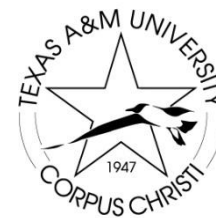


13.02.99.C3.01 Academic Misconduct Cases

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Procedure Statement

Texas A&M University-Corpus Christi students are expected to conduct themselves in accordance with the highest standards of academic honesty. Academic misconduct for which a student is subject to penalty includes all forms of cheating, which include but are not limited to illicit possession of examinations or examination materials, falsification, forgery, plagiarism or collusion in any of these behaviors.

Reason for Procedure

This document should be read in conjunction with the University Catalog, which explains standards for academic integrity and academic honesty.

Procedures and Responsibilities

1. GENERAL

Responsibility of the Student: It is the responsibility of the student to become educated regarding University Rules, Regulations and Policies regarding academic misconduct. This includes, but is not limited to, seeking clarification from each instructor regarding acceptable behaviors and guidelines for completing individual assignments. A failure to become educated with the University Rules, Regulations and Policies or the instructors individuals guidelines will not excuse the student from accountability for violations of such policies. Students may not withdraw from a course once an allegation of academic misconduct has been presented until the matter is resolved.

Responsibility of the Instructor: The instructor should maintain a policy regarding academic misconduct within their syllabus and provide clear expectations regarding behaviors that will and will not be permitted regarding the completion of in and out of class assignments. The instructor shall address all matters of suspected academic misconduct with the student in question and may choose to document and refer the matter to the Office of Judicial Affairs. The burden of proof shall lie on the instructor when presenting cases of academic misconduct to the Office of Judicial Affairs.

1.1 The Academic Integrity Committee (AIC) is a standing committee designed to consider grade appeals and cases involving academic misconduct.

1.1.1 The College Deans will select twenty-five full-time faculty (five from each college) and the Library Director will select two professional librarians to serve on the Academic Integrity Committee. Members of the

Committee will serve staggered three-year terms of service. The Associate Vice President for Academic Affairs will designate one faculty representative on the committee from each college to serve in the role of Panel Chair for individual grievances referred to the committee.

- 1.1.2 Appointment of Student Members: : Working with student government, the Associate Dean of Students will select students to serve on the Academic Integrity Committee for a one-year term. Two undergraduate and one graduate student from each college will be selected to serve on the AIC. Students must be in good disciplinary standing, maintain a cumulative GPA of 3.0, complete a mandatory training session and be available to serve on Academic Integrity Hearing Panels throughout the year. The student members shall be appointed in the Spring Semester to serve one year terms beginning the following Fall Semester. Students may serve on more than one case during the year.
- 1.1.3 Summer Appointments: If cases arise during the summer session at a time when absences result in insufficient members to constitute an Academic Integrity Hearing Panel, interim faculty appointments may be made by the Associate Vice President for Academic Affairs and interim student appointments by the Associate Dean of Students.
- 1.2 Appointment of individual Academic Integrity Hearing Panels: From the Academic Integrity Committee, the Associate Vice President for Academic Affairs will select five faculty members and two students to serve on an Academic Integrity Hearing Panel. For each Academic Integrity Hearing Panel, the Associate Vice President for Academic Affairs will appoint a faculty member as Chair. The Chair will not be from the college from which the appeal emanates. At least one faculty member will be from the college from which the appeal arises and no faculty or student member may be in any way involved in the case to be heard.
- 1.3 Time Limits: All statements about the number of days allowed for completing any step refer to university business days during which the university is in session.
- 1.4 Extension of Process beyond Semester: If the academic misconduct process extends beyond the semester in which the incident occurred, the grade will be reported as an "I" until the case is decided.
- 1.5 Withdrawal from Process: The academic misconduct appeal process may end at any step if the disagreement is resolved to the satisfaction of all parties, if the instructor chooses to drop the charges, or if the student chooses to accept responsibility for the misconduct in question. However, a student's dropping a course or withdrawing from the university will not end the process or allow the student to escape sanction if found responsible for academic misconduct.

