

Academic Integrity Policy and Procedures Graduate School

Preamble

Academic integrity is a fundamental university value. Through the honest completion of academic work, students sustain the integrity of the university while facilitating the university's imperative for the transmission of knowledge and culture based upon the generation of new and innovative ideas.

When an instance of suspected or alleged academic dishonesty by a student arises, it shall be resolved according to the procedures set forth herein. These procedures assume that many questions of academic dishonesty will be resolved through consultative resolution between the student and the instructor.

It is recommended that the instructor and student each consult with the department chair, School or College dean, or the Graduate School if there are any questions regarding these procedures.

Examples of Academic Dishonesty. Academic dishonesty includes, but is not limited to, the following:

(a) Previously submitted work. Submitting academically required material that has been previously submitted -- in whole or in substantial part -- in another course, without prior and expressed consent of the instructor.

(b) Plagiarism. 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.

(c) Cheating. Soliciting and/or receiving information from, or providing information to, another student or any other unauthorized source (including electronic sources such as cellular phones and PDAs), with the intent to deceive while completing an examination or individual assignment.

(d) Falsification of 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 which 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.

(e) Misrepresentation of documents. Forgery, alteration, or misuse of any University or Official document, record, or instrument of identification.

(f) Confidential academic materials. Procurement, distribution or acceptance of examinations or laboratory results without prior and expressed consent of the instructor.

(g) Selling academic assignments. No person shall sell or offer for sale to any person enrolled at the University at Buffalo any academic assignment, or 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.

(h) Purchasing academic assignments. No person shall purchase an academic assignment intended for submission in fulfillment of any course or academic program requirement.

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CONSULTATIVE RESOLUTION

Step 1. If an instructor has reason to believe that a student may have committed an act of academic dishonesty, the instructor shall notify the student suspected of academic dishonesty by e-mail to the student's UB IT address with receipt requested, by certified mail return receipt requested, or by written notice delivered in person with a copy countersigned by the student and retained by the instructor within 10 academic days¹ of discovery of the alleged incident.

Once the alleged incident has occurred, the student may not resign from the course without permission of the instructor.

The instructor shall meet and consult with the student within 10 academic days¹ of the date of notification. If the student fails to attend the consultative meeting, the instructor has the authority to reach a decision and to impose a sanction (if appropriate) without the student consultation.

At consultation, the instructor shall inform the student of the allegations relating to the specific infringement, and the student shall be given a copy of the Academic Integrity Policy and Procedures.

At the request of either or both parties, the consultation may be recorded. A departmental note-taker (a staff or faculty member, but not a teaching assistant) may record consultation proceedings. The student must agree to the presence of the note-taker, and the student may also have a note-taker in attendance.

Step 2. If, after consultation with the student, the instructor believes the student did not commit an act of academic dishonesty, no sanctions may be imposed. The instructor will orally inform the student of that finding and, if the student so requests, will provide the student with a written statement confirming that finding. Procedures end.

If, after consultation with the student, the instructor believes the student did commit an act of academic dishonesty, the instructor has the authority to impose one or more of the following sanctions:

- 1. Warning.** Written notice to the student that he/she has violated a University academic integrity standard and that the repetition of the wrongful conduct may be cause for more severe sanctions.
- 2. Revision of Work.** Requiring the student to replace or revise the work in which dishonesty occurred. (The instructor may choose to assign a grade of "I" [Incomplete] pending replacement or revision of the work.)
- 3. Reduction in Grade.** With respect to the particular assignment/exam or final grade in the course.
- 4. Failure in the Course.** To be indicated on the transcript by a grade of "F" without comment.
- 5. Such other reasonable and appropriate sanction(s)** as may be determined by the instructor (or Committee at later levels of review) with the exception of those subsequently described under #6.
- 6. Recommendation of any of the following University sanctions** (these require approval at the department, College/School, and Graduate School levels).

a. Failure in the Course with Citation of Academic Dishonesty: To be indicated by an "F" on the transcript with the notation that the grade of "F" was assigned for reason of academic dishonesty. Only the Dean of the Graduate School or his or her designee may impose this sanction.

b. Suspension from the University: For a definite term upon stated conditions. Only the University President or his/her designee may suspend a student from the University.

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c. Expulsion from the University: With comment on the transcript. Only the University President or his/her designee may expel a student from the University.

Step 3. The instructor shall provide the student with a copy of the decision, sanction(s) imposed, and the student's right to appeal that decision. The instructor's decision letter shall be sent to the student (via certified, return receipt mail), the department chair, and the Dean of the Graduate School within 10 academic days¹ of the date of the consultation meeting. This statement of decision shall be included in the student's confidential file maintained in the Graduate School. The student shall have access to this file.

