



University Policy Academic Honor Code

Purpose

Student Academic Honor Code: The Albany State University Student Code of Conduct and the Academic Honor Pledge establish standards of conduct designed to foster the development of well-educated, mature, ethical, and responsible citizens. As a student of Albany State University, you are responsible for upholding these standards of conduct and living up to the principles of the Academic Honor Code.

Scope

This policy represents the ASU policy regarding the Academic Honor Code. This policy applies to faculty members and the student body of the ASU Community.

Policy

Student Responsibility

- A. All students are responsible for reading, understanding, and complying with the Academic Honor Code Policy.
- B. If a student sees, knows, or hears of an act of dishonesty, he or she is encouraged to report this suspected violation to the instructor concerned, the course division dean, the Vice President and Provost for Academic Affairs or the University Judicial Officer.
- C. To remind student of their responsibility to uphold the Academic Honor Code, the following statement will be included in each course syllabus – “It is understood that all students are required to abide by the Albany State University Academic Honor Code as stated in the Student Code of Conduct.”
- D. In all fields of study the Academic Honor Code policy will be strictly enforced as per the Student Code of Conduct.

Disciplinary Process for Academic Integrity Cases

When it is alleged that a student has violated the University’s Academic Honor Code Policy and/or Student Code of Conduct, he or she will be subject to disciplinary procedures at the following levels. The instructor may elect to forgo Faculty Disposition and proceed directly to a Faculty Referral.

A. Faculty Disposition

1. The faculty member shall issue a written notice of the alleged academic dishonesty violation(s) and provide access to review all evidence to support the charge(s). Visual or audio observations by the faculty member will be considered acceptable forms of evidence.
2. Notice will be sent via University email outlining the violation(s); evidence; date, time and location for an initial meeting.
3. It is the student's responsibility to ensure that he/she has a working University email. Failure of the student to have a valid email address on file with the University shall not invalidate the notice.
4. During this meeting the responding student will be given the opportunity to accept responsibility for the violation(s), waive their rights to all formal hearing and appeal proceedings, and accept the terms of the faculty disposition.
5. Academic penalties that may be imposed during faculty disposition include:
 - i. A reprimand from the faculty member;
 - ii. A requirement to complete a comparable assignment in which the violation occurred;
 - iii. A grade change;
 - iv. A grade reduction; or,
 - v. Failing grade for assignment or exam in which the violation occurred.

Both the faculty member and responding student must sign the Faculty Disposition form prior to submitting to the Department Chair for review.

6. A copy of the Faculty Disposition Form will be filed with the course division Dean and the Office of Provost and Vice President for Academic Affairs. In addition, a copy of the completed case file including signed documents and any evidence should be forwarded to the Office of Student Conduct for inclusion in the student's discipline record.

B. Faculty Referral

1. If the student is required to go through the judicial procedures as set in the University's Academic Honor Code Policy and Student Code of Conduct due to faculty referral, denial of charge(s) and/or dispute of the faculty's proposed penalties, both the faculty member and the responding student must sign the Faculty Referral Form.
2. The faculty member will forward the Faculty Referral Form to the course division Dean. The Dean may uphold, change or dismiss the faculty member's decision.
3. If a student disagrees with the Dean's decision, he or she must file a written appeal with the Office of Provost and Vice President for Academic Affairs within five (5) business days from the date he or she is notified of the Dean's decision.
4. The Provost and Vice President for Academic Affairs will decide the case or refer it to the Academic Honor Code Committee. The Provost and Vice President for Academic Affairs will automatically refer a student who has had two previous Honor Code violations to the Academic Honor Code Committee.
5. The Office of Judicial will only accept referrals for formal hearing proceedings from the Office of Provost and Vice President for Academic Affairs.

