

COLLEGE OF ARTS & SCIENCES

GUIDELINES FOR CASES OF ACADEMIC DISHONESTY

Reference: University Regulation 2-114, Academic Dishonesty

University Regulation 11-3, Authority of University Officers

The Student Code of Conduct <http://www.uwyo.edu/dos/conduct/>

Definitions:

1. 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.
2. Charge of Academic Dishonesty- Action taken when an Instructor has reasonable grounds to believe that a student has committed an act of Academic Dishonesty. A&S uses the following form: "Record of Academic Dishonesty Charges and Hearing Processes" (the Record).
3. Hearing Committee: Three faculty from the College of A&S chosen by the College Coordinator to hear an academic dishonesty case, none of whom belong to the department or unit from which the Charge of Academic Dishonesty originates. One faculty member will serve as hearing officer and two as consultants. The hearing officer summarizes the case and writes up the findings while the consultants provide broad perspectives from departments in the college.
5. Hearing Officer: One of the three faculty on the hearing committee who serves as an impartial hearing officer designated by the College Dean or designee who will hold a hearing to determine whether Academic Dishonesty has occurred. The hearing officer is a member of the faculty of the College of A&S, but is not a member of the department involved in the academic dishonesty allegation. The hearing officer summarizes the case and writes up the findings while the consultants provide broad perspectives from departments in the college.

Department Level Actions

Suspicion of Academic Dishonesty:

When a member of the academic personnel of the College in the course of their academic responsibilities believes an act of academic dishonesty has occurred, the instructor shall investigate the matter and *may* discuss the matter with the student. The instructor should consult with the department head/unit director. Thorough description and documentation of the alleged offense is necessary for completion of due process. Documentation of the action may include, for example, names of witnesses and specific location of crib notes, and bibliographic reference to plagiarized material.

1. Academic personnel and/or department heads/unit directors are encouraged to seek advice from the College Coordinator or another of the Dean's designees regarding the offenses and options for appropriate actions.
2. 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.

3. If in the judgment of the instructor sufficient evidence of academic dishonesty exists, then the instructor pursues the Charge of Academic Dishonesty.

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/unit director or designee and shall prepare a Charge of Academic Dishonesty and recommended sanction if the department head/unit director concurs with the instructor that sufficient evidence of academic dishonesty exists. The Charge will be prepared using the A&S “Record of Academic Dishonesty Charges and Hearing Processes” form (the Record).

Initial Process:

1. Upon preparing the Charge of Academic Dishonesty the instructor or department head/unit director will contact the College Coordinator to check the Central Repository to determine if the Charge is the student’s first, second, or subsequent offense.

2. The instructor will then notify the student in writing with a brief summary of the Charge of Academic Dishonesty and recommended sanction using the A&S “Record of Academic Dishonesty Charges and Hearing Processes” (the Record) and provide the student with a copy of UW 2-114 and the A&S Guidelines for Academic Dishonesty (this document).

a. If the College Coordinator determined it is the student’s first offense, the instructor and or department head/unit director will request a meeting to occur within ten (10) calendar days with the instructor and or department head/unit director to discuss the Charge of Academic Dishonesty and recommended sanctions. The student should be presented with the Charge and recommended sanctions (in the Record), evidence, and UW 2-114. 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 directly to the College Coordinator or to the instructor/department head/unit director 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.

c. 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.

3. If the student accepts responsibility for the Charge of Academic Dishonesty and does not request a formal college-level hearing,

- a. The relevant academic personnel should complete and sign the first page of the Record including the recommended sanction.
- b. The Record is forwarded to the College Coordinator.
- c. The College Coordinator will forward the completed Record of Academic Dishonesty to the Dean of Students to be filed in the Central Repository.

College Level Actions

College Hearing:

If the student refutes the allegation and requests a college-level hearing (within 15 calendar days of the meeting with instructor and/or department head/unit director),

1. The relevant academic personnel files the Record of Academic Dishonesty form and evidence with the College Coordinator within five calendar days of receipt.

2. Upon receipt of the form, the Coordinator notifies the student in writing (email) 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.

3. Prehearing Procedures:

- 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.

4. 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 Student 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. Within five calendar days of the hearing, 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.

h. 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. 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.

Notification of Findings:

1. 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.

a. 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.

b. If the charge was upheld, the student has thirty (30) calendar days from the date of the notification to file an appeal.

1. 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.

2. 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.

3. 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.

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 shall submit a grade of "I" until the appeals process can be initiated.

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."

UW 2-114 contains further information relevant to the appeals process.

General Rules and Requirements:

- a. Hearings shall be conducted in a manner conducive to ascertaining the facts of the case. The Hearing Officer may request assistance of counsel, introduce witnesses, or introduce matters and information deemed relevant to the case based on an independent investigation of evidence.
- b. The College Coordinator may establish time limitations for the presentation of oral arguments and rebuttals by the parties.
- c. A file of the written summary of the proceedings and pertinent evidence of all cases in which a finding of academic dishonesty is rendered will be maintained in a secure location in the Office of the Dean of the College.

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