

BUFFALO STATE COLLEGE

DIRECTORY OF POLICY STATEMENTS

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SUBJECT: **Academic Misconduct**

All Buffalo State students are expected to display honesty and integrity in completing course requirements and following college academic regulations. "Academic misconduct" refers to any form of plagiarism, fraud, or cheating in connection with academic coursework and is inconsistent with the aims and goals of Buffalo State College.

Examples of Academic Misconduct

Academic misconduct includes but is not limited to the following:

- **Aiding in academic dishonesty.** Knowingly taking action that allows another student to engage in an act of academic dishonesty including but not limited to completing an examination or assignment for another student or stealing an examination or completed assignment for another student.
- **Cheating.** Includes but is not limited to (1) use of any assistance not authorized by the course instructor(s) in taking quizzes, tests, or examinations; (2) dependence upon the aid of sources beyond those authorized by the course instructor(s) in writing papers, preparing reports, solving problems, or carrying out other assignments; or (3) stealing tests or other academic material belonging to the course instructor(s).
- **Falsifying academic materials.** Fabricating laboratory materials, notes, reports, or any forms of computer data; forging an instructor's name or initials; resubmitting an examination or assignment for reevaluation that has been altered without the instructor's authorization; or submitting a report, paper, materials, computer data, or examination (or any considerable part thereof) prepared by any person other than the student responsible for the assignment.
- **Misrepresenting documents.** Forgery, alteration, or misuse of any college or official document, record, or instrument of identification.
- **Plagiarizing.** Copying or receiving material from any source and submitting that material as one's own, without acknowledging and citing the particular debts to the source (quotations, paraphrases, basic ideas), or in any other manner representing the work of another as one's own.
- **Purchasing academic assignments.** Purchasing an academic assignment intended for submission in fulfillment of any course or academic program requirement.
- **Selling academic assignments.** Selling or offering for sale any academic assignment to any person enrolled at Buffalo State. No person shall offer any inappropriate assistance in the preparation, research, or writing of any assignment, which the seller

knows, or has reason to believe, is intended for submission in fulfillment of any course or academic program requirement.

- **Submitting previously submitted work.** Submitting academically required material that has been previously submitted, in whole or in substantial part, without prior and expressed consent of the instructor.
- **Turnitin.com.** Faculty may require students to use textual similarity detection software (e.g., Turnitin.com) in courses at Buffalo State College. This software may be used as an educational tool to assist students in learning how to properly cite resources, decrease instances of academic misconduct, or assist in the identification of acts of academic misconduct.

I. General Considerations

Statement on Notification

Students will be provided with information about academic misconduct in the Handbook of Student Policies and during Orientation. In addition, it is good practice for instructors to provide notification about academic misconduct policies and potential sanctions for engaging in academic misconduct to students in their classes. Instructors should include a clear statement about academic misconduct in their syllabi. Instructors also may wish to provide abbreviated statements about academic integrity for individual assignments, exams, or projects.

Statement on Due Process

No sanction for any alleged instance of academic misconduct may be imposed unless the student has been apprised of the allegation, the sanction, and the procedures of due process that are available under this policy. Neither the instructor nor the student should be represented or accompanied by an attorney at any point in the proceedings. Throughout the entire process the student is expected to continue attending classes and complete all coursework.

Statement on Timeliness

Academic days are defined as days when classes are in session as defined by the Academic Calendar. With the agreement of all principals and the Academic Standards Office, proceedings may continue during non-academic days.

Composition of Academic Misconduct Committee

The Academic Misconduct Committee serves as the body of appeal in the Academic Standards Office sanctions review process. The committee is composed of the following members:

- The director of academic standards (chair)
- The associate dean(s) from each instructional school
- The dean of students, or designee
- The chair of the College Senate Committee on Standards for Students, or designee
- The chair of the College Senate Committee on Student Welfare, or designee

Resolution of Academic Misconduct Allegations

When an instance of suspected or alleged academic misconduct by a student arises, it shall be resolved according to the following procedures. These procedures assume that many questions of academic misconduct will be resolved through consultation between the student and the

instructor (a process known as consultative resolution, as explained below). At the request of the instructor or the student, the department chair (or designee) may also be involved in the resolution of an academic misconduct allegation during the consultative resolution process. It is recommended that the instructor consult with the department chair and/or associate dean(s) and that the student consult with the Academic Standards Office for guidance and assistance.