University Sanctions. If the sanctions imposed at the instructor level include recommendation of University sanctions (as listed in Step 2.6), departmental level procedures are required, and shall be initiated within 10 academic days¹ of the department chair's receipt of the statement of decision.

Right to Appeal. The student may appeal the instructor's findings. The student's request for an appeal, including specification of the grounds for appeal, must be submitted in writing to the instructor and to the department chair no later than 10 academic days¹ after the instructor has notified the student of his or her decision.

DEPARTMENTAL LEVEL PROCEDURES

Step 1. The instructor and student have no more than 10 academic days¹ following the filing of the request for the initiation of departmental proceedings to deliver evidentiary materials to the department chair. The instructor and student shall each provide the department chair with a written statement of evidence supporting his or her position, any relevant documentation, and the names of potential witnesses.

If the department chair is the faculty member who has brought the academic dishonesty charge against the student, or if a department is unable to assemble a committee because of a limited number of faculty or students, direct consideration at the college or school level may be requested.

Pending resolution, the instructor shall temporarily assign a grade of "I" (Incomplete). This "I" grade can only be adjusted by resolution of the case.

Step 2. Upon review of relevant materials (including all evidence and statements communicated during consultation), if the department chair does not deem it necessary to consider further the circumstances of the case, the department chair will notify the student (via certified, return receipt mail), the instructor, the cognizant academic dean, and the Dean of the Graduate School of his or her decision within 20 academic days¹ of receipt of the student's appeal or instructor's recommendation. If the sanctions imposed at this stage include recommendation of University sanctions (as listed in Consultative Resolution Step 2.6), decanal level procedures are required (see "Decanal Level Procedures").

Alternatively, if the department chair deems it necessary to consider further the circumstances of the case, he or she shall convene the Departmental Adjudication Committee within 20 academic days¹ of the date the department office received the request for initiation of departmental proceedings (see Appendix A).

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The department office shall convey all evidentiary materials to the Departmental Adjudication Committee, the student, and the instructor at the time the notice of the hearing is delivered. The student and the instructor shall be given at least 72 hours notice of the hearing.

At hearing(s), the Departmental Adjudication Committee shall provide sufficient opportunity for both principals to present their positions and shall allow each principal the right to question the presentation(s), written or verbal, of those who contribute information 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. Each principal shall have the right to be present (under unusual circumstances, if either party is considered to pose a physical threat to the other or to the committee, the chair of the committee may request that either the student or instructor participate by phone) and to have one advisor present at all hearings.

The technical and formal rules of evidence applicable in a court of law are not controlling, and the committee may hear all relevant and reliable evidence that will contribute to an informed result. The Departmental Adjudication Committee shall only consider evidence presented at hearing(s). Discussion of a student's formerly alleged or documented academic misconduct shall not be admissible as evidence to determine whether the student is responsible for breaching the university's academic integrity code in the current case, although such history may be introduced and considered during the sanctioning phase. Hearings shall be confidential (see Appendix B).

The Departmental Adjudication Committee shall provide the department chair with a written statement of recommendations and reasons for recommendations within 10 academic days¹ after the final meeting of the committee. Recommendations may include:

- 1. Findings Overturned.** Finding that no academic dishonesty took place and that no sanctions should be imposed.
- 2. Findings Sustained.** Finding that academic dishonesty occurred, and the committee is in agreement with the sanction(s) previously imposed or recommended.
- 3. Finding of Different Sanction.** Finding that academic dishonesty occurred, but that the sanction(s) previously imposed or recommended are inappropriate and that greater or lesser sanction(s) should be imposed.

Step 3. The department chair considers the Committee's findings and recommendations and renders a final decision. The department chair's decision and the student's right to appeal that decision shall be submitted in writing from the department chair to the student (via certified, return receipt mail), the instructor, the cognizant academic dean, and the Dean of the Graduate School within 10 academic days¹ from receiving the Departmental Adjudication Committee's statement of recommendations.

The department chair shall forward the record of the matter consisting of all written communications, all written evidence, an audiotape or other record of the hearing, and its statement of recommendations to the Dean of the Graduate School, where a confidential file will be maintained. The student shall have access to this file.

University Sanctions. If the sanction(s) imposed at the departmental level include recommendation of University sanctions (as listed in Consultative Resolution Step 2.6), decanal level procedures are required, and shall be initiated within 10 academic days¹ of the dean's receipt of the statement of decision.