C. Academic Honor Code Committee

1. The Academic Honor Code Committee (AHCC) is charged with hearing alleged violations of academic integrity referred by the Office of the Provost and Vice President of Academic Affairs for formal hearing proceedings. Violations include but are not limited to plagiarism, cheating, misrepresentation and/or fabrication of one's work.
2. Normally, these are cases in which there is a possibility of suspension or expulsion of the accused student.
3. Cases are referred to the Academic Honor Code Committee through the University Judicial Officer. The University Judicial Officer sets the time, date, and location for a hearing and notifies panel members from that point.
4. The Academic Honor Code Committee of the University consists of five (5) members, two (2) students and three (3) faculty members, where one (1) faculty member will serve respectively as Chairperson per hearing.
5. Student members must be currently enrolled full-time students.
6. The Provost and Vice President for Academic Affairs shall appoint, each year, two (2) faculty members to serve respectfully as Chairperson and Co-Chairperson of the Academic Honor Code Committee.
7. **Deliberations are conducted in an executive session with the hearing panel only.** The decision reached after deliberations will be made by a majority vote. The Chairperson will only vote in the case of a tie.
8. Any member of the Academic Honor Code Committee shall disqualify himself or herself if their personal involvement in the case does not allow them to be objective or is of such a nature as to be detrimental to the interest of the accused or of the University.
9. The Academic Honor Code Committee will make an audio recording and written summary of the proceedings. The digital recording will be placed in the custody of the University Judicial Officer immediately following the hearing to include in the student's disciplinary record. No other recording devices or court reporters are permitted to record or transcribe an Academic Honor Code Committee hearing.
10. A written summary and recommendations shall be forwarded to the University Judicial Officer to include in the student's discipline record.
11. The University Judicial Officer will communicate the findings in writing to the student with a copy to the Office of the Provost and Vice President for Academic Affairs, the respective college dean, and the instructor of record in the course in which the alleged violation occurred.
12. The notice of the findings will inform the student of their right to appeal (if applicable).

Student Rights and Due Process

A student who has been charged with an academic integrity violation and thus alleged to be involved in misconduct or inappropriate behavior will be granted the following in order to assure fundamental fairness in the university judicial process:

- A. **Notice of Charges** – to be informed in written or electronic notification of the specific violation and inappropriate behavior in which the student or organization is suspected of involvement.
- B. **Procedures** - Will be provided a copy of the student judicial process when charged.
- C. **Hearing** – To have an opportunity to be heard in person before a decision is made.

- D. **Evidence** – The right to review available evidence in the case. To know the nature of the evidence and to be able to provide questions to be asked of witnesses.
- E. **Witness** – To be able to offer a defense by having material and/or character witnesses speak on his/her behalf. The right to ask questions of the decision maker and via the decision maker indirectly request responses from other parties and any other witnesses present.
- F. **Access to Advisor** – Both the respondent and alleged victim shall (where applicable) as parties to these proceedings, shall have the right to use an advisor (including an attorney) of his or her choosing, and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her client or advisee is present. The advisor may advise his or her advisee in any manner, including providing questions and suggestions, and guidance on responses to any questions of the advisee, but not participate directly. The University shall not prohibit family members of the student from attending the proceedings if the participant requests such attendance; but may limit each participant to two (2) family members.
- G. **Written Decision** – To receive a written notice of the decision and sanctions, including rationale for decision.
- H. **Appeal** – To appeal a decision resulting from a formal hearing.
- I. Students also have the right to attend classes and required functions until a hearing is held and decision is rendered except as stipulated below:

****Exceptions to this would be made when the student's presence would create a clear and present danger to others, self, or material interference with the normal operation an processes or the requirements of appropriate discipline at the University. In such cases, the Vice President for Student Affairs and Success or his/her designee may impose temporary protective measures, including suspension, pending a hearing, which may be reasonably necessary. It is understood that such temporary protective measure, if applicable, will be without avoidable prejudice to the student.**

Formal Hearing Procedures for Academic Integrity Cases

The following procedures are designed to adjudicate violations of academic dishonesty:

- a. In the case of a first violation, it is encouraged that disputes of academic integrity be handled between the faculty member and the student.
- b. Cases not adjudicated between the faculty member and the student will be processed through the appropriate academic levels prior to referral to the Office of Student Conduct.
- c. Any allegations of violation of academic integrity which is referred to the formal hearing process will be heard by the Academic Honor Code Committee unless the student requests to waive their right to a formal hearing and appeal proceedings and requests an administrative hearing.
- d. All formal charges shall be presented to the accused student in written form. A time shall be set for a meeting which normally will not be less than three (3) business days and will not be more than twenty (20) calendar days after the student has been presented with the charges. Maximum time limits for the scheduling of meetings may be extended at the discretion of the University Judicial Officer.
- e. A student cannot drop a course or withdraw from the university to avoid being charged with academic dishonesty.

