

Academic Misconduct Policy for Undergraduate Students
Approved December 6, 2019
Takes Effect Beginning in Fall 2020 Term

The Heider College of Business, in alignment with the University mission, seeks to prepare its students to be knowledgeable, forthright, and honest. We expect members of the College to act with integrity in all academic pursuits. Further, we expect all faculty, staff, and students to work collectively to uphold a culture of integrity and eliminate conditions that may give rise to misconduct.

For these reasons, the College establishes the following policies and procedures (herein "Academic Misconduct Policy" or "Policy") in accordance with the University's regulation on academic misconduct and disciplinary procedures, which are found in the [University Catalog](#) and [Student Handbook](#). Academic misconduct cases are adjudicated within the college in which the course originates, regardless of the home college of the student. Further, the policies and procedures apply to all undergraduate students enrolled (or previously enrolled) in the College's courses, and may not be amended or otherwise modified by individual instructors, disciplines, or departments.

Students in Heider College classes are bound to this policy; thus, each instructor in the College is expected, in their syllabus, to point students to this policy.

An instructor may charge a student with academic misconduct and apply a penalty when he/she judges that a student has committed an act of academic misconduct as defined in this policies and procedures document. The following definitions are used in this document:

- **Learning Activity:** Normally an exam, essay, written paper, project, quiz, or any other activity an instructor may use as input to determine a student's grade. Learning activities may also include non-graded activities, such as a case competition or reported service involvement.
- **Academic Materials:** The digital or hard copy output that results from a student's completion of a learning activity.
- **Academic Records:** The documentation of a student's performance and achievements (e.g., grades, credit points, grade point average, courses taken), typically found in an instructor's gradebook, a student's file, and/or a student's University transcript.

1. Academic Misconduct

Academic and academic-related misconduct occurs when a student pursues an unfair advantage to enhance her/his academic records or the academic records of one or more others. Such misconduct includes, but is not limited to:

- Unauthorized collaboration to complete a learning activity;
- Unauthorized acquisition, receipt, distribution, or use of external information from electronic devices to complete a learning activity;
- Unauthorized acquisition, receipt, distribution, or use of past, current, or future academic materials;
- Soliciting or offering unauthorized past, current, or future academic materials from/to others;
- Plagiarizing, i.e., or representing another's ideas as one's own;
- Submitting, without specific permission of the instructor, academic materials that have been or will be offered for credit in another course;
- Falsifying academic records and/or furnishing false academic information to the University;

- Inducing another person to improperly alter an academic record;
- Misusing academic resources;
- Defacing or tampering with library materials; and
- Engaging in any conduct that is intended or reasonably likely to confer upon one's self or another an unfair advantage or benefit with respect to an academic matter.

2. Disciplinary Records

For every verified case of academic misconduct, an official record of the case will be entered into an electronic database maintained by the Dean of the College (herein "Dean") or Dean's designee. Cases will remain in the database for five (5) years after the student leaves the University. If a student is a non-Heider College of Business student, a written copy of the record will also be forwarded to the Creighton College in which the student is enrolled.

Prior to the offer of an award (e.g., scholarships, honor society invitations) or letter of recommendation, the offering party may ask the Dean or Dean's designee if a student has a verified case of academic misconduct in the electronic database. Program directors may request this information when a current or former student applies to a graduate program in the College. The College may disclose this information without the student's consent.

3. Penalties

Penalties assigned by instructors for acts of academic misconduct should be proportional to the severity of the offense. An instructor may also consider the student's candor and manner when charged with an act of academic misconduct.

For substantiated acts of academic misconduct for students *currently* enrolled in a course for which a final course grade has not been assigned, appropriate penalties include:

- Student writes letter to the Dean admitting responsibility for academic misconduct;
- Student repeats learning activity for reduced grade, failing grade, or no credit;
- Instructor gives reduced grade, failing grade, or no credit for learning activity;
- Instructor recommends to the Dean that the student be withdrawn from the course;
- Instructor recommends to the Dean that the student should receive an "F" for the course.