II. Consultative Resolution

Step 1

If an instructor has reason to believe that a student may have committed an act of academic misconduct, the instructor shall notify the student suspected of academic misconduct within 10 academic days of discovery of the alleged incident by email to the student's Buffalo State address. The department chair shall also be notified via email of the academic misconduct allegation. This notification will include a copy of the Academic Misconduct Policy and Procedures.

If an individual other than the instructor, including other students, faculty, or staff members, has reason to believe that a student may have committed an act of academic dishonesty, the individual shall notify the instructor within 10 academic days of discovery of the alleged incident.

The instructor will meet and consult with the student within 10 academic days of the date of notification. At the request of the instructor or the student, the department chair may also be present at this meeting. During the meeting, the instructor will inform the student of the alleged incident. This meeting may take place via videoconference or similar technology if the principals are unable to travel to campus. At the meeting, the student will have the opportunity to explain any alleged misconduct, to present evidence of innocence, or give information relevant to the investigation. If the student fails to attend the consultative meeting, the instructor has the authority to reach a decision without consulting the student directly.

Once the alleged incident has occurred, if the student withdraws from the course, the academic misconduct investigation will proceed. If academic misconduct did occur, the student's course registration will be reinstated and the earned grade will be applied.

If the timing of the incident prohibits resolution of the consultative resolution investigation (e.g., end of term) the instructor shall not report a grade, which will result in an X status (grade not submitted) on the student's academic record while the academic misconduct investigation is in progress. The earned grade will be applied when the matter is resolved, which should occur no later than one month after the resolution.

If, after consultation with the student, the instructor believes the student did not commit an act of academic misconduct, no sanctions will be imposed, and the student will be notified of that finding by official college email. The department chair shall also be notified via email of the academic misconduct finding. Procedures end.

If, after consultation with the student, the instructor believes the student did commit an act of academic misconduct, two outcomes are possible:

1. The faculty member determines that the academic misconduct was unintentional; therefore, the faculty member will help the student to understand what was done wrong and how to avoid engaging in academic dishonesty in the future. No sanction(s) are applied.
2. The faculty member determines that the academic misconduct was intentional.

If academic misconduct occurred and was intentional, the instructor has the authority to execute one or more of the following sanctions (see list below) depending on the severity of the

infraction and the significance of the assignment. Such sanctions will be assigned as “pending” until the Academic Standards Office receives notice from the instructor of the sanction and confirms via email that the case at hand is the student’s first academic misconduct infraction and that the sanction may be imposed. If the student has a prior infraction(s), then the sanction may be revised by the Academic Misconduct Committee.

1. **Warning.** Provide written notice to the student that he or she has violated a college academic misconduct standard and that the repetition of the wrongful conduct may be cause for more severe sanctions.
2. **Revision of Work.** Require the student to replace or revise the work in which misconduct occurred. (The instructor may choose to assign a grade of “J” [Judicial] pending replacement or revision of the work.)
3. **Reduction in Grade.** Reduce the student’s grade with respect to the particular assignment or exam or the final grade in the course.
4. **Failure in the Course.** Fail the student in the course, to be indicated on the transcript by a grade of “E” without comment or further notation.
5. **Such other reasonable and appropriate sanction(s)** as may be determined by the instructor with the exception of any Academic Standards Office sanctions described below.
6. Infractions committed by individuals not enrolled in the course will be reviewed by the Academic Standards Office and, if confirmed, will be assigned appropriate penalties or referred to judicial procedures.
7. **Recommendation of the following Academic Misconduct Committee Sanctions.** The Academic Misconduct Committee must review and approve these recommendations.
 1. **Failure in the Course with Permanent Notation of Academic Misconduct.** A grade of “E” for the course is recorded on the student’s transcript with a permanent notation on the student’s transcript that the grade of “E” was assigned for reason of academic dishonesty.
 2. **Suspension from the College.** The student is suspended for a defined time period with stated conditions that may include a permanent notation on the transcript.
 3. **Dismissal from the College.** The student is dismissed, with permanent notation on the transcript.