2. PROCEDURE FOR ACADEMIC MISCONDUCT

2.1 General

Disciplinary action for academic misconduct is first the responsibility of the faculty member assigned to the course. The faculty member is charged with assessing the gravity of any case of academic misconduct and with giving appropriate sanction to any student involved.

2.1.1 Definitions - Academic Misconduct is engaging in an act that violates the standards of the academic integrity policy as described in the Student Code of Conduct and Procedure for Academic Misconduct Cases. Any behavior specifically prohibited by a faculty member in the course syllabus or class discussion may be considered as academic misconduct. Additionally, possessing, using, buying, stealing, transporting, selling or soliciting in whole or in part items including, but not limited to the contents of an unadministered test, test key, homework solutions or possession at any time of current or previous test materials without the instructor's permission will be considered academic misconduct.

Cheating: Cheating is intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices or materials in any academic exercise.

Plagiarism: Intentionally, knowingly, or carelessly presenting the work of another as one's own without proper acknowledgement of the source, with the exception of information that is generally accepted as common knowledge.

Multiple Submissions: The submission of substantial portions of the same work (including oral reports) for credit more than once without authorization from instructors of the class for which the student submits the work.

Collusion: Intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty. This includes, but is not limited to, the unauthorized collaboration with another individual in progressing forward on academic assignments.

Fabrication, Falsification, or Misrepresentation: The intentional altering or inventing of any information or citation that is used in assessing academic work.

2.1.2 The faculty member must file a record (an Academic Misconduct Incident Form) for each case of academic misconduct, along with any materials involved. The Judicial Affairs Officer will maintain records of such reported incidents for a period of five years. Professors may file incident

reports for students who are currently enrolled in their class and for students who are not currently enrolled in their course, but are impacting the academic integrity of a course currently in progress.

2.1.3 Sanctions that may be applied by the faculty member to individual cases of academic misconduct include one or more of the following:

- Written reprimand;
- Requirement to re-do work in question;
- Requirement to submit additional work;
- Lowering of grade on work in question;
- Assigning grade of 'F' to work in question;
- Assigning grade of 'F' for course;
- Recommendation for more severe punishment, such as suspension or dismissal from the University.

If the faculty member determines that assigning a grade of 'F' to the course is the appropriate sanction and this disciplinary action occurs prior to the deadline for dropping courses, the student forfeits his/her right to drop the course in question. If the faculty member recommends more severe sanction, such as dismissal from the program or from the University, the matter will automatically be appealed to an Academic Integrity Hearing Panel.

2.1.4 Any student who has been sanctioned for academic misconduct has the right to appeal the judgment or the penalty assessed, unless the student chooses not to sign the Academic Misconduct Incident Form within the time constraints indicated below. If an appeal is not processed in a timely manner by university personnel in accordance with the procedures, the student may petition to the Judicial Affairs Officer to proceed to the next step in the process.

2.2 Steps in the Academic Misconduct Process

2.2.1 Instructor Makes Charge of Academic Misconduct

The instructor will meet with the student to discuss the charge of academic misconduct and complete an Academic Misconduct Incident Form with the student. The faculty member must file an Academic Misconduct Incident Form for each case of academic misconduct along with any materials involved. The Academic Misconduct Incident Form includes a description of the nature of the infraction, the disciplinary action taken (or recommended), and whether the student accepts responsibility for the infraction in question. The Academic Misconduct Incident Form is submitted to the Judicial Affairs Officer with a copy to the appropriate department chair or area coordinator.

2.2.2 Role of the Judicial Affairs Officer

The Judicial Affairs Officer serves to coordinate and oversee the academic misconduct hearing process. These functions include:

- 1) receiving, maintaining and reviewing records of academic misconduct incidents;
- 2) requesting the formation of Academic Integrity Hearing Panels by the Associate Vice President for Academic Affairs;
- 3) advising students, instructors, and members of the Academic Integrity Hearing Panels of their rights, responsibilities and obligations in the process and ensures that the procedures are being properly followed.
- 4) arranging the place, day and time for Academic Integrity Hearing Panel hearings.

