

## **Academic Misconduct Quick Tips** **October 2012**

*What is academic misconduct?*

Academic misconduct includes cheating, plagiarizing, research misconduct, misrepresenting one's work, and inappropriately collaborating. Definitions can be found in the Student Code at <http://www.regulations.utah.edu/academics/6-400.html>.

*What should an instructor do if s/he discovers academic misconduct?*

**First**, an instructor should let the department assistant or college assistant know about the misconduct so it can be entered into the academic misconduct tracking system.

**Second**, if the possible sanction is failing the course or something lesser (e.g., requiring the student to rewrite a paper or retake an exam, a grade reduction, a failing grade for the exercise), within 20 days of being notified about alleged academic misconduct, an instructor is required under University Policy to do three things (see Section V of the Student Code):

- (1) **Request a meeting** with the student regarding the alleged misconduct (see Form A in the Appendix)
- (2) **Meet** with the student to discuss the problem. If, after reasonable efforts are made to meet but the student refuses to do so, a decision may be made without the student's response.
- (3) **Send written notice** to the student of the instructor's decision regarding the misconduct and the appropriate sanction, and informing the student of the right to appeal the decision to the Academic Appeals Committee for the college offering the course (see Form B in the Appendix). UMail is an acceptable form of written notice.

*What if an instructor thinks that the alleged academic misconduct warrants probation, suspension, or dismissal from the student's program or from the University?*

The instructor should notify the department chair or dean's designee in the student's home department/college of the issue. Please contact the Office for Faculty at 1-8763 for additional guidance on the process that must be followed in these cases.

*What if this is not a student's first academic misconduct allegation?*

Please contact the Office for Faculty at 1-8763 for further assistance.

*What if a student decides to appeal?*

The standard for reversal of a decision made by an instructor is arbitrary or capricious. This means that a student must show that an instructor's decision was irrational or was based on improper or irrelevant factors in order to have a decision overturned.

An instructor whose decision is contested by a student will be provided with information about the appeal by the Academic Appeals Committee and will be given the opportunity to participate in that process. If an instructor wants additional information about the appeals process, please contact your dean's office or the Office for Faculty at 1-8763.

*What if I have other questions?*

Please contact the Office for Faculty 1-8763 or Amy Wildermuth ([amy.wildermuth@utah.edu](mailto:amy.wildermuth@utah.edu)).

## APPENDIX

### Form A: Informing a Student of Alleged Academic Misconduct

Dear [student]:

*It has come to my attention that or I observed* [briefly describe alleged misconduct issue] *or I have discovered a problem with* [describe assignment]. I would like to meet with you to discuss this issue as soon as possible. I am available to meet [describe times and days]. Please let me know when you are able to meet with me.

Sincerely,

[name]

### Sample A:

I have discovered a problem with the midterm paper that you turned in on October 7th. I would like to meet with you to discuss this issue as soon as possible. I am available to meet Monday between 3:00 and 5:00 and Tuesday between 2:00 and 4:00. Please let me know when you are able to meet with me.

**Form B: Informing a Student of Sanction (Failing Grade or Lesser Sanction)**

Dear [student]:

As we discussed when we met on [date], I am concerned about [describe misconduct]. After hearing your response to this situation, I have decided that the appropriate sanction is [to fail the assignment, to rewrite the assignment, to fail the course]. University Policy requires that I notify [student's home department/college and, if sanction is failing grade, the cognizant SVP] of my decision.

If you believe that my decision is arbitrary or capricious, you may appeal to the Academic Appeals Committee for the College of [college offering the course]. Please contact [name of person charged with AAC responsibility, typically an Associate Dean] for further information.

Sincerely,

[name]

**Sample:**

Dear [student]:

As we discussed when we met on October 12<sup>th</sup>, I am concerned about the large portions of your October 7<sup>th</sup> paper that have no quotation marks or citations but that are identical to large parts of papers written by Professor James Pfander and Professor Tom Mengler. After hearing your response to this situation, I have decided that the appropriate sanction is for you to fail the course. University Policy requires that I notify the College of Law and Senior Vice President Anderson of my decision.

If you believe that my decision is arbitrary or capricious, you may appeal to the Academic Appeals Committee for the College of Law. Please contact Associate Dean Barbara Dickey at [barbara.dickey@law.utah.edu](mailto:barbara.dickey@law.utah.edu) for further information.

Sincerely,

[name]