

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

ACADEMIC MISCONDUCT POLICY

Number 02.01.67

Division Academic Affairs

Date December 2018; interim August 2019; revised July 2021

Purpose The purpose of the Academic Misconduct Policy is to state the expectations that UAH holds of its students for academic integrity, to define and describe different types of academic misconduct, and to establish 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 described in the following provisions may result in academic sanctions up to expulsion from the University.

All students attending UAH 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 expulsion from UAH."* 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 the input of the college faculty, an Academic Misconduct Monitor to help manage cases of academic misconduct arising within the college. The Academic Misconduct Monitor serves as a 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 and the Office of Academic Affairs. The Academic Misconduct Monitor also is involved in the appeal process as described herein. 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 during its first year of service will establish guidelines on appropriate sanctions. The initial sanctions will be discussed with the faculty and deans in each college before they are finalized. Each year the Academic Misconduct Board will review the sanction guidelines and will make appropriate adjustments on the basis of the results from the cases that the Academic Misconduct Board reviewed the previous year and input from students, faculty, staff, and deans. Changes to the sanction guidelines must be discussed with the faculty and deans of each college before they are finalized and published. The Academic Misconduct Board will meet at least once per semester to review cases that have been concluded, to evaluate the consistency of sanctions, and to ascertain the compliance with the sanction guidelines. 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 Associate Provost for Academic Integrity will call a meeting at the beginning and end of fall semester, at the end of spring semester, and whenever it is needed and/or is requested by an Academic Misconduct Board member or a dean. The Academic Misconduct Board operates in an advisory capacity to the Provost, who has final authority on academic 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:

- a. **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.
- b. **Abetting cheating:** collaborating or knowingly failing to prevent collusion during an assignment or exam with any other person by giving information without authorization which includes but is not limited to 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, 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.
- c. **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.
- d. **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, including but not limited to 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.

e. Fabrication: falsifying records including grades, laboratory results, or other data associated with a course for oneself or any other person.

2. 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.

3. 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](#)).

C. Sanctions for Academic Misconduct

The Academic Misconduct Board provides guidelines for sanctions that will help to provide consistency across colleges for similar offenses. 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 and Final Examinations or Final Projects

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 withdrawal 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. If a student engages in academic misconduct with respect to the final examination or the final project for a course, then the instructor assigns the appropriate grade for that examination or project and the appropriate grade for the course. The student has the right to appeal the grade through 02.01.12 Academic Appeals Policy.

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 or expulsion as a sanction, the Office of the Registrar will be notified immediately of the suspension or expulsion 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 from the appeal will be kept in accordance with the document retention policy and/or in accordance with guidance provided by the Office of Counsel.

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. Steps in the process.

Brief extensions of the deadlines set forth in this section may be granted for good cause. Requests for extension must be made to the next person on the administrative chain.

a. 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 instructor must notify the student and the Academic Misconduct Monitor, in writing, of the allegation that academic misconduct has occurred as soon as reasonably possible, but not more than 10 business days after the occurrence. The instructor will hold a conference with the student within 5 business days after the student replies, explain the allegation, share any evidence of misconduct in the instructor's possession, and hear the student's response. Within 5 business days of the conference, the instructor will issue a written decision to the student, copying the Academic Misconduct Monitor, regarding whether an academic sanction is appropriate and what academic sanction shall be assessed. If the student does not attend the conference with the instructor and/or does not respond to the instructor's decision by the end of 10 business days, 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, the terms of resolution and a copy of the written decision sent to the student. 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.

b. If the student wishes to appeal the charge or the academic sanction, then the student must submit a written appeal to the department chair within 10 business days of issuance of the written decision regarding the academic sanction. Upon request from the department chair, the instructor must explain the case, the charge, the evidence, the proposed academic sanction, and submit a written response to the student's appeal within 5 business days to the chair who will share a copy of the faculty member's response with the student. Within 10 business days of receiving all appeal materials from the student and instructor, the department chair will examine the case and issue a written decision regarding whether the charge of academic dishonesty and/or the academic sanction is sustained, whether a new academic sanction should be imposed and what the new sanction is, or whether no academic sanction should be imposed. The department chair will also send a copy the decision to the Academic Misconduct Monitor, dean and the Office of Academic Affairs.

c. If the student or instructor wishes to appeal the decision of the department chair, then she/he must submit a written appeal to the Academic Misconduct Monitor of the college within 10 business days of the issuance of the department chair's decision. 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 written response to the appeal within 5 business days. Within 10 business days of receiving all appeal materials from the student and the department chair, the Academic Misconduct Monitor will examine the case and issue a written decision regarding whether the charge of academic dishonesty and/or the academic sanction is sustained, whether a new academic sanction should be imposed and what the new sanction is, or whether no academic sanction should be imposed. The Academic Misconduct Monitor will also send a copy of the written decision to the relevant dean and the Office of Academic Affairs.

d. If the student or instructor wishes to appeal the decision of the Academic Misconduct Monitor, she/he must submit a written appeal to the dean of the college within 10 business days of the issuance of 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 written response to the appeal within 5 business days. Within 10 business days of receiving the appeal materials from the Academic Misconduct Monitor, the dean will issue a written decision regarding the

outcome of the case, including any academic or other sanctions. The dean will also send a copy of the decision to the Office of Academic Affairs.

e. If the student or instructor wishes to appeal the decision of the dean, she/he must submit a written appeal to the Associate Provost for Academic Integrity within the Office of Academic Affairs within 10 business days of the issuance of 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 written response to the appeal within 10 business days. The Associate Provost for Academic Integrity will call a meeting of the Academic Misconduct Board to review the case. Within 10 business days of receiving the appeal, the Associate Provost for Academic Integrity and Academic Misconduct Board will jointly make a recommendation to the Provost. The Provost will make a decision within 15 business days and may ask for a 15 business day extension, if needed. The decision of the Provost is final.

2. 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.

3. **Special Circumstances**

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 to the Office of Academic Affairs. The Associate Provost for Academic Integrity will conduct the investigation and make a recommendation, including sanctions if appropriate, within 20 business days 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 shall be reported directly to the Office of Academic Affairs. The Associate Provost for Academic Integrity will conduct the investigation and make a recommendation, including sanctions if

appropriate, within 20 business days to the Provost. The decision of the Provost is final.

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, then she/he must report this behavior immediately to UAH Police, adhering to the Behavior Evaluation Threat Assessment (BETA) Policy.

4. Student Rights for Conferences and Meetings Pertaining to Academic Misconduct Cases

- a.** The student is not required to make any statement at all regarding the matter under investigation.
- b.** The student may make a voluntary statement if she/he chooses.
- c.** The student has a right to present any evidence, supporting witnesses, and other information to support her or his case at the initial conference with the instructor. However, the student may be accompanied and advised by any one person they choose at all stages of the proceedings. This advisor, who may be an attorney, may privately consult with and advise their client, but may not question the faculty member, make statements, or otherwise directly participate in the conference discussing the matter; only the client may participate in the conference in this manner. Any fees charged by the adviser are the sole responsibility of the party who invited the adviser. The faculty member may ask an adviser who becomes disruptive or who does not abide by the limitations on their participation to leave the conference.
- d.** The student has the right to request an extension of 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.