2.2.3 Hearing by the Academic Integrity Hearing Panel

Each individual Academic Integrity Hearing Panel will be formed from members of the Academic Integrity Committee upon request of the Judicial Affairs Officer. The Associate Vice President for Academic Affairs will select the membership of each specific Academic Integrity Hearing Panel from the membership of the Academic Integrity Committee. An Academic Integrity Hearing Panel will be formed to hear cases involving academic misconduct in four instances.

2.2.3.1 Acceptance of Responsibility and Sanction: If, upon review of a student's file, the Judicial Affairs Officer finds that a student who has accepted responsibility and sanction for an instance of academic misconduct has a previous record of such conduct, an Academic Integrity Hearing Panel will be convened to consider more severe sanctions. The Judicial Affairs Officer will notify the student of the hearing, and the student will have the opportunity to address the panel. The panel may impose the sanctions of probation, suspension, or dismissal in addition to any grade sanction that was issued by the faculty member.

2.2.3.2 Acceptance of Responsibility, Denial of Sanction: When the student accepts responsibility for an infraction, but wishes to appeal the sanction imposed, the department chair or area coordinator will review all facts and evidence in the case, consulting with the student and the instructor, and attempt a successful mediation of the dispute. The department chair or area coordinator will issue to the student, instructor, and Judicial Affairs Officer a written statement of findings and resolution within ten business days of receipt of the Academic Misconduct Incident Form. If the grievance is not further appealed, it will be considered resolved. If no agreement is reached within the above time period, the matter will be referred by the Judicial Affairs

Officer to an Academic Integrity Hearing Panel to determine sanction.

- 2.2.3.3 Denial of Responsibility: Denial of Responsibility for an instance of academic misconduct by a student so charged will automatically be referred to an Academic Integrity Hearing Panel for review. Upon receipt of an Academic Misconduct Resolution Form indicating denial of responsibility, the Judicial Affairs Officer will request the Associate Vice President for Academic Affairs to select the members of an Academic Integrity Hearing Panel to hear the case. An Academic Integrity Hearing Panel will be formed within ten business days and a hearing scheduled as soon as all necessary arrangements can be made.
- 2.2.3.4 Failure to meet with Instructor and/or Sign Academic Misconduct Incident Form: If an instructor reports an instance of academic misconduct but for any reason is unable to meet with the student prior to submitting the Academic Misconduct Resolution Form, or the student declines to sign the form, the Judicial Affairs Officer will give the student written notice to return a signed copy of the form within ten business days. If the student fails to sign the resolution section of the Academic Misconduct Incident Form in the time allowed, it will be deemed that the student 1) accepts any sanction specified on the form, and 2) waives the right to subsequent appeal of such sanction.

2.2.4 Proceedings of the Academic Integrity Hearing Panel

- 2.2.4.1 Role of the Chair: The Chair will preside at the hearing, maintain orderly proceedings, and assure that all parties have a fair hearing. The Chair will keep appropriate records of meetings and actions of the Hearing Panel, will report the decision of the Hearing Panel to the appropriate parties, and report any recommendations for formal sanction to the Provost and Vice President for Academic Affairs. The Chair is normally a non-voting member of the Panel, but retains the right to vote in the event of a tie vote to ensure that the Panel may make decisions concerning recusal and recommendations by majority vote.
- 2.2.4.2 Hearing Protocol: The hearing shall observe the following conventions
 - 2.2.4.2.1 Scheduling: The Hearing Panel will be formed within ten business days and convene as promptly as possible after the Academic Misconduct Incidence Form is received by the Judicial Affairs Officer. The

case will be heard at a time and place that does not conflict with class schedules of the students and faculty involved. If the hearing is set with the concurrence of the parties and the student or instructor decides he/she cannot attend, the hearing may proceed as scheduled.

