**THE UNIVERSITY OF ALABAMA IN HUNTSVILLE**

**ACADEMIC MISCONDUCT POLICY**

**Number** 02.01.67

**Division** Academic Affairs

**Date**  August 2019 [N.B. Needs to be updated with new date!]

**Purpose** The purpose of the Academic Misconduct Policy is to state the expectations that we hold of our students for academic integrity, to define and describe different types of academic misconduct, and to establish due process procedures for handling student academic misconduct cases within the Division of Academic Affairs.

**Policy** As an academic community of scholars and students, the University of Alabama in Huntsville (UAH) values learning, discovery, freedom, opportunity, and responsibility. UAH seeks to develop students into independent thinkers and global citizens. In addition, the University has standards of behavior in which it believes strongly. In their academic endeavors, UAH students are expected to embrace and uphold such principles as integrity, respect, diligence, excellence, inclusiveness, and diversity. Academic misconduct infringes upon these principles and inhibits the flourishing of academic discussion and inquiry. UAH will not tolerate academic misconduct by students. Any form of academic misconduct explained in the following provisions may result in academic sanctions up to indefinite suspension or expulsion from the University.

All students attending The University of Alabama in Huntsville are expected to abide by an Academic Honor Code as reflected by the following pledge: *“I promise or affirm that I will not at any time be involved in cheating, plagiarism, fabrication, misrepresentation, or any other form of academic misconduct as outlined in the UAH policy on Academic Misconduct and Student Handbook while I am enrolled as a student at UAH. I understand that violating this promise will result in penalties as severe as indefinite suspension from the University of Alabama in Huntsville.”* Faculty are encouraged to insert this statement in their course syllabus and may ask, at their discretion, students to sign the pledge.

**Definitions**

**A. Academic Misconduct Monitors and Academic Misconduct Board**

Each college dean shall appoint, with consent of the college faculty, an Academic Misconduct Monitor to help facilitate cases of academic misconduct arising within the college. The Academic Misconduct Monitor serves as an intermediary and resource for both the instructor and the student (see procedures below). The Academic Misconduct Monitor maintains records of misconduct within the college and reports cases to the Academic Misconduct Board. The Academic Misconduct Monitor should be a tenured faculty member at the rank of Associate Professor or higher, or a Clinical Associate Professor or higher. Associate Deans are eligible to serve in this capacity, at the discretion of the Dean of the College. In addition, Deans may elect to appoint a committee within the college to perform the role of the Academic Misconduct Monitor.

The Academic Misconduct Board is a University-level group chaired by the Associate Provost for Academic Integrity and comprised of the Academic Misconduct Monitors from each college. The purpose of the Academic Misconduct Board is to maintain academic integrity across colleges by hearing cases of misconduct that span one or more colleges, or cases of repeated misconduct by a single student. The Academic Misconduct Board will meet at least once per semester to review cases that have been concluded and evaluate the consistency of sanctions. The Academic Misconduct Board may need to meet more frequently in order to ensure the timely conclusion of appeals or to impose sanctions on repeat offenders whose offenses are in different colleges. The Academic Misconduct Board operates in an advisory capacity to the Provost, who has final authority on misconduct matters.

**B. Forms of Academic Misconduct**

Academic misconduct includes all forms of activity by students that aim to deceive, coerce, or disrupt instructors and staff and/or fellow students in matters of academic course sessions, coursework, capstones, projects, theses, dissertations, and university-related research.

1. **Academic Dishonesty**

Academic misconduct includes **academic dishonesty**, defined, here, as any activity that attempts to deceive instructors and staff and/or students relative to academic coursework, capstones, projects, theses, dissertations, and university-related research, and includes, but is not restricted to, the following:

* 1. **Cheating:** copying work from another student on an assignment or exam; engaging in activities or using materials not authorized by the person administering the assignment or exam; using group chat tools such as group texts, online sources such as Chegg, or other methods to post, access, or solve assignment or test problems; colluding or knowingly failing to prevent collusion on an assignment or exam with any other person by receiving information without authorization; buying, stealing, or otherwise obtaining all or part of an assignment or exam; bribing any other person to obtain an assignment or exam or information about an assignment or exam; or permitting any other person to substitute for oneself, to take an exam or do the work on an assignment.
  2. **Abetting cheating:** collaborating or knowingly failing to prevent collusion during an assignment or exam with any other person by giving information without authorization; selling or giving away all or part of an assignment or exam; selling, giving, or otherwise supplying to another student for use in fulfilling academic requirements any theme, report, term paper, essay, or other written work; any speech or other oral presentation; any painting, drawing, sculpture, musical composition or performance, or other aesthetic work; any computer program; any scientific experiment, laboratory work, project, protocol, or the results thereof, etc.; or substituting for another student to take an exam or to complete any type of course assignment.
  3. **Plagiarism:** the use of any other person’s work (such work need not be copyrighted) and the unacknowledged incorporation of that work in one’s own work offered in fulfillment of academic requirements. Plagiarism includes the use and incorporation, without acknowledgement, of the wording or expressions (even if paraphrased), information, facts, arguments, analysis, or ideas of another.
  4. **Misrepresentation:** submitting in fulfillment of academic requirements, if contrary to course regulations, any work previously presented, submitted, or used in any other course or submitting as one’s own, in fulfillment of academic requirements, any theme, report, term paper, essay, or other written work; any speech or other oral presentation; any painting, drawing, sculpture, musical composition or performance, or other aesthetic work; any computer program; any scientific experiment, laboratory work, project, protocol, or the results thereof, prepared totally or in part by another.
  5. **Fabrication:** falsifying records including grades, laboratory results, or other data associated with a course for oneself or any other person.

1. **In-Course Disruptive Activity and Academically Disruptive Activity:** Academic misconduct includes **in-course** **disruptive activity** and **academically disruptive activity**. In-course disruptive activity is action by a student in course or lab session(s) and/or in any university-sanctioned study sessions, tutoring and PASS sessions, that inhibits instruction in-class or online and that interferes with facilitation of course materials in-class or online. Academically disruptive activity includes physical or electronic tampering with instructor-produced or student-produced course material in-class or online and, further, includes any action by a student that physically or electronically interferes with, or tampers with, student research, such as that pertaining to capstones, projects, theses, dissertations, and university-related research. Academically disruptive activity also comprises of any actions aimed at copying, stealing, or compromising instructors and students’ electronic data or intellectual property relative to academic and research activity at the University. Any in-course disruptive or academically disruptive activity perceived by instructors or students as threatening should be reported to UAH Police and the UAH Provost Office immediately. Note that in-course disruptive activity or academically disruptive activity differs from the more general, non-academically related behaviors defined in the UAH Code of Student Conduct policy.
2. **Coercive Activity:** Academic misconduct includes **coercive activity**, including *quid pro quo* (this for that) by a student that seeks to positively or negatively affect student grades relative to any coursework, student coursework loads, or student work--or instructors’ review of that work--relative to capstones, projects, theses and/or dissertations. Coercion occurs when a student puts pressure on another student, instructor, or staff member to act in a particular way, or attempts to do so, with the intention of gaining an academic advantage. Examples include, but are not limited to, using intimidation or favors to have others complete work, threats designed to have an instructor change a grade or assign a higher grade, or attempts to bribe an instructor or student to gain academic advantage. Any coercive activity perceived by instructors or students as threatening should be reported to UAH Police immediately. Any coercive activity perceived as sexual harassment should be reported to the Title IX Coordinator ([see UAH Title IX explanation](https://www.uah.edu/title-ix)).

**C. Sanctions for Academic Misconduct**

Sanctions for academic misconduct are intended to be developmental, educational, preventative, or restorative. Academic sanctions include but are not limited to verbal reprimand, assignment of additional work (such as a research paper on misconduct), assignment grade-reduction for the specific assignment or exam where misconduct occurred, a failing grade in the course, dismissal from an academic program, and suspension and/or expulsion from the University. The case of any student who is found guilty of one or more offenses will be forwarded by the Academic Misconduct Monitor of the impacted college(s) to the Academic Misconduct Monitor Board, as a means of monitoring and ensuring equitable and consistent sanctions within and between colleges. A student found guilty of academic misconduct a second time may face suspension or expulsion from the University, regardless of the level of any of the offenses, as recommended by the Academic Misconduct Board. Suspension requires a minimum of one academic semester, after which a student may appeal to the Academic Misconduct Board for reinstatement. For any student facing academic misconduct charges in her/his final semester, the awarding of a degree may be contingent on the resolution of the case.

