

NOTICE OF PROPOSED REGULATION

May 11, 2007

FLORIDA BOARD OF GOVERNORS

University of West Florida

REGULATION TITLE:

UWF/REG 3.030 Academic Misconduct Code

PURPOSE AND EFFECT: The purpose and effect of the proposed regulation is to strengthen the culture of academic integrity.

SUMMARY: The University of West Florida's academic misconduct code is a separate regulation/rule from the Student Code of Conduct and includes standardizing the hearing process across the colleges, centralizing custody of academic misconduct records, requiring faculty to check for prior academic misconduct violations and setting up a process at the institutional level.

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED.

AUTHORITY 1006.60(4), 1006.62 FS.

NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION: Dr. Deborah Ford, Vice President, Student Affairs.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Vicki Knaack, Coordinator, vknaack@uwf.edu, Phone (850) 474-3420; FAX (850) 857-6058; Bld. 10/Rm 128; 11000 University Parkway; Pensacola, FL 32514-5750. Any comments regarding the proposed regulation must be sent in writing to the contact person on or before May 25, 2007 to receive full consideration.

University of West Florida Regulation UWF/REG 3.030 Academic Misconduct

ACADEMIC MISCONDUCT PROCESS

The University of West Florida is dedicated to the highest principles and standards of academic integrity. An academic violation by a student can negatively impact a class, program and/or college in ways that are unique to each discipline. Therefore, the University believes that the severity of an academic infraction is best evaluated by the faculty of the institution. The University seeks to offer students an opportunity to respond to allegations of academic misconduct before a decision is rendered. This regulation/rule seeks to provide faculty and students with a fair process for adjudicating allegations of academic misconduct.

Academic integrity is closely related to professional ethics and requires that students honestly acknowledge their use of the ideas, words, and written work produced by any other individual, institution or source. Failure to acknowledge properly the use of another's intellectual output constitutes a form of academic misconduct.

Academic misconduct.

Academic misconduct includes all acts of dishonesty in any academically related matter and any knowing or intentional assistance, attempt to assist, or conspiracy

to assist another student to commit an act of academic dishonesty. Academic dishonesty includes, but is not limited to, each of the following acts when performed in any type of academic or academically related matter, exercise or activity:

1. **Cheating** – Using or attempting to use or providing another’s exam or quiz answers or using or attempting to use another’s material or information where such use is not expressly permitted by the instructor. Cheating also includes submitting work that is substantially similar to work submitted in a previous or concurrent class, except where expressly permitted by the instructor(s).
2. **Academic theft** – Obtaining examinations, quizzes, or other academic materials without authorization.
3. **Plagiarism** – Representing the words, data, works, ideas, computer program or output, or anything not self generated as one’s own. Some examples of plagiarism include:
 - a. Copying phrases, sentences, sections, paragraphs or graphics from a source and not giving credit by citing the source.
 - b. Having another person write an assignment (for pay or for free) and submitting it as one’s own.
 - c. Modifying or paraphrasing another's ideas or writings and submitting them as one’s own.

For further clarification of plagiarism, see the UWF library tutorial at http://library.uwf.edu/Tutorials/module_plagiarism/default.htm

4. **Fabrication** – Presenting, as genuine, any invented or falsified citation or material.
5. **Bribery** - The offering, giving, receiving or soliciting of anything of value to influence a grade or other academic evaluation.
6. **Misrepresentation**—Any act or omission taken with intent to deceive an instructor or the University so as to affect a grade or gain admission to a program or course.
7. **Facilitating Academic Dishonesty** - Knowingly contributing to another's violation of the University's regulation/rule on academic misconduct or planning with others to commit academic misconduct.
8. **Violation of professional standards or ethics as defined by the academic program.**

II. Resolution by the Instructor

Once an instructor suspects a violation, the instructor shall conduct a preliminary investigation and determine whether a violation is likely to have been committed.

If the instructor concludes that there is not sufficient evidence that a violation has likely been committed, there shall be no record of the event in the student’s file.

If the instructor concludes that a violation has likely been committed, the instructor must contact the Dean of Students Office to ascertain whether the student has a history of previous academic violations.

If the student has a history of previous violations, or if the instructor believes the offense may warrant suspension or dismissal from the University, the instructor must forward the applicable Academic Misconduct Procedure Form, including charges and suggested sanction(s), if any, to the Academic Misconduct Panel through the Dean of Students Office. The Dean of Students Office shall notify the student of the charges and schedule a hearing. The hearing shall be scheduled at least five business days after the notice of charges is received by the student. The student's department chair and academic advisor shall be notified of the charges by the Dean of Students Office.