For substantiated acts of academic misconduct for students *formerly* enrolled in a course for which a final course grade has been assigned, appropriate penalties include:

- Student writes letter to the Dean admitting responsibility for academic misconduct;
- Instructor gives reduced grade, failing grade, or no credit for learning activity—and then assigns new final grade for the course;
- Instructor gives reduced final grade for the course;
- Instructor recommends to the Dean that the student's grade be changed to "F" for the course.

Additional disciplinary penalties, as determined by the Dean or Dean's designee, may include academic probation or dismissal from the College. This penalty may be added as part of a final ruling following an appeal to the Dean, or following the resolution of the case at an earlier stage. In levying additional penalties, the Dean will consider not only the circumstances surrounding the current act of misconduct, but also prior cases as recorded in the electronic database of academic misconduct.

4. Course Participation and Withdrawals

Once the instructor initiates contact with the student for the purpose of discussing academic misconduct, and until the allegation is resolved, the student may not withdraw from the course. Furthermore, under no circumstances will a student be permitted to graduate while a case of academic misconduct is pending.

For a student who has been charged with an act of academic misconduct and assigned a grade of “F” for the course, the instructor should not prevent the student from participating in the course until the appeal process concludes without a reduction in the penalty.

5. Making an Allegation and Meeting with the Student

When an instructor suspects a student has engaged in academic misconduct, the instructor should contact the student to arrange a face-to-face meeting to discuss the allegation and evidence. The instructor should initiate this contact in writing with the student within five (5) working days of the discovery of the alleged misconduct. For acts involving currently enrolled students, the instructor will make an effort to initiate contact before the due date for final course grades.

Every effort should be made on the part of the instructor and student to meet within five (5) working days of the instructor’s initial contact with the student. If, in the judgment of the instructor, a student is unavailable for a face-to-face meeting, then the discussion may take place via phone or video conference.

Prior to the meeting, the instructor may consult with the Associate Dean for Undergraduate Programs (herein “Associate Dean”) about the alleged misconduct, evidence, and proposed penalty. This consultation is especially encouraged for severe misconduct. More generally, the Associate Dean is available to consult with the student, instructor, and Department Chair (herein “Chair”) about matters related to these procedures.

At the meeting, the instructor should provide the student with a copy of the Academic Misconduct Policy. If possible, the instructor will inform the student of the assigned penalty during the meeting. The instructor, however, reserves the right to assign the penalty after the meeting and in consideration of new information brought to light during the meeting. Every effort should be made on the part of the instructor to inform the student of the penalty within five (5) working days of the meeting.

If, after discussing the alleged misconduct with the student, the instructor determines that no misconduct has occurred, the incident is dropped without further action. If the student admits to the misconduct and accepts the penalty, the instructor will follow the Academic Misconduct Penalty Procedures, described below in Section 5.A. If the student (1) denies the misconduct or (2) admits to the misconduct, but disagrees with the penalty, the student has the right to appeal, which is described in Section 6.

5.A. Academic Misconduct Penalty Procedures

In cases of confirmed academic misconduct, the instructor and student will adhere to the following procedures:

1. The instructor:
 - a. Applies the penalty discussed with the student.

- b. Sends a letter of academic misconduct to the student to document the student's offense and confirm the penalty. If the penalty is a recommendation to the Dean that the student receive an "F" for the course, the student is not allowed to withdraw from the course.
 - c. Reports the incident to the Associate Dean for inclusion in the College's electronic database for academic misconduct. The report should contain a copy of the letter of academic misconduct, as well as a description of the misconduct, supporting evidence, and penalty.
2. The Dean or Dean's designee will review the case (and electronic database) and, as appropriate, finalize the penalty, including the possibility of strengthening the recommended penalty. The Dean will issue a letter to the student and instructor indicating his/her decision.
3. If the final penalty is an "F" for the course, the student may no longer attend the course, and is not allowed to withdraw from the course. The grade stands and may not be appealed. This applies to other situations in which an appeal is no longer available.

All evidence and information relating to a case of alleged academic misconduct will be held in confidence. No University employees, beyond those involved in the process described herein, may be informed of the allegation, except by the student or with the student's written permission.