**D. Course Withdrawal in Cases of Academic Misconduct**

When an accusation of academic misconduct is made prior to the course withdrawal date for the semester of the course in which academic misconduct has occurred, the student will not be allowed to withdraw from this course until the academic misconduct resolution process is complete. Faculty wishing to prevent withdrawal should notify the University Registrar and the Associate Provost for Academic Integrity to request that a hold be placed on the student’s record. If it is determined that the student did not engage in academic misconduct, then the student will be allowed to withdraw from that course even if the drop period has expired. If the student does not respond to a notice of the accusation before the end of the semester in which the alleged academic misconduct occurred, then the instructor may assign a grade of “F” to the student.

**E. Records of Academic Misconduct**

Records of academic misconduct shall be treated with strict confidentiality; only those involved in the academic misconduct case should view and discuss the alleged conduct. The Academic Misconduct Monitor of each college shall maintain all documents and records of concluded academic misconduct cases. The Academic Misconduct Monitor will send the name, A-number, academic department and college of any student who admits to, or is found guilty of, academic misconduct to the Office of Academic Affairs together with a brief description of the offense and the penalty imposed. The records in Academic Affairs will serve as a central repository for tracking of repeat offenses by a student. In cases that involve suspension as a sanction, the Office of the Registrar will be notified immediately of the suspension and a hold will be placed on the student’s record to prevent further enrollment. In cases of successful appeals, the record and all supporting documentation shall be removed from the student’s file after one semester. All documents removed will be destroyed.

**F. Burden of Proof in Misconduct Procedures**

The “preponderance of the evidence” standard is used in all academic misconduct cases. This means that all evidence presented must prove that it is more likely than not that the accused student committed the misconduct for which she or he is accused.

**Procedures**

1. **Reporting and Facilitating Cases of Academic Misconduct**

Academic misconduct cases shall be resolved by each college in which the alleged incident took place. Faculty members possess the well-established prerogative to deal with academic misconduct committed by a student in a course by applying an academic penalty within the context of that course. Faculty members should report a case of academic misconduct to the academic misconduct monitor within the college so that repeat offenses can be tracked. The academic misconduct monitor will track sanctions to ensure consistency within the college.

1. **Instructors or any member of the university community, including students,** may report academic misconduct. Members of the university should report suspicion of misconduct to the instructor of the course or to the department chair. Upon suspicion that academic misconduct has occurred, the course instructor must report suspicion to both the student and her/his department chair within ten business days. If a report cannot be filed within ten business days, there must be an explanation for the delay. The delay does not imply that there has not been a case of academic dishonesty. The report must be in a written format and contain the student name, date of alleged infraction, and type of alleged infraction. This report will be sent to the student, the chair of the department within which the course is offered and to the academic misconduct monitor.
2. **Steps in the process.**
   1. **Instructors possess the prerogative to address academic misconduct committed by a student in a course** by applying an academic sanction within the context of that course and with notice to the accused student. The alleged academic misconduct by the student shall also be reported to the academic misconduct monitor within the college in which the course is offered. The instructor must report suspicion that academic misconduct has occurred to the student as soon as reasonably possible, but not more than 10 business days. The instructor will meet with the student, explain their suspicion, share any evidence of misconduct in the instructor’s possession, and hear the student’s response. Based on the student’s response, the instructor will determine whether an academic sanction is appropriate and what academic sanction shall be assessed. The instructor must inform the student of the academic sanction within five business days after meeting with the student. If the student does not respond to the instructor’s notification by the end of the semester, the instructor may levy an appropriate sanction and submit the resulting grade.

The instructor will produce a brief written document that includes the student’s name, the infraction, and the terms of resolution. The instructor will send the document to the chair of the department within which the course is offered as a record of the resolution. The chair will keep a copy of the document and send copies to the academic misconduct monitor, dean and Office of Academic Affairs.

* 1. If the student wishes to dispute the charge or the academic sanction, then the student may file a written appeal by contacting the department chair within 10 business days of receiving notice of the academic sanction. Upon request from the department chair, the instructor must explain the case, the charge, the evidence, the proposed academic sanction, and a response to the student’s appeal via letter within five business days. Within ten business days of receiving all appeal materials from the student and faculty member, the department chair will examine the case to determine whether the charge of academic dishonesty and/or the academic sanction holds or whether a new academic sanction, or no academic sanction, shall be assessed. The department chair will notify the student and the instructor of the decision and send copies of the decision to the academic misconduct monitor, dean and the Office of Academic Affairs.
  2. If the student or instructor wishes to dispute the determination of the department chair, then she/he must file a written appeal by contacting the academic misconduct monitor of the college within 10 business days of receiving the department chair’s letter. Upon request from the academic misconduct monitor, the department chair must provide to the academic misconduct monitor all information and materials regarding the case and a response to the appeal within 10 business days. Within ten business days of receipt of the case, the academic misconduct monitor will examine the case to determine whether the charge of academic dishonesty and/or the academic sanction holds or whether a new academic sanction, or no academic sanction, shall be assessed. The academic misconduct monitor will notify the student, instructor, and department chair of the decision and send a copy of the decision to the Office of Academic Affairs.
  3. If the student or instructor wishes to dispute the decision of the academic misconduct monitor, she/he must file a written appeal to the dean of the college within 10 business days of receiving the academic misconduct monitor’s decision. Upon request from the dean, the academic misconduct monitor must provide the dean with all information and materials regarding the case and a response to the appeal within five business days. Within ten business days of receiving the appeal materials from the academic misconduct monitor, the dean will determine the outcome of the case, including any academic or other sanctions.
  4. If the student or instructor wishes to dispute the decision of the dean, she/he must file a written appeal to the Associate Provost for Academic Integrity for Academic Integrity within the Office of Academic Affairs within 10 business days of receiving the dean’s decision. Upon request from the Associate Provost for Academic Integrity, the dean must provide the Associate Provost for Academic Integrity with all information and materials regarding the case and a response to the appeal. The Associate Provost for Academic Integrity will call a meeting of the Academic Misconduct Board to review the case and sanctions. Within ten business days of receiving the appeal, the Associate Provost for Academic Integrity and Academic Misconduct Board will recommend a sanction to the Provost. The decision of the Provost is final.

1. If a student is **charged** **with academic misconduct in an online learning course**, then the aforementioned procedures may be facilitated via telephone (conference call) or online visual communication (such as Zoom, Skype or Facetime, or other communication tools agreed on by both parties). Before proceeding via teleconference or video conference, the student’s identification must be verified by members of the university community facilitating the case. Materials concerning the case, including evidence against the student, should be distributed electronically to all parties. The procedures should continue, otherwise, as with on-campus students.
2. Cases that involve **fabrication or falsification of student academic records** (e.g., fraudulently changing one’s own grades or the grades of others, unlawful access to accounts, hacking into University record systems, etc.) or that involved multiple courses, shall be reported directly the Office of Academic Affairs. The Associate Provost for Academic Integrity for Academic Integrity will conduct the investigation and recommend appropriate sanctions to the Provost. The decision of the Provost is final.

Due to the gravity of **coercive academic misconduct** and due to the potential for cross-course and extra-course disruption, cases of academically coercive or disruptive activity that require a student to be removed from the classroom or occur in multiple instances will be facilitated at the level of the Associate Provost for Academic Integrity for Academic Integrity and the Office of Academic Affairs.

If an instructor thinks that a student’s disruptive or coercive behavior poses a threat to the instructor, to other students, or to the disruptive student, and then she/he must report this behavior immediately to UAH Police, adhering to the Behavior Evaluation Threat Assessment (BETA) Policy.

1. **Student Rights for Conferences and Meetings Pertaining to Academic Misconduct Cases** 
   1. The student is not required to make any statement at all regarding the matter under investigation.
   2. The student may make a voluntary statement if she/he chooses.
   3. The student has a right to present any evidence, supporting witnesses, and other information to support her or his case.
   4. The student has the right to request a delay in the above timeframes in order to seek advice.

**Review** This policy will be reviewed by the Office of Academic Affairs every five years or sooner if needed.