- f. The faculty member (complainant) responsible for filing the academic dishonesty charge(s) will be responsible for providing information that supports his/her claims.
- g. Normally, a hearing will be conducted in private.
- h. The Academic Honor Code Committee will make an audio recording and written summary of the proceedings. The digital recording will be placed in the custody of the University Judicial Officer immediately following the hearing to be included in the student's disciplinary record. No other recording devices or court reporters are permitted to record or transcribe an Academic Honor Code Committee hearing.
- i. The University Judicial Officer will present the case for the complainant and the University.
- j. The complainant and the accused student (as well as any witness who is not also the complaining party) shall have the right to be assisted by an advisor. The advisor will be of the individual's own choosing (this may be an attorney), and at his or her own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The student may have family members accompany them to meetings and proceedings, at their request and this will be limited to two (2) family members.
- k. The accused student will be responsible for presenting his or her case and may be assisted by an advisor. The advisor may advise his or her advisee in any manner, including providing questions, suggestions, and guidance on responses to any questions of the advisee, but shall not participate directly.
- l. The complainant, the University Judicial Officer and the accused student have the right to call witnesses.
- m. The members of the Academic Honor Code Committee may question witnesses, including the complainant and the accused student. The complainant and the accused student may question witnesses, including each other. The complainant and the accused student will be permitted to review and examine evidence during the hearing, if approved by the Honor Code Committee Chairperson and University Judicial Officer.
- n. Pertinent records, exhibits and written statements may be accepted as evidence for consideration at the discretion of the Academic Honor Code Committee Chairperson and the University Judicial Officer.
- o. Procedural questions are subject to the final decision of the University Judicial Officer.
- p. After the hearing, the Academic Honor Code Committee will go into closed session. The Chairperson may participate in the deliberations of the board. After deliberations, a decision will be forwarded to the University Judicial Officer or his/her designee.
- q. The Academic Honor Code Committee's findings of fact and recommendation will be made on the basis of whether, by a preponderance of the evidence presented at the hearing, it is more likely than not that the accused student committed academic dishonesty as charged.
- r. Should an accused student fail to appear for his/her hearing or choose to limit or withhold a response to charges against him/her, the Chairperson shall nevertheless proceed with the hearing in the student's absence. An accused student shall not be found responsible for a violation of the Academic Honor Code Policy and Student Conduct Code solely because he/she chooses to remain silent.
- s. The University Judicial Officer will inform students of the decision via their University email account, normally within ten (10) business days of the hearing date.

- t. The University Judicial Officer will inform students of their right to appeal the decision and be given a written statement of the decision and the penalty. The student has the right to appeal any decision provided that relevant grounds for an appeal be cited.
- u. Student must send appeal by electronic mail within five (5) business days after the receipt of the original decision by the Academic Honor Code Committee to the University Judicial Officer.
- v. The Provost and Vice President for Academic Affairs (or to such other person she or he may designate) shall constitute the final appeal for all academic dishonesty cases not resulting in suspension or expulsion. Second appeals are only allowed if sanctions include suspension or expulsion. The Provost and Vice President for Academic Affairs or designee may:
 - i. Affirm the original finding and sanction.
 - ii. Affirm the original finding and issue a new sanction in lesser severity.
 - iii. Remand the case back to the decision-maker to correct procedural or factual deficit.
 - iv. Reverse or dismiss the case if there was a procedural or factual deficit. .
- w. The Provost and Vice for Academic Affairs or designee will communicate, within seven (7) business days, to the student by electronic mail the decision regarding the appeal, including the process for a further appeal to the President, if applicable.
- x. Second appeals are allowed for academic dishonesty cases which include suspension or expulsion and have gone through the first level of appeal. Second level appeals are made to the President by electronic mail within five (5) business days (as determined by receipt of the decision letter from the previous appeal) after the Provost and Vice President for Academic Affairs has communicated to the student.
- y. The President will communicate within seven (7) business days, to the student by electronic mail the decision regarding the second appeal, including further appeal to the Board of Regents, if applicable.
- z. The final appeal should be to the Board of Regents of the USG in accordance with the Board of Regents Policy 8.6. The decision of the President will stand until a decision is determined by the Board of Regents, if applicable.

