

## Academic Misconduct Procedural Reforms – Executive Summary

Over the course of the Spring 2013 and Fall 2013 semesters, the Committee on Student Conduct, the Faculty Council, and Student Congress adopted a series of procedural reforms designed to enhance the processing of cases of alleged academic misconduct. Considered as a whole, this suite of changes to the *Instrument of Student Judicial Governance* (“*Instrument*”) is intended to increase efficiency and judicial economy, substantially enhance faculty participation, and afford increased flexibility in sanctioning. The six major substantive changes are as follows:

### **1. Change in the Burden of Proof**

The *Instrument* currently requires proof “beyond a reasonable doubt” – the criminal justice standard – in order to find a student responsible for an Honor Code violation. This burden is substantially higher than that generally required for campus disciplinary proceedings or other administrative processes. It is proposed to change the burden to a “clear and convincing evidence” standard, where “clear and convincing” means that the evidence is substantially more likely to be true than not and the hearing panel has a firm belief or conviction in it.

Sections Amended/Added: IV.A.7.; Appendix C, E.7.a.; Appendix C, I.1.c.i

### **2. Instructor Participation on Original Hearing Panels**

The *Instrument* currently limits participation of instructors on original hearing panels to very limited circumstances. It is proposed to add a faculty member to the guilt or innocence phase of all cases involving charges of academic dishonesty wherein the student is pleading not guilty. Panel members would be chosen from among a standing pool of instructors trained to participate in Honor System proceedings.

Sections Amended/Added: V.C.; Appendix C, E.1.; Appendix C, E.7.b. and d.

### **3. Creation of an “XF” Grade Penalty**

Current grade penalties for academic misconduct are (1) a failing grade in the course, (2) a failing grade in a component or aspect of the course, or (3) a failing grade on the assignment. It is proposed that the failing grade in the course be replaced by the grade of “XF” which notation would be recorded on the student’s transcript. A student could petition to have the “X” notation removed after the passage of at least one full academic semester and completion of an appropriate educational endeavor relating to academic integrity.

Sections Amended/Added: III.B.1.a.; IV.B.5.a.; Appendix C, A.2.b.

### **4. Revision of the Minimum and Usual Sanctions for Academic Misconduct Cases**

The minimum sanction (grade penalty and disciplinary probation) and usual sanction (grade penalty and disciplinary suspension) for academic misconduct have remained unchanged for many years. In order to provide greater flexibility appropriate to the unique facts of a given case, it is proposed that the sanctioning guidelines for academic misconduct cases be expanded, with usual sanctions adjusted to reflect the nature and gravity of the offense. Minimal and/or reckless conduct would be attended by presumptively less severe sanctions than deliberate and/or substantial conduct. The panel

would retain the discretion to impose a lesser or greater sanction than the usual depending on the presence of mitigating or aggravating circumstances.

Sections Amended/Added: III.A.; III.D.2.

**5. Creation of a Student-Instructor Alternative Resolution Process**

The *Instrument* does not currently permit resolution of academic misconduct cases outside of a formal hearing. It is proposed to create a voluntary, informal student-instructor resolution process which would permit an expedited resolution of academic charges where the student and instructor agree on a proposed determination and sanction. Neither the student nor the instructor would be required to participate in such a process and, in the event the process failed to produce an agreed upon resolution, the regular hearing process would still be available.

Sections Amended/Added: Appendix C, Sections A.1.; A.2.; and B.2.

**6. Clarify Definition of Academic Offenses to Include Self-Plagiarism**

The *Instrument* does not expressly define submission of one's own work in more than one course as plagiarism. This proposal would clarify that such action, without the explicit approval of the faculty member, is a form of academic misconduct under the Honor Code.

Sections Amended/Added: II.B.5