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Right to Appeal. The student or the instructor may appeal the department chair's findings. The request for an appeal, including specification of the grounds for appeal, must be submitted in writing to the department chair and to the cognizant academic dean no later than 10 academic days¹ after the department chair has notified the student of his or her decision.

DECANAL LEVEL PROCEDURES

Step 1. The instructor and student have no more than 10 academic days¹ following the filing of the request for the initiation of decanal level proceedings to deliver evidentiary materials to the cognizant academic dean. The instructor and student shall each provide the academic dean with a written statement of evidence supporting his or her position, any relevant documentation, and the names of potential witnesses.

Pending resolution, the temporarily assigned grade of "I" (Incomplete) will continue in place. This "I" grade can only be adjusted by final resolution of the pending case.

Step 2. Upon review of relevant materials (including all evidence and statements communicated during consultation), if the academic dean does not deem it necessary to consider further the circumstances of the case, the academic dean will notify the student (via certified, return receipt mail), the instructor, the department chair, and the Dean of the Graduate School of his or her decision within 20 academic days¹ of receipt of the student's appeal or instructor's recommendation. If the sanctions imposed at this stage include recommendation of University sanctions (as listed in Consultative Resolution Step 2.6), a hearing at the decanal level is required, and procedures below shall be initiated within 20 academic days¹ of the academic dean's receipt of the department chair's statement of decision.

Alternatively, if the academic dean deems it necessary to consider further the circumstances of the case, he or she shall convene the Decanal Adjudication Committee within 20 academic days¹ of the date which the academic dean received the request for initiation of decanal level proceedings (see Appendix C).

The academic dean's office shall convey all evidentiary materials to the Decanal Adjudication Committee, the student, and the instructor at the time the notice of the hearing is delivered. The student and the instructor shall be given at least 72 hours notice of the hearing.

At hearing(s), the Decanal Adjudication Committee shall provide sufficient opportunity for both principals to present their positions and shall allow each principal the right to question the presentation(s), written or verbal, of those who contribute information 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. Each principal shall have the right to be present (under unusual circumstances, if either party is considered to pose a physical threat to the other or to the committee, the chair of the committee may request that either the student or instructor participate by phone) and to have one advisor present at all hearings.

The technical and formal rules of evidence applicable in a court of law are not controlling, and the committee may hear all relevant and reliable evidence that will contribute to an informed result. The Decanal Adjudication Committee shall only consider evidence presented at hearing(s). Discussion of a student's formerly alleged or documented academic misconduct shall not be admissible as evidence to determine whether the student is responsible for breaching the university's academic integrity code in the

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current case, although such history may be introduced and considered during the sanctioning phase. Hearings shall be confidential (see Appendix B).

The Decanal Adjudication Committee shall provide the academic dean with a written statement of recommendations and reasons for recommendations within 10 academic days¹ after the final meeting of the committee. Recommendations may include:

- 1. Findings Overturned.** Finding that no academic dishonesty took place and that no sanctions should be imposed.
- 2. Findings Sustained.** Finding that academic dishonesty occurred, and the committee is in agreement with the sanction(s) previously imposed or recommended.
- 3. Finding of Different Sanction.** Finding that academic dishonesty occurred, but that the sanction(s) previously imposed or recommended are inappropriate and that greater or lesser sanction(s) should be imposed.

Step 3. The academic dean considers the Committee's findings and recommendations and renders a final decision. The academic dean's decision and the student's right to appeal that decision shall be submitted in writing from the academic dean to the student (via certified, return receipt mail), the instructor, the department chair, and the Dean of the Graduate School within 10 academic days¹ from receiving the Decanal Adjudication Committee's statement of recommendations.

The academic dean shall forward the record of the matter consisting of all written communications, all written evidence, an audiotape or other record of the hearing, and its statement of recommendations to the Dean of the Graduate School, where a confidential file will be maintained. The student shall have access to this file.

University Sanctions. If the sanction(s) imposed at the decanal level include recommendation of University sanctions (as listed in Consultative Resolution Step 2.6), Graduate School level procedures are required, and shall be initiated within 10 academic days¹ of the Dean of the Graduate School's receipt of the statement of decision.

Right to Appeal. The student or the instructor may appeal the academic dean's findings, but only based on claims of limitations on, or violations of, applicable due process. Any such appeal request must describe the specific due process violation(s) claimed and must be submitted in writing to the academic dean and to the Dean of the Graduate School no later than 10 academic days¹ after the academic dean has notified the student of his or her decision.

GRADUATE SCHOOL LEVEL PROCEDURES

Step 1. The instructor and student have no more than 10 academic days¹ following the filing of the request for the initiation of Graduate School level proceedings to deliver evidentiary materials to the Dean of the Graduate School. The instructor and student shall each provide the Dean of the Graduate School with a written statement of evidence supporting his or her position, any relevant documentation, and the names of potential witnesses.

Pending resolution, the temporarily assigned grade of "I" (Incomplete) will continue in place. This "I" grade can only be adjusted by final resolution of the pending case.

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Step 2. Upon review of relevant materials (including all evidence and statements communicated during consultation), if the Dean of the Graduate School does not deem it necessary to consider further the circumstances of the case, the Dean of the Graduate School will notify the student (via certified, return receipt mail), the instructor, the department chair, and the cognizant academic dean of his or her decision within 20 academic days¹ of receipt of the student's appeal or instructor's recommendation. If the sanctions imposed at this stage include recommendation of University sanctions (as listed in Consultative Resolution Step 2.6), the Dean of the Graduate School will pursue appropriate steps to implement or seek implementation of such sanction(s).

Alternatively, if the Dean of the Graduate School deems it necessary to consider further the circumstances of the case, he or she shall convene the Graduate School Adjudication Committee within 20 academic days¹ of the date on which the Dean of the Graduate School received the request for initiation of Graduate School level proceedings (see Appendix D).

The Graduate School shall convey all evidentiary materials to the Graduate School Adjudication Committee, the student, and the instructor at the time the notice of the hearing is delivered. The student and the instructor shall be given at least 72 hours notice of the hearing.

At hearing(s), the Graduate School Adjudication Committee shall provide sufficient opportunity for both principals to present their positions and shall allow each principal the right to question the presentation(s), written or verbal, of those who contribute information 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. Each principal shall have the right to be present (under unusual circumstances, if either party is considered to pose a physical threat to the other or to the committee, the chair of the committee may request that either the student or instructor participate by phone) and to have one advisor present at all hearings.

The technical and formal rules of evidence applicable in a court of law are not controlling, and the committee may hear all relevant and reliable evidence that will contribute to an informed result. The Graduate School Adjudication Committee shall only consider evidence presented at hearing(s). Discussion of a student's formerly alleged or documented academic misconduct shall not be admissible as evidence to determine whether the student is responsible for breaching the university's academic integrity code in the current case, although such history may be introduced and considered during the sanctioning phase. Hearings shall be confidential (see Appendix B).

The Graduate School Adjudication Committee shall provide the Dean of the Graduate School with a written statement of recommendations and reasons for recommendations within 10 academic days¹ after the final meeting of the committee. Recommendations may include:

- 1. Findings Overturned.** Finding that no academic dishonesty took place and that no sanctions should be imposed.
- 2. Findings Sustained.** Finding that academic dishonesty occurred, and the committee is in agreement with the sanction(s) previously imposed or recommended.
- 3. Finding of Different Sanction.** Finding that academic dishonesty occurred, but that the sanction(s) previously imposed or recommended are inappropriate and that greater or lesser sanction(s) should be imposed.

Step 3. The Dean of the Graduate School considers the committee's findings and recommendations and renders a final decision. The Dean of the Graduate School's decision shall be submitted in writing to the

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student (via certified, return receipt mail), the instructor, the department chair, and the cognizant academic dean within 10 academic days¹ from receiving the Graduate School Adjudication Committee's statement of recommendations.

The Dean of the Graduate School shall file the record of the matter consisting of all written communications, all written evidence, an audiotape or other record of the hearing, and statements of recommendations to the Dean of the Graduate School, in the confidential file located in and maintained by the Graduate School. The student shall have access to this file.

University Sanctions. If the sanction(s) imposed at the Graduate School level include implementation or recommended implementation of University sanctions (as listed in Consultative Resolution Step 2.6), implementation or recommended implementation of those sanctions shall be initiated within 10 academic days¹ following the Dean of the Graduate School's decision in the matter.

No Right to Further Appeal. The decision of the Dean of the Graduate School is final, and no further appeal is available.

Note:

¹ Academic days are defined as weekdays when classes are in session, not including the summer sessions.

Appendix A

Departmental Adjudication Committee Membership.

The department chair or the chair of the departmental adjudication committee shall assemble, from a pool of individuals comprising the departmental Academic Integrity Pool, a Departmental Adjudication Committee comprised of no fewer than two faculty members and two graduate students or a larger number of participants maintaining this same ratio. The departmental Academic Integrity Pool shall be selected by the respective faculty and student constituencies in an appropriate democratic fashion, and in no case shall these representatives be appointed by the departmental or decanal administration. If deemed appropriate, the Departmental Academic Integrity Pool may also serve as the Departmental Grievance Pool.