Step 2

The instructor shall notify the student of a decision, any sanction(s) imposed, and the student’s right to appeal that decision, in writing. This decision letter shall be sent to the student via email to the student’s Buffalo State address, with a copy to the Academic Standards Office. The student, the department chair, the School dean’s office, and the Academic Standards Office must be notified of the instructor’s decision within 10 academic days of the date of the consultation meeting. ***It is the instructor’s responsibility to report the sanction, regardless of severity, to the Academic Standards Office.*** A copy of the instructor’s decision letter will be retained in a confidential file in the Academic Standards Office. The student shall have

access to his or her own confidential file.

The student may appeal the instructor's findings of academic misconduct and/or the sanction(s) imposed. The student's request for an appeal must be submitted in writing to the Academic Standards Office within 10 academic days after the instructor has notified the student of the decision. In the letter of appeal, the student shall articulate if the student is appealing the original judgment of academic misconduct, the resulting sanction(s) or recommended sanction(s), or both.

III. Academic Misconduct Committee Sanctions and Appeals

If the instructor recommends academic misconduct committee sanctions (see consultative resolution, Step 1, item 7) or if a student appeals the instructor's finding (i.e., original judgment and/or sanctions imposed), the procedures outlined in this section are required, before a final decision and sanctions may be enacted. Those procedures shall be initiated within 10 academic days of receipt of the instructor's decision letter.

Step 1 (Administrative Review)

In cases where the student seeks to appeal an instructor decision, the student and instructor shall each provide a written statement of evidence supporting their position, any relevant documentation, and the names of potential witnesses to the Academic Standards Office (hereafter referred to as the office). The office will review all case materials.

If the office finds no cause (i.e., no new information is provided by the student, no evidence of policy or procedural violation by the faculty) to further consider the circumstances of the case, the office will notify the student, via email to the student's Buffalo State address, and the instructor within 10 academic days of receipt of case materials, that the sanction(s) articulated in the instructor decision letter will be enacted. Student appeal procedures end.

If the office finds cause to further consider the circumstances of the case, the office will assemble the Academic Misconduct Committee (hereafter referred to as the committee) within 10 academic days of the date the office received case materials.

Step 2 (Committee Review)

The Academic Standards Office will convene the committee to a hearing and provide all materials (e.g., previous correspondence, supporting evidence) to the committee, the student, and the instructor at the time the notice of that hearing is delivered. Hearings shall take place on academic days, and the student and the instructor will be given at least 72 hours' notice of the hearing.

At the hearing(s), the committee will provide sufficient opportunity for both principals to present their positions and shall allow each principal the right to question those presentation(s) to the committee. The hearing(s) shall be conducted in a fair and expeditious manner but shall not be subject to the rules governing a legal proceeding. Either principal may ask the committee chair if he or she may participate in hearings remotely. In exceptional circumstances, such as where either party is considered to pose a physical threat under the Student Code to the other or to the committee, the chair of the committee may require that either principal participate remotely.

The technical and formal rules of evidence applicable in a court of law are not applicable at academic misconduct hearings, and the committee may review all relevant and reliable information that will contribute to an informed final decision. The committee shall only consider information relevant to the current alleged misconduct.

Information regarding a student's formerly alleged or documented academic misconduct cannot aid in determining whether or not the student is responsible for violating academic misconduct in the current case. However, such history may be introduced during the sanctioning phase of the case under review. At the conclusion of the hearings, the committee will meet privately to deliberate the case. All hearings and committee meetings shall be confidential.

The committee will provide the student, instructor, the department chair, Academic Standards Office, and the school dean with a written statement of findings and any sanctions assigned within 10 academic days of the final meeting of the committee.

The decision made by the committee may take one of three forms.

- **Findings Overturned, No Sanctions.** A finding that no academic misconduct took place and that no sanctions will be imposed. The student is thus exonerated, and any documentation related to the case within all offices will be expunged.
- **Findings Sustained, Sanctions Sustained.** A finding that academic misconduct occurred as described in the original instructor decision letter, and that the sanction(s) stand as previously enacted or recommended.
- **Findings Sustained, Sanctions Revised.** A finding that academic misconduct occurred but that a different sanction from the one originally enacted by the instructor is more appropriate. This finding may involve an alternative sanction that is either more or less severe from the one originally enacted.

The decision of the subsequent committee or review is final, and no further appeal is available.