

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 <http://life.iupui.edu/>)

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

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

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

66 (3) The student may be

67 (i) given a lower grade than the student would otherwise have
68 received for any course work (such as, an assignment,

69 examination, or paper) involved in the act of misconduct, as well
70 as the final course grade. In any situation, the awarded grade may
71 be an “F”.

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

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

78 3. Whenever any academic sanction is imposed, the faculty member must, within 5
79 business days report the matter and the sanction imposed, using the Academic
80 Misconduct Reporting Form. The form is available in the Appendices and on the
81 Dean of Students website. Copies should be sent to

82 (1) the student

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

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

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

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

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

97 6. After the student has been informed, the Dean of Students has the authority to
98 impose additional sanction(s) if the Dean of Students in consultation with the
99 appropriate Academic Officer believes that such a sanction is justified because of
100 the nature of the student's misconduct or because of the student’s prior reported
101 acts of misconduct (See appendix). These additional sanctions may include

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

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

104 (3) expulsion from the University.

105

106

107 **C. Right to Appeal**

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

- 110 1. the decision of the faculty member that the student committed the act of
111 misconduct
- 112 2. the decision of the faculty to impose a particular academic sanction
- 113 3. the decision of the Academic Officer
- 114 4. the decision of the Dean of Students to impose an additional sanction.

115

116 **D. Process of Appeal**

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

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

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

127 Only if a documentable procedural error occurred during the Appeal Board process, may
128 the student, within 5 business days of the posting of the Appeal Board's decision, make a
129 final appeal directly to the Dean of the Faculties. This appeal would only be for a review
130 of the process. The decision reached by the Dean of the Faculties or designate will be
131 final and end the appeals process. In this regard, it is ultimately the responsibility of the
132 student to provide sufficient information and/or documentation to support the case.

133 **3. Appealing a decision made by the Dean of Students or
134 designate**

135 An appeal involving a decision by the Dean of Students or designate may be made to the
136 Dean of Faculties. The appeal process is the same as the one outlined for appealing
137 sanctions imposed by a faculty member. The Dean of Faculties will convene a campus-
138 level appeal board composed of faculty and students obtained from a pool nominated by

139 the faculty and student governments, such as the Hearing Commission for personal
140 misconduct cases. In this case, a decision by the Appeal Board is considered to be
141 absolute and final. Upon the Campus Appeal Board's decision, the appeal process is
142 terminated.

143

144 **E. Unique circumstances**

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

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

149 2. students with a disability.

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

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

154 2. address The Dean of Students, in cases of personal misconduct.

155

156 **Appendix A: Definitions**

157 **Academic Misconduct**

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

162
163 Academic misconduct has been defined by Indiana University and is included below.

164 [\http://www.iu.edu/~code/code/responsibilities/academic/index.shtml

165
166 Academic misconduct is defined as any activity that tends to undermine the academic
167 integrity of the institution. The university may discipline a student for academic misconduct.
168 Academic misconduct may involve human, hard-copy, or electronic resources.

169
170 Policies of academic misconduct apply to all course-, department-, school-, and university-
171 related activities, including field trips, conferences, performances, and sports activities off-
172 campus, exams outside of a specific course structure (such as take-home exams, entrance
173 exams, or auditions, theses and master's exams, and doctoral qualifying exams and
174 dissertations), and research work outside of a specific course structure (such as lab
175 experiments, data collection, service learning, and collaborative research projects). The
176 faculty member may take into account the seriousness of the violation in assessing a penalty
177 for acts of academic misconduct. The faculty member must report all cases of academic
178 misconduct to the dean of students, or appropriate official.

179
180 **Academic Misconduct Reporting Form**

181 This form is available on the Dean of Students' website
182 (<http://life.iupui.edu/conduct/>). A faculty member should use the form to document
183 and report an accusation of academic misconduct lodged against a student. A copy of
184 this report should be presented to the student at the initial meeting with the faculty
185 member where alleged misconduct is discussed. After being signed by the student at
186 the meeting a copy of the form should be sent to the Academic Officer of the faculty
187 member's School, Unit, Division, or Area.

188
189 *Note: For those courses that are taught online the meeting with the student*
190 *concerning academic misconduct may need to occur in an electronic format.*
191 *However, a faculty member is strongly encouraged to hold the student meeting with*
192 *the student physically present whenever possible.*

193
194 **Academic Officer**

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

197
198

199 **Advisor**

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

204
205 **Appeal Board**

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

208
209 **Calendar Day**

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

212
213 **Dean of Students**

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

217
218 **Note:** For graduate or professional students, the Graduate Office or the Dean of Students for
219 Graduate and Professional Students maintains academic records and has the authority to
220 impose additional sanctions.

221
222 **Personal misconduct**

223 Personal misconduct involves but is not limited to preventing, impairing, interfering
224 with or obstructing the orderly process of conducting a class, activity, or a
225 University function

226
227 **Preponderance of Evidence**

228 The evidence must prove that it is more likely than not that the student(s) committed
229 an act of academic or personal misconduct.

230
231 **Presiding Officer**

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

238
239 **Sanction**

240 This is a penalty imposed upon a student.

241
242 **School**

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

245

246 **Standard of Proof**

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

250

251 **Appendix B: The Appeal Board**

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

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

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

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

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

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

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

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

279 2. do support the allegation that the student did commit the act of academic
280 misconduct, but that the sanction or sanctions should be reduced or increased [See

281 Academic Misconduct Reporting Form]. Under these circumstances, the Board
282 may recommend that the Dean, Director, or Academic Officer of the School, Unit,
283 Division, or Area impose a different sanction than that imposed by the faculty
284 member.

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

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

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

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

296 All notifications will include the date, time, and place the appeal will be heard.
297 The student's letter will be sent to the student's permanent address on record and
298 the student's University e-mail account. The letter to the faculty member and, if
299 appropriate, the Dean of Students, will be sent via e-mail to the faculty member's
300 or Dean's University account.

301 A. The letter will

302 (a) include the date, time, and place the appeal will be heard,
303 and a statement that the faculty member will be present. If the
304 appeal involves an academic sanction by the Dean of Students, the
305 letter should state that the Dean of Students will be present at the
306 meeting.

307 (b) state that

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

312 ii. if the student requests an open hearing, the
313 presiding officer is authorized to make a final decision concerning
314 the place where the appeal meeting is to be held and the number of
315 observers to be accommodated.

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

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

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

324

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

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

330 (b) state that

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

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

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

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

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

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

345 2. state that

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

347

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

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

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

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

358 (f) the student will have an opportunity to address the Appeal Board
359 and to respond to the testimony and information provided concerning the
360 alleged misconduct

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

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

366

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

368 During the appeal board meeting the presiding officer will

- 369 1. make an official voice recorded transcript of the appeal meeting,
370 2. provide both the student and the faculty member with an opportunity to
371 present evidence to support their side of the case.

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

- 374 1. provide the student an opportunity to make a concluding statement in
375 support of the appeal,
376 2. provide the faculty member with an opportunity to respond to the
377 student's final statement concerning the appeal.

378 **Appendix E: Appeal Board Report**

379 **Report of Appeal Board**

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

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

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

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

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

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

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

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

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

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

414 1. The Dean of Students

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

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

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

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

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

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

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

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

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

445 cause, the Dean of Students may impose any of the authorized
446 additional sanctions.

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

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

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

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

457 (a) The Dean of Students must inform the Academic Officer of the
458 academic unit(s) involved of the Dean of Students' dispensation of
459 the case.

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

466