The members of the Academic Integrity Pool and the Adjudication Committee shall be selected so that no member is involved in a disproportionate number of cases. Each principal to the dispute shall have the option of requesting, without stipulating a reason, the replacement of one member of the Committee appointed to hear the case. If any principal finds the replacement member inappropriate, the party shall transmit, within five academic days¹ of the naming of the committee, a written statement of the grounds for this "challenge for cause" to the cognizant department chair who shall rule on the merits and either retain or replace the committee member so challenged. Each committee member selected shall have the option of disqualifying him/herself from the Committee by stipulating reasons why he or she feels unable to deal with the case in an unbiased fashion.

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Appendix B

Confidentiality of Proceedings.

Once the department chair, college or school dean or the Dean of the Graduate School initiates an academic integrity hearing, principals and committee members shall have the obligation to maintain the confidentiality of the proceedings and of all materials or testimony presented in hearing proceedings, until a decision is formally transmitted to the principals involved in the case.

If a breach of confidentiality by either principal (as defined above) is formally brought to the attention of the Adjudication Committee, upon a majority vote of the committee, it may choose to consider this breach a case of possible misconduct. If a committee member is charged with a possible misconduct, such charge will be heard at the next highest level Adjudication Committee. Such consideration shall take precedence over the pending case, and a misconduct hearing shall be conducted, and findings shall be transmitted, in writing, to the principals and committee members, and shall be placed in a supplemental file of the case proceedings. Such findings may then be considered in the subsequent review of the case.

Appendix C

Decanal Adjudication Committee Membership.

The cognizant college or school dean, or the chair of the school or college Adjudication Committee, shall assemble, from a pool of individuals comprising the college or school Academic Integrity Pool, a Decanal Adjudication Committee comprised of no fewer than two faculty members and two graduate students or a larger number of participants maintaining this same ratio. In those college/schools comprised of multiple academic departments, the Decanal Adjudication Committee shall not include representatives from the department(s) involved in the case. The college or school Academic Integrity Pool shall include two representatives, as appropriate, from each department: one faculty member and one graduate student. The departmental representatives in the Academic Integrity Pool shall be selected by the respective faculty and student constituencies in an appropriate democratic fashion, and in no case shall these representatives be appointed by the departmental or decanal administration. If deemed appropriate, the Decanal Academic Integrity Pool may also serve as the Decanal Grievance Pool.

The members of the Academic Integrity Pool and the Adjudication Committee shall be selected so that no member is involved in a disproportionate number of cases. Each principal to the dispute shall have the option of requesting, without stipulating a reason, the replacement of one member of the Committee appointed to hear the case. If any principal finds the replacement member inappropriate, the party shall transmit, within five academic days¹: of the naming of the committee, a written statement of the grounds for this "challenge for cause" to the cognizant academic dean who shall rule on its merits and either retain or replace the committee member so challenged. Each committee member selected shall have the option of disqualifying him/herself from the Committee by stipulating reasons why he or she feels unable to deal with the case in an unbiased fashion.

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Appendix D

Graduate School Adjudication Committee Membership.

The Graduate School Adjudication Committee shall be comprised of no fewer than two faculty members and two graduate students (all from outside the cognizant academic department[s]) or a larger number of participants maintaining this same ratio. The departmental representatives comprising the Graduate School Academic Integrity Pool shall be selected by the respective faculty and student constituencies in an appropriate democratic fashion, and in no case shall these representatives be appointed by the departmental or decanal administration. If deemed appropriate, the Graduate School Academic Integrity Pool may also serve as the Graduate School Grievance Pool.

The members of the Graduate School Academic Integrity Pool and the Graduate School Adjudication Committee shall be selected so that no member is involved in a disproportionate number of cases. Each principal to the dispute shall have the option of requesting, without stipulating a reason, the replacement of one member of the committee appointed to hear the case. If any principal finds the replacement member inappropriate, the party shall transmit, within five academic days¹ of the naming of the committee, a written statement of the grounds for this "challenge for cause" to the Dean of the Graduate School who shall rule on its merits and either retain or replace the committee member so challenged. Each committee member selected shall have the option of disqualifying him/herself from the committee by stipulating reasons why he or she feels unable to deal with the case in an unbiased fashion.

Panel Development

The Dean of the Graduate School shall encourage departments to nominate faculty and student representatives for the departmental and decanal pools and to encourage departments to facilitate development of faculty and student representatives in order to ensure a suitable pool of personnel for departmental, decanal, and Graduate School academic integrity hearings.

Promulgated by President John B. Simpson, 16 December 2005

To Be Effective, 28 August 2006