decision of the college can be lodged to the Provost Vice President for Academic Affairs or designee or hearing panel.¹ This shall be a written appeal, filed, within thirty (30) calendar days after the college decision is rendered, that sets forth facts substantiating the claim. A copy shall be provided by the student to the original hearing officer. The original hearing officer shall have fifteen (15) days to provide a written response including a copy to the student. At the discretion of the Provost and Vice President for Academic Affairs or designee or hearing panel, they may seek written or oral presentation for clarification of the record from both parties.
- i. An appeal of the finding of academic dishonesty can be lodged solely upon the following grounds:
 - a. The student was not given written notice of a hearing or an opportunity for a hearing.
 - b. The report of the college level hearing fails to describe any act of the student’s which could be construed as academic dishonesty.
 - c. The findings from the hearing were not supported by substantial evidence, were the result of prejudice toward the student, capricious evaluation, or capricious treatment, and such allegations must include specific examples of the capricious actions or substantive factual errors.
 - ii. If the Provost and Vice President for Academic Affairs or designee or hearing panel hearing the final appeal upholds the finding of academic dishonesty or determines that it does not have the jurisdiction to hear the appeal, the Provost and Vice President for Academic Affairs or designee or hearing panel will dismiss the appeal, and have the finding filed with the Dean of Students in the Central Repository.
 - a. Whenever the Dean of College ascertains from the Central Repository that a student has committed academic dishonesty for a second time, s/he will promptly notify the Provost and Vice President for Academic Affairs who shall cause the suspension of the student from the University for a period of one (1) calendar year. This action is subject to the approval of or modification by the President of the University.

¹ Provost and Vice President for Academic Affairs may designate one or more faculty members to conduct appeals for academic dishonesty matters.

If the Dean of College ascertains that the student has not committed academic dishonesty for a second time, the student may submit to the Provost and Vice President for Academic Affairs a request, with rationale, for sanctions different from those recommended by the hearing officer. The Provost and Vice President for Academic Affairs shall decide upon sanctions no harsher than those recommended by the hearing officer. Sanctions involving suspension or dismissal must be justified by a written rationale, based on specific findings of the hearing, the nature of the offense, and the student's record, and are subject to approval of or modification by the President of the University.

- iii. If the Provost and Vice President for Academic Affairs or designee or hearing panel reverses the finding of academic dishonesty, the Vice President for Academic Affairs or designee or hearing panel will dismiss the finding of academic dishonesty and expunge the record.

G. **CENTRAL REPOSITORY:** Any final sanction in decisions of academic dishonesty must be sent to the Central Repository held in the office of the Dean of Students.

6. AUTHORIZED SANCTIONS

- A. Any of the following sanctions or combination thereof may be imposed for a first offense. The severity of the offense and other relevant circumstances should be considered.
 - i. Extra or alternative work.
 - ii. Grade reduction of the academic endeavor.
 - iii. A failing grade for the academic endeavor.
 - iv. No credit for the academic endeavor.
 - v. Grade reduction for the course.
 - vi. A failing grade for the course.
 - vii. Suspension of the benefit of the program, clinical, or academic endeavor.
 - viii. Termination from the program.
 - ix. Suspension from University.

x. Dismissal from University.

B. Mandatory Sanction for Second Offense: Whenever the Dean of College or designee ascertains from the Central Repository that a student has committed academic dishonesty for a second time, s/he will promptly notify the Provost and Vice President for Academic Affairs. The Provost and Vice President shall direct who shall cause the suspension of the student from the University for a period of one calendar year. This action is subject to the approval of or modification by the President of the University.

C. The foregoing actions shall not preclude the administrative consequences which may result in the loss of benefits from such programs, scholarships and other opportunities afforded students.

7. INDIVIDUAL COLLEGE REGULATIONS

Regulations of individual colleges may establish additional standards identifying academic dishonesty, as well as other standards for student conduct deemed appropriate for students whose degree program will result in qualification for entry into a profession which maintains standards of conduct. Any such regulations which incorporate academic dishonesty must provide, as a minimum, the sanctions described in Section 6 (Authorized Actions), and must otherwise afford notice and a fair hearing. Such regulations shall become effective upon approval as a University regulation.

Source:

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