- 2.2.4.2.2 Quorum: A quorum shall be four faculty members and one student member of the Academic Integrity Hearing Panel including the Chair.
- 2.2.4.2.3 Objections to Panel Membership: the student has no right to preemptory challenge or challenge for cause of any Panel member. However the Panel may, by majority vote, recess to consider a student objection in closed session. In closed session the member in question may choose to recuse himself or herself, a majority of the Panel may vote to recuse the member, or a majority of the Panel may vote to continue with the member in question impaneled. If the member is recused for any reason and the remaining members of the Panel present constitute a quorum, the hearing will continue. If after such recusal the membership present does not constitute a quorum, the hearing will be rescheduled and a substitute member of the Panel will be appointed by the Associate Vice President for Academic Affairs.
- 2.2.4.2.4 Burden of Proof: The burden of proof shall rest with the party bringing the charge.
- 2.2.4.2.5 Evidence and Testimony: The Academic Integrity Hearing Panel shall hear all parties to the case and shall review all evidence presented. The Panel shall have the right to call witnesses, including representatives from the academic discipline from which the case emanated, who are not directly involved in the case. It shall also have the right to review the course objectives and syllabus, course criteria for grading and assignments, student work submitted for evaluation, and any other relevant information. The Hearing Panel may choose to table the meeting to a future date and time if needed to ensure that all witnesses and evidence available can be considered.
- 2.2.4.2.6 Counsel: Each party to the hearing, including the

student, the instructor, and the Academic Integrity Hearing Panel may be accompanied by another person throughout the procedure. In all cases, the role of that person shall be advisory only and any such advisor may not participate directly in the hearing.

2.2.4.2.7 Privacy: The proceedings, findings, and recommendations shall not be open to the general public or available to any individuals other than those involved in the case.

2.2.5 Action by the Academic Integrity Hearing Panel

2.2.5.1 Decision: The Academic Integrity Hearing Panel will determine the facts of the incident and attempt to effect a fair and appropriate resolution to the case. Based on the standard of a preponderance of the evidence (more likely than not), the Hearing Panel will decide, by majority vote, if the student is responsible or not responsible for the misconduct in question. If the student is found responsible for the allegation(s) of academic misconduct, the sanction, as assigned by the instructor, will stand. Should the student be absolved of the allegations of academic misconduct by the Academic Integrity Hearing Panel, the faculty member will reassess the student's grade based on the Hearing Panel's finding. All decisions by the Hearing Panel will be reported to the student, the faculty member, the appropriate department chair or area coordinator, and the Associate Vice President for Academic Affairs.

2.2.5.2 Recommendation for Further Sanction: After taking into consideration the student's cumulative history of academic misconduct, the Academic Integrity Hearing Panel may recommend to the Provost and Vice President for Academic Affairs the sanctions of educationally purposeful activities (i.e. referral to campus resource, online courses) probation, suspension, or dismissal in addition to any sanction that was issued by the faculty member. In such case the Chair of the Hearing Panel will deliver to the Office of the Provost and Vice President for Academic Affairs a letter summarizing the facts of the case, the hearing, the decision of the Panel and any relevant evidentiary materials. The Provost will inform the student, the faculty member, the dean of the college involved, and the Associate Vice President for Enrollment Management within 15 business days of receiving the recommendation. The decision of the Hearing Panel is final unless an appeal is filed.

2.2.6 Appeal

- 2.2.6.1 The student or faculty member may appeal the decision of the Academic Integrity Hearing Panel. Such appeal must be confined to one or more of three specific matters including 1) the procedures followed in the process; 2) new facts unknown to the appellant at the time of the hearing; and 3) sanction imposed which is disproportionate to the misconduct at issue. Any such appeal must be made in writing to the Office of the Provost and Vice President for Academic Affairs within ten business days after receiving the report of the decision by the Academic Integrity Hearing Panel.
- 2.2.6.2 The written appeal should make clear the grounds for appeal and why these grounds are sufficient to alter the decision. In the case of an appeal based on procedural objections, the appellant must clearly describe how the procedures of the case may have worked to the appellant's disadvantage. Any error committed must be determined to have substantially impacted the fairness of the process. The Office of the Provost and Vice President for Academic Affairs or designated appointee will render a decision and copies of the decision will be sent to the student, the faculty member, and the appropriate chair or area coordinator involved within 15 business days upon receipt of the appeal. This decision will be final.

Contact Office

Contact for interpretation and clarification: Associate Vice President for Academic Affairs
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