TO: University Senate

FROM: Allen R. Firestone, Chair
Rules Committee

Isaac Wu, Chair
Council on Student Affairs

Date: 18 May 2006

RE: Amendments to the Code of Student Conduct

WHEREAS, the oversight of the Code of Student Conduct falls under the purview of the Council on Student Affairs; and

WHEREAS, the original framers of the Code of Student Conduct paid more attention to and focused more narrowly on the needs of undergraduate students; and

WHEREAS, the proposed changes are intended to make the Code of Student Conduct more inclusive of graduate students and more reflective of the goals and objectives of graduate education; and

WHEREAS, the proposal was reviewed and approved by the Council on Student Affairs at its meeting on 31 January 2006; and

WHEREAS, the proposal was reviewed and approved by the Steering Committee at its meeting on 24 February 2006; and

WHEREAS, the proposal was reviewed and approved by President Karen A. Holbrook and Executive Vice President and Provost Barbara R. Snyder, said approval communicated by a memorandum dated 2 March 2006; and

WHEREAS, the proposal was reviewed and approved by the Rules Committee at its meeting on 18 May 2006,

NOW THEREFORE BE IT RESOLVED that the University Senate approve the changes to Faculty Rules 3335-23-04, 3335-23-08, 3335-23-14, and 3335-23-17, revising the Code of Student Conduct and respectfully requests the concurrence of the Board of Trustees, said proposal becoming effective upon approval by the Board of Trustees and upon printed notice of such revision being made available to students.

3335-23-01 through 3335-23-03 unchanged

3335-23-04 Prohibited conduct.
Any student found to have engaged in the following conduct while within the university’s jurisdiction, as set forth in rule 3335-23-02 of the Administrative Code, will be subject to disciplinary action by the university.

(A) Academic misconduct.

Any activity that tends to compromise the academic integrity of the university, or subvert the educational process. Examples of academic misconduct include, but are not limited to:

(1) Violation of course rules as contained in the course syllabus or other information provided to the student; violation of program regulations as established by departmental committees and made available to students;

(2) Knowingly providing or receiving information during examinations such as course examinations and candidacy examinations; or the possession and/or use of unauthorized materials during those examinations;

(3) Knowingly providing or using unauthorized assistance in the laboratory, on field work, in scholarship or on a course assignment;

(4) Submitting plagiarized work for an academic requirement. Plagiarism is the representation of another’s work or ideas as one’s own; it includes the unacknowledged word-for-word use and/or paraphrasing of another person’s work, and/or the inappropriate unacknowledged use of another person’s ideas;

(5) Submitting substantially the same work to satisfy requirements for one course or academic requirement that has been submitted in satisfaction of requirements for another course or academic requirement, without permission of the instructor of the course for which the work is being submitted or supervising authority for the academic requirement;

(6) Falsification, fabrication, or dishonesty in creating or reporting laboratory results, and/or research results, and/or any other assignment;

(7) Serving as, or enlisting the assistance of a substitute for a student in the taking of examinations;

(8) Alteration of grades or marks by the student in an effort to change the earned grade or credit;

(9) Alteration of academically-related university forms or records, or unauthorized use of those forms or records; and

(10) Engaging in activities that unfairly place other students at a disadvantage, such as taking, hiding or altering resource material, or manipulating a grading system.
3335-23-08 Administrative decision.

In all cases, a student charged with one or more violations of the student code has the right to a hearing. However, in a case where a charged student admits such violations in writing, the student may request in writing to have a decision as to appropriate action made administratively by a hearing officer rather than have the charges referred to a hearing officer, panel or commission for a hearing. In such situations, the student waives the right to a hearing and the related procedural guarantees provided by a hearing officer, panel or commission hearing. Administrative decisions involving graduate students are to be made in consultation with the Graduate School. Following an administrative decision, the student retains the right to request an appeal of the original decision, but may do so only upon the ground that the sanction is grossly disproportionate to the offense committed.

3335-23-08 through 3335-23-13 unchanged

3335-23-14 Committee on academic misconduct.

(A) The coordinator for the committee shall investigate or establish procedures for investigation of all reported cases of student academic misconduct that fall under the committee’s jurisdiction. However, the committee does not hear cases involving academic misconduct in professional colleges having a published honor code. These colleges shall follow their own codes and procedures which can be obtained in their respective central offices. Some allegations against graduate students that fall under the committee’s jurisdiction may also implicate the University’s Interim Policy and Procedures Concerning Misconduct in Research or Scholarly Activities and/or the Graduate School’s Guidelines for the Review and Investigation of Allegations of Scholarly Misconduct by Graduate Students. Upon receipt of such an allegation, the coordinator shall meet with the Dean of the Graduate School (or designee) and/or the Vice President for Research (or designee), and these parties shall mutually agree on the appropriate procedure for adjudicating the case. Notice of this decision and a description of the procedure to be used shall promptly be given to the student who has been charged. The coordinator or committee may refer complaints to the office of student judicial affairs if it is determined that the academic misconduct allegation is incidental to some other misconduct.

(B) The committee on academic misconduct is constituted according to rule 3335-5-48.7 of the Administrative Code.

(C) All complaints of academic misconduct shall be reported to the coordinator of the committee.
(D) Students have an obligation to report suspected misconduct.

(E) A quorum for a hearing shall be no less fewer than four voting members of the committee which shall include no less fewer than one (1) student member and two (2) faculty members.

(1) For cases involving graduate students, reasonable efforts will be made to have graduate students serve as the student members of the hearing panels.

3335-23-15 through 3335-23-16 unchanged

UNIVERSITY SANCTIONS

3335-23-17 General guidelines for sanctions.

Sanctions should be commensurate with the violation(s) found to have occurred. In determining the sanction(s) to be imposed, the hearing officer or panel should take into account any mitigating circumstances and any aggravating factors including, but not limited to, any provocation by the subject of the conduct that constituted the violation, any past misconduct by the student, any failure of the student to comply fully with previous sanctions, the actual and potential harm caused by the violation, the degree of intent and motivation of the student in committing the violation, and the severity and pervasiveness of the conduct that constituted the violation. Impairment resulting from voluntary use of alcohol or drugs (i.e., other than medically necessary) will be considered an aggravating, and not a mitigating, factor. In determining the sanctions to be imposed on graduate students who have violated the Code, the hearing officer or panel should be guided by the Graduate Student Code of Research and Scholarly Conduct. One or more of the following courses of action may be taken when a student has been found to have violated the code of student conduct.

Remainder unchanged