Perjury

- a. All members participating in disciplinary procedures are expected to be truthful in presenting testimony during any disciplinary inquiry and to cooperate fully in the investigation of infractions.
- b. Perjury or obstruction of any inquiry shall itself be grounds for disciplinary action.

Appeal Guidelines

The purpose of an appeal is to review the procedures of the formal hearing in order to determine if there has been any error. Students have the right to appeal formal hearing decisions provided relevant grounds for an appeal are cited.

All appeal requests and responses in this process are transmitted by electronic mail (which accommodates distance learning students). At the first and second levels of the appeal process it will be a review of the record only, and no new meeting with the respondent or any alleged victim (where applicable) will be held. The appropriate personnel will review all material related to the case including: (a) the record made before the hearing body; (2) all pertinent documents, including the audio recording of the hearing, witness statements, incident reports, prior violations, and sanctions against the student.

Grounds for Appeal

- a. To consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the hearing;
- b. To allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias;
- c. To allege that the finding was inconsistent with the weight of the information.)

Records

The record of the proceeding shall consist of the written statement of the charge, the written response to the charge(s) by the accused, the summary of the committee's actions, any documentary evidence and the digital records or other records of the hearing. The record shall be kept in the student's file and in the Office of Student Conduct for five (5) years or in perpetuity in the case of expulsion. In addition, suspension and expulsion are noted on the student's academic transcript. In pending cases that could result in suspension or expulsion, the Provost for Vice President for Academic Affairs may place a temporary encumbrance on a student's transcript.

Amendment

The Academic Honor Code Committee, in collaboration with the Provost and Vice President for Academic Affairs and/or Vice President for Student Affairs and Success and the University Judicial Officer may modify or change these procedures.

Definitions

1. **Academic Dishonesty:** The intentional misrepresentation of one's work to deceive for personal gain, when in fact said work is not that person's or assisting another to do the same. When the instructor has sufficient evidence of cheating or plagiarism, he or she may impose disciplinary actions such as assigning a failing grade to the student's assignment, quiz, paper, or test. If the plagiarism or cheating involves major course work such as plagiarizing a research paper or cheating on a final exam, the instructor may fail the student in the course. Academic Dishonest includes, but is not limited to cheating, plagiarism, and fabrication.
 - **Definition of Cheating:** Cheating can be, but is not limited to, a student using electronic technology, notes, or other written materials not permitted by the instructor; looking at other students' papers without the instructor's permission; requesting answers from other students, alteration of grades or marks by the student in an effort to change the earned grade or credit; or working with other students when independent work is required. Situations where cheating may occur are during tests, exams, quizzes, or other similar methods of evaluation.
 - **Definition of Plagiarism:** Plagiarism is the appropriation of language, thoughts, or ideas of another author and claiming that as one's own. Plagiarism is work not produced by the student, or work that does not credit borrowings from the original source(s). Plagiarism can also be viewed as 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.

- **Definition of fabrication:** Fabrication is the falsification of data, information, or citations in any formal academic exercise. This includes making up citations to back up arguments or inventing quotations. Some other examples of fabrication would include making up data, changing data to support your hypothesis, claiming to have consulted sources that one really did not use.

2. **Forgery, Dishonesty, Fraudulent Acts and/or Misrepresentation:** Forgery of names, signatures, documents (personal, public, and/or private) will not be tolerated. Forgery, deceptive acts, misrepresentation and/or dishonest acts include, but are not limited to materials, alteration, misuse of University documents, records, or student identification cards, or documents and records belonging to another, cheating, plagiarism, or other forms of academic dishonesty; tampering with the election of any University recognized student organization; malfeasance of misuse of elective or appointive office student organization, its members, or the welfare of the University community; representing one's self as a member of a fraternity or sorority through the use of letters, paraphernalia, gestures, etc. without being a nationally initiated member who is acknowledged as an official member by documents from the national organization, including a membership card and certificate/shingle; and fraudulently issuing worthless checks to the University. Lying, knowingly furnishing false information to the University or its officