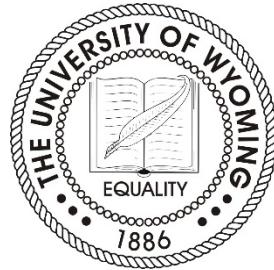

UNIVERSITY OF WYOMING REGULATIONS

Subject: Student Academic Dishonesty
Number: UW Regulation 2-114



I. PURPOSE

To establish the procedures and actions in cases of student academic dishonesty.

II. GENERAL INFORMATION

All members of the University community are responsible for upholding academic integrity. Academic integrity and ethical behavior is a matter of common concern, not a private issue between an instructor and a student. Academic dishonesty is an affront to the integrity of scholarship and a threat to the quality of learning. To maintain its credibility and uphold its reputation, the University requires that students take responsibility for learning the standards of conduct for the performance of Academic Endeavors. It is an Instructor's responsibility to make reasonable effort to make known the standards of conduct for the performance of Academic Endeavors. It is through an atmosphere of mutual respect that 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 requires action by the University.

III. SCIENTIFIC OR RESEARCH MISCONDUCT

Allegations of student academic misconduct involving federal grants, scientific misconduct or research misconduct shall be referred to the Vice President for Research and Economic Development to be handled pursuant to University policy. Further action under this Regulation is dependent on the outcome of that process. Sanctions under this Regulation may be imposed when an allegation of scientific misconduct has been substantiated. Only the sanction is appealable under this Regulation. A student may not appeal the finding of scientific misconduct. If scientific misconduct has not been substantiated, but issues of academic dishonesty remain, this Regulation applies.

IV. DEFINITIONS

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 the following:

- A. **Cheating:** Using sources, information, study aids, notes, materials, devices, or collaboration unauthorized and not explicitly approved by the Instructor. Examples include but are not limited to 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 (hard copy or digital) of an examination before or after its administration.
- B. **Complicity:** Assisting another person in any act of Academic Dishonesty.
- C. **Fraud:** Falsifying, 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.
- D. **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.
- E. **Misappropriation:** Unauthorized access to an instructor's files or accounts.
- F. **Multiple Submissions:** Submitting, wholly or in part, the same Academic Endeavor to earn credit in more than one course without explicit approval by all concerned instructors.
- G. **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.
- H. **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.

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 the following:

- A. Course assignments (written and/or oral, projects, research, exhibitions of work);
- B. Exams (written and/or oral, quizzes);
- C. Clinical assignments (internships, rotations, practicals);

- D. Presentations (on and off campus);
- E. Publications;
- F. Independent study coursework;
- G. Plan B papers or projects, theses, dissertations; and
- H. Student media associated with academic credit.

Central Repository: The location at the University where disciplinary records are maintained per the University's record retention schedule. 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 legitimate need to know.

Charge of Academic Dishonesty: Action taken when an Instructor has reasonable grounds to believe that a student has committed an act of Academic Dishonesty.

College Coordinator: An Associate Dean or designee appointed by the College or School Dean who will facilitate college/school-level hearings in cases of academic dishonesty.

College Hearing Officer: An impartial hearing officer designated by a College or School Dean who will hold a hearing to determine whether Academic Dishonesty has occurred. The hearing officer is a member of the faculty of the college/school from which the Charge originated, but is not a member of the department involved in the academic dishonesty allegation.

College Hearing Committee: A group of faculty members selected by the College or School from which the charge of academic dishonesty originates.

Instructor: The person responsible for the evaluation of the Academic Endeavor. Examples include but are not limited to professors, instructors, librarians, archivists, academic professionals, externship or clinical supervisors, graduate assistants or course directors.

Offense: Occurs when a student, in consultation with the Instructor and Department Head or designee, submits a written admission of Academic Dishonesty and/or the student is found to have committed Academic Dishonesty.

Sanctions: Any authorized actions outlined in this Regulation imposed as a consequence of a determination that Academic Dishonesty has occurred.

University Appeals Coordinator: Designated by the Provost to facilitate Academic Dishonesty appeals.

University Appeals Committee: A panel of faculty, staff, and students appointed by the Provost that hears Academic Dishonesty appeals.

V. ADMINISTRATIVE PROCEDURES

A. Suspicion of Academic Dishonesty

When an instructor has reason to suspect that an act of Academic Dishonesty has been committed in a course, clinical or academic program for which the Instructor is responsible for supervision or assignment of an academic evaluation, the Instructor shall investigate the matter and may discuss the matter with the student and, at the Instructor's discretion, come to one of the following resolutions:

1. 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.
2. If, in the judgment of the Instructor, sufficient evidence of Academic Dishonesty exists, then the Instructor pursues the Charge of Academic Dishonesty.

B. Establishing a Charge of Academic Dishonesty

Within five (5) school days of discovering the alleged academic dishonesty, but no more than thirty (30) calendar days after the submission due date, the Instructor will consult with the academic Department Head or designee and shall prepare a Charge of Academic Dishonesty and recommended sanction if the Department Head concurs with the instructor that sufficient evidence of academic dishonesty exists.

C. Initial Process

Upon receipt of the Charge of Academic Dishonesty and recommended sanction, the College Coordinator/s or designee shall:

1. Check the Central Repository to determine if the Charge is the student's first, second or subsequent offense.
2. Notify the student in writing with a brief summary of the Charge of Academic Dishonesty and recommended sanction and provide the student with a copy of this Regulation.
 - a. If the College Coordinator/s or designee determines that the Charge of Academic Dishonesty is the student's first offense, the College Coordinator/s or designee shall notify the student of the Charge of

Academic Dishonesty and recommended sanction and request a meeting to occur within ten (10) calendar days with the Instructor and/or College Coordinator/s 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. The student will do this by signing a waiver recognizing the student's behavior as Academic Dishonesty and waiving the student's 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 College Coordinator/s within fifteen (15) calendar days.
 - b. If the student does not request a meeting or does not attend the meeting, the College Coordinator/s shall implement the hearing procedure as described below.
3. Second and subsequent charges. If the College Coordinator/s or designee determines that the present Charge of Academic Dishonesty is preceded by a finding of Academic Dishonesty from a previous incident, then the College Coordinator/s or designee shall notify the student of the Charge of Academic Dishonesty and of the mandatory sanctions associated with a second finding. The same Initial Process as above shall be followed. The mandatory sanction for a second offense is outlined in section VI, Authorized Sanctions, and includes at least one year of suspension.

D. College Hearing

1. **Notification to Student.** The College Coordinator/s shall notify the student in writing or by other recorded means of the following:
 - a. A description of the specific acts of alleged Academic Dishonesty, the date and place of occurrence, and the names of witnesses, if any;
 - b. The recommended sanction;
 - c. The time, date, and location of the hearing; and
 - d. The identity of the designated Hearing Officer.
2. **Prehearing Procedures.** The Wyoming Rules of Administrative Procedure shall not apply to Academic Dishonesty hearings and discovery shall be limited to the following:

- a. Prior to the hearing, the parties will exchange a list of witnesses to the act of dishonesty, if any; a brief summary of the information each witness is expected to provide; and any documents to be presented at the hearing.
 - b. Witnesses shall testify in person or by conferencing technology at the hearing; however, if a witness is unavailable for testimony, the Hearing Officer may authorize taking testimony in advance.
 - c. The parties may jointly communicate with the Hearing Officer on relevant prehearing matters.
 - d. The student may petition the Hearing Officer to be recused by presenting evidence of bias or conflict of interest. In the event that the College Coordinator/s find evidence of bias or conflict of interest, the College Coordinator/s will choose another Hearing Officer.
 - e. If the student wishes to be accompanied at the hearing by an advisor of the student's choice, the student must notify the Hearing Officer at least five (5) working days prior to the hearing. The role of advisor shall only be to consult with the student, not to represent the student.
 - f. If the instructor wishes to be accompanied at the hearing by an advisor of the instructor's choice, the instructor must notify the Hearing Officer at least five (5) working days prior to the hearing. The role of advisor shall only be to consult with the instructor, not to represent the instructor. If the student chooses an advisor who is an attorney, the Instructor may be accompanied by an advisor who is a University attorney.
 - g. The Hearing Officer may have an advisor or an attorney at all hearings, regardless of whether the student requests an advisor or attorney.

3. Hearing Procedures

- a. The hearing shall include the hearing committee, the student, the student's advisor (if desired), the Instructor's advisor (if desired), and the Instructor who made the charge (or a designee from the department from which the charge originates if extenuating circumstances prevent the Instructor who made the charge from appearing). The hearing may be open to others at the discretion of the Hearing Officer.
 - b. The hearing shall begin with the Instructor or department designee presenting the evidence and any witnesses supporting the Charge of

Academic Dishonesty. The student then may present any relevant information or witnesses in opposition to the Charge of Academic Dishonesty.

- c. If either party fails to appear at the hearing, the hearing shall still proceed and the party in attendance shall present his or her case to the hearing committee.
- d. The College Hearing Committee may then ask any relevant questions. Following the questions, the Instructor or department designee and then student may present any rebuttal evidence, followed by any additional questions of the College Hearing Committee.
- e. The standard of proof shall be “substantial evidence” which is such evidence that most objective observers would accept as adequate to support a conclusion that Academic Dishonesty occurred. The Instructor or department designee bears the burden of proof.
- f. One of the following findings shall result from the decision from the Hearing:
 - 1) Finding of no Academic Dishonesty and dismissal of the charge.
 - 2) Finding of Academic Dishonesty and concurrence with the recommended sanction.
 - 3) Finding of Academic Dishonesty and modification of the recommended sanction.
- g. The Hearing Officer will prepare a report on the findings 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 or College Coordinator/s shall notify the student and the Instructor of the findings from the hearing. Notification shall be in writing or otherwise recorded means and occurs when delivered to the student either in person with signed acknowledgment by the student or by tracked delivery of physical or electronic notification to the student’s local address on file with the University or to the student’s University email account. If no local address is on file, notification will be sent to the student’s permanent address.

1. If the charge was not upheld by the hearing, the Dean or designee will dismiss the Charge of Academic Dishonesty and shall have the record expunged and notify the student in writing.
2. If the charge was upheld, the student has thirty (30) calendar days from the date of the notification to file an appeal.
 - a. If the student does not file an appeal, the College Coordinator/s 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 or designee 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 the President of the University. The Provost and Vice President for Academic Affairs or designee shall confirm or may reduce the sanctions 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, the College Coordinator/s shall forward the report of all proceedings to the Provost and Vice President for Academic Affairs or designee.
 - c. If the Instructor has chosen the sanction of the assignment of either an "F" or "U" grade for the course, an "I" grade will be submitted to the Registrar until the completion of the appeals process.
 - 1) 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 shall submit a grade of "I" until the appeals process can be initiated.
 - 2) 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 Hearing Officer must be submitted to the University Appeals Coordinator within thirty (30) calendar days after the college decision is rendered. The appeal must be in writing and must set forth facts substantiating the claim based on grounds outlined below.

1. An appeal of the finding of Academic Dishonesty may be submitted 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.
 2. If the University Appeals Committee determines that the student has not met the requirements of Section V.F.a-c., the appeal will be dismissed, the College Hearing Officer's report will be submitted to the Central Repository, and the sanctions recommended by the College Hearing Officer will be enforced.
 3. If the University Appeals Committee determines that the student has met the requirements of Section V.F.a-c., and if the finding of Academic Dishonesty is upheld, the finding will be filed in the Central Repository.
 - a. If the Central Repository shows that a student has committed Academic Dishonesty for a second time, the University Appeals Coordinator shall promptly suspend the student from the University for a period of at least one (1) calendar year. This action is subject to the approval of or modification by the President of the University.
 - b. If the Central Repository shows that the finding of Academic Dishonesty is a first offense, the student may submit to the University Appeals Coordinator a request, with rationale, for sanctions different from those recommended by the College Hearing Officer. The Provost and Vice President for Academic Affairs shall confirm or reduce sanctions 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 from or modification by the President of the University.
 4. If the finding of Academic Dishonesty is not upheld, the University Appeals Coordinator shall dismiss the finding of Academic Dishonesty and expunge the record.

G. Final Reporting

Any final sanction must be sent to the Central Repository.

VI. 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.
 - 1.** Extra or alternative work.
 - 2.** Grade reduction of the Academic Endeavor.
 - 3.** A failing grade for the Academic Endeavor.
 - 4.** No credit for the Academic Endeavor.
 - 5.** Grade reduction for the course.
 - 6.** A failing grade for the course.
 - 7.** Suspension of the benefit of the program, clinical, or Academic Endeavor.
 - 8.** Termination from the program.
 - 9.** Suspension from University.
 - 10.** Dismissal from University.
- B.** Mandatory Sanction for Second Offense. Whenever the College Coordinator/s or designee ascertains from the Central Repository that a student has committed Academic Dishonesty for a second time, the College Coordinator/s shall promptly notify the Provost and Vice President for Academic Affairs. The Vice President shall suspend the student from the University for a period of at least one (1) calendar year. This action is subject to the approval of or modification by the President of the University.
- C.** Mandatory Dismissal for Third Offense. If a student returns to the University after a finding of a second act of Academic Dishonesty, any further finding of Academic Dishonesty will result in an immediate dismissal from the University. This action is subject to the approval of or modification by the President of the University.

- D. 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.

VII. INDIVIDUAL COLLEGE CONDUCT STANDARDS

Individual colleges and departments/schools may establish additional standards for student conduct or processes for enforcing those standards, if deemed appropriate for students whose degree program will result in qualification for entry into a profession that maintains standards of conduct. Any such standards and processes which incorporate or enforce academic dishonesty must provide, as a minimum, the sanctions described in this Regulation and must afford notice and a fair hearing.

VIII. ACADEMIC DISHONESTY AFTER A STUDENT GRADUATES

If an alleged violation of Academic Dishonesty is discovered after a degree is conferred, revocation of the degree may be recommended by following UW Regulation 2-120 (Degree Revocation).

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: None

History:

University Regulation 802; adopted 10/17/2008 Board of Trustees meeting
Revisions adopted 11/18/2010 Board of Trustees meeting
Revisions adopted 3/24/2016 Board of Trustees meeting
Revisions adopted 4/20/2016 Board of Trustees meeting
Reformatted 7/1/2018: previously UW Regulation 6-802, now UW Regulation 2-114
Revisions adopted 9/12/2019 Board of Trustees meeting