6. Right to Appeal

If the student (1) denies the misconduct or (2) admits to the misconduct, but disagrees with the penalty, the student has the right to appeal.

During the appeal process, the student is permitted to continue in the course with the same rights and responsibilities as other students, unless there are reasons to the contrary relating to the physical or emotional welfare of the student or others or the safety of persons or property.

During the appeal process, the allegation and its consequences are unresolved; thus, the student may not withdraw from the course.

6.A. Appeal to the Department Chair

The student may, within five (5) working days of receiving the letter of academic misconduct from the instructor, initiate an appeal. If more than five (5) working days pass following the instructor's decision, the decision stands and is no longer eligible for appeal and the instructor follows the Academic Misconduct Penalty Procedures.

The appeal is initiated when the student requests to meet with the instructor and Chair, who will serve as a mediator and provide another perspective on the situation. If the instructor is the Chair, the instructor and student should meet with an alternate Chair.

If the Chair determines:

- That no misconduct has occurred, the incident is dropped. The Chair will direct the instructor to expunge his or her files of any documents relating to the alleged offense.
- That the evidence supports the instructor's decision, the Chair will inform the student and instructor that the appeal has been denied.
- That the penalty is inappropriate, the Chair will send a decision letter to the student and instructor to inform both parties of the revised penalty.

If the student accepts the Chair's decision, the Chair and instructor will coordinate to follow the Academic Misconduct Penalty Procedures.

6.B. Appeal to the College

Following receipt of the Chair's appeal decision, the student may within five (5) working days initiate an appeal to the College if, and only if, the penalty is an "F" for the course. If more than five (5) working days pass following the Chair's decision, the decision stands and is no longer eligible for appeal. At this point, the Chair and instructor coordinate to follow the Academic Misconduct Penalty Procedures.

The appeal is initiated when the student submits to the Dean a written intent to appeal. A duplicate copy must also be provided to the instructor and Chair.

The student, instructor, and Chair will then confer with the Dean in a meeting that takes place within fifteen (15) working days of the receipt of the student's written intent to appeal. In advance of the meeting, the student and instructor will prepare separate, written accounts of the alleged act of academic misconduct. These documents must be filed with the Dean or Dean's designee at least five (5) working days in advance of the meeting.

The student has the right to:

1. Bring to the conference any witnesses whom, or documents and other evidence which, the student feels are pertinent to his or her defense.
2. Invite an advocate for assistance at the meeting in the form of another student, staff, or faculty member. This person may be present to assist the student but may not question witnesses or make statements.
3. Explain his or her position, present evidence, and call witnesses.

Two additional faculty members shall be asked to attend and observe the meeting. One faculty member will be appointed by the Dean. The student has the option to appoint the second faculty member, or may defer this appointment to the Dean. These faculty members may not question the witnesses or involved parties, and they may not make statements. These faculty members will be available following the meeting to provide counsel to the Dean. The Dean, however, will have the sole authority to make a final ruling on the case.

If the Dean determines:

- That no misconduct has occurred, the incident is dropped. The Dean will inform the student, instructor, and Chair. The Dean will expunge the student's official disciplinary record in the College of all documents relating to the alleged offense and will direct the instructor and Chair to expunge their files of any documents relating to the alleged offense.
- That the evidence supports the instructor's decision, the Dean will inform the student, instructor, and Chair that the appeal has been denied.
- That the penalty is inappropriate, the Dean will send a decision letter to the student, instructor, and Chair to inform all parties of the revised penalty.

If the student accepts the Dean's decision, the Dean, Chair, and instructor will coordinate to follow the Academic Misconduct Penalty Procedures.

6.C. Appeal to the University Provost

In accordance with the Student Handbook, following the Dean's decision, the student may initiate an appeal to the University Provost (herein "Provost") if, and only if, the Dean has imposed a penalty of dismissal from the College. The decision of the Provost shall be final. To initiate the appeal, the student must submit to the University an "Intent to Appeal" form (available from the Dean) and a written appeal. Duplicate copies must also be provided to the Dean.

An appeal may be taken to the Provost, if allowed on the grounds that the:

- Evidence against the student is insufficient to support the action taken by the Dean; or
- Decision made by the Dean was inconsistent with existing University policy.

Pending the response to the appeal, the student's status will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property.

If the time limitation expires for an appeal to the Provost, the Dean's decision stands and is no longer eligible for appeal. In all other respects, such appeals to the Provost shall be governed by the provisions, time limitations, grounds for appeal, and other conditions, limitations, and procedures stated in the Student Handbook.

Appendix 1: Best Practices for Instructors

Below is a list of suggested practices for instructors to limit opportunities for academic misconduct. Instructors should also consider adopting these practices, as appropriate, in the development of course syllabi, exams, and assignments.

A. Pre-Exam

- Limit reuse of exam questions;
- Use multiple forms of the exam;
- Assign seating on exam day;
- Hold make-up exams after the scheduled exam time whenever possible; and
- Include honesty statement that must be signed on first class day.

B. Day of Exam

- Include an honesty statement that must be signed prior to the start of the exam;

Example: “On my honor, I affirm that I have neither given nor received inappropriate aid in the completion of this exam.”

- Calculator covers not allowed on desk/table;
- Phones face down at the front of desk/table;
- Laptops must be closed;
- Smart watches must be removed;
- Students may not leave the room (e.g., bathroom) during exam;
- Faculty member actively monitors test takers and/or brings in proctors; and
- When administering exam online, use lockdown browser, e.g., Respondus LockDown.

C. Post-Exam

- Desk/table must be cleared of materials before exams are handed back;
- Phones face down at the front of desk/table;
- Laptops must be closed;
- All exams returned to instructor before the period is over; and
- Ensure all exams are returned.

D. Submission of Written Work

- All papers submitted online through plagiarism detector, e.g., Turnitin.

Appendix 2: Summary of Academic Misconduct Steps and Deadlines

The following is a summary of the steps to be followed in cases of suspected academic misconduct. This summary is provided for quick reference only. The instructor and student should refer to the various sections referenced for greater clarity. The numbers at the end of each summary paragraph refer back to the related section in the governing document.

1. Within five (5) working days of the discovery of the alleged misconduct the instructor should initiate contact with the student. **(5.)**
2. Within five (5) working days of the meeting during which the alleged misconduct is first explored, the instructor should inform the student of the assigned penalty. **(5.)**
3. Within five (5) working days of receiving the letter of academic misconduct from the instructor, if the student (1) denies the misconduct or (2) admits to the misconduct, but disagrees with the penalty, the student has the right to appeal. The student may request to meet with the instructor and Department Chair (herein "Chair"), who will serve as a mediator and provide another perspective on the situation. *If more than five (5) working days pass following the instructor's decision and no appeal by the student is made, the instructor's decision stands and is no longer eligible for appeal.* **(6.A)**
4. Within five (5) working days following the Chair's decision, the student may submit to the Dean of the College a written intent to appeal if, and only if, the penalty is an "F" for the course. A duplicate copy must also be provided to the instructor and Chair. *If more than five (5) working days pass following the Chair's decision and no written intent to appeal is filed, the Chair's decision stands and is no longer eligible for appeal.* **(6.B)**
5. Within fifteen (15) working days of written submission of the intent to appeal, the student, instructor, and Chair will confer with the Dean. Within five (5) working days in advance of the meeting, the student and instructor will prepare separate, written accounts of the alleged act of academic misconduct and file them with the Dean or Dean's designee. *If the student fails to submit the required documents within the time allotted, the Chair's decision stands and is no longer eligible for appeal.* **(6.B)**
6. In accordance with the Student Handbook, following the Dean's decision, the student may initiate an appeal to the University Provost (herein "Provost") if, and only if, the Dean has imposed a penalty of dismissal from the College. The decision of the Provost shall be final. To initiate the appeal, the student must submit to the University an "Intent to Appeal" form (available from the Dean) and a written appeal. Duplicate copies must also be provided to the Dean. *If the time limitation expires for an appeal to the Provost, the Dean's decision stands and is no longer eligible for appeal.* **(6.C)**