If the student has no record of previous academic misconduct and the instructor is not recommending suspension or dismissal from the University, the instructor shall meet with the student expeditiously to review the following:

1. a description of the charges against the student;
2. the materials and information that led the instructor to conclude that a violation(s) has likely been committed; and
3. an explanation of any sanctions proposed by the instructor as a result of the likely violation(s).

The instructor shall advise the student in writing that the student has five business days to review the information, and either accept the sanction(s) and waive the right to a hearing, or request a hearing by the Academic Misconduct Panel.

III. Student Response

If the student accepts responsibility for the misconduct and accepts the instructor's sanction(s), the process is completed and the instructor must give a copy of the signed and completed Academic Misconduct Procedure Form to the student and send the original form to the Dean of Students Office for filing and for distribution to the appropriate dean(s).

If the student does not accept responsibility for the misconduct or the instructor's sanction(s), the instructor must give a copy of the signed and completed Academic Misconduct Procedure Form to the student and send the original to the Academic Misconduct Panel through the Dean of Students Office, which shall schedule a hearing by the panel.

If the student fails to complete or sign the Academic Misconduct Procedure form and return it to the instructor within five business days, the instructor shall notify the Dean of Students Office. The Dean of Students Office shall schedule a hearing by the Academic Misconduct Panel.

IV. Constitution of Academic Misconduct Panel

The panel shall consist of 12 members. From each of the University's three colleges there shall be: two students, a faculty member and a representative of

the dean. Student members shall be appointed by the Student Government Association. Faculty members shall be appointed by the Faculty Senate Academic Council or another faculty group of each of the colleges. The Deans' representatives shall be appointed by the dean of each college.

A hearing panel of four members, by rotation, will hear each case. Two of the four members must be students. Any decision or sanction(s) applied must be supported by at least three members. Panel members shall serve for one year, except for the faculty members of the initial panel appointed, who shall serve for three years.

V. Academic Misconduct Panel Hearing

The charged student shall personally respond to the charges before the hearing panel. If the student fails to appear for the hearing, the panel will proceed to a conclusion. The charged student has the right to have an advisor attend, but the advisor may not speak to the panel. The student may hear and, through the Academic Misconduct Panel, question witnesses

The student and his or her advisor, if any, have the right to inspect all of the information that will be presented against the student at least 3 business days before the Academic Misconduct Panel hearing. The University also has the right to review any information the student intends to use at least 3 business days before the hearing.

The student will not be compelled to make self-incriminating statements. Note however: The University is not required to postpone judicial proceedings pending the outcome of any criminal proceeding.

The instructor in the course in which the alleged misconduct took place will have an opportunity to appear before the panel. In addition, the panel shall seek a recommendation from the chair of the department in which the alleged misconduct took place. The panel may conduct further investigations, as necessary.

The hearing panel shall either:

1. find that no violation has occurred, or
2. find that a violation has occurred and impose a sanction(s).

The written decision of the panel shall be forwarded to the student and the Dean of Students Office.

The student may appeal by filing a written appeal with the Provost within five business days of the date the student received the panel's decision. If the student fails to appeal, the hearing panel's decision will be final.

VI. Appeal to the Provost

The Provost or designee will review the appeal. The Provost's decision on the appeal is final. A copy of the Provost's decision shall be forwarded to the student

and to the Dean of Students Office for filing and for distribution to the appropriate dean(s).

VII. Course Withdrawal and Forgiveness Policy

A student shall not be permitted to drop or withdraw from a class in which there is an unresolved allegation. Nor shall the UWF grade forgiveness policy be applied to a course in which a student is found to have committed academic misconduct.

VIII. Sanctions

The range of sanctions for any student found to have committed academic misconduct includes reprimand, reduction of grade, disciplinary warning, educational requirements, probation, loss of university privileges, dismissal from a program, suspension, expulsion, denial of admission or further registration and/or credits, invalidation or revocation of academic credit, invalidation or revocation of academic degree, and any other sanctions permitted by law.

IX. Records

Records of academic misconduct will be maintained by the Dean of Students Office.

Student files involving cases of academic misconduct that do not result in suspensions or expulsions shall be expunged seven years after the final decision. Records of cases that result in suspensions or expulsions are kept permanently. Statistical and database information may be kept permanently at the University.

Students found “not responsible” or cases in which charges are dropped are considered not to have a judicial record. However, the records will be maintained by the University in accordance with 1002.22, F.S. and with applicable State record retention laws.

X. Transcript Notations

A temporary notation will be placed on the student’s transcript during any period of suspension.

If a student is expelled, a permanent notation to that effect will be placed on the student’s transcript.

XI. Review of the Academic Misconduct Policy

The University Academic Misconduct regulation/rule shall be reviewed every three years under the direction of the Provost, beginning in 2009 or sooner if necessary, by a committee composed of at least 50 percent students appointed by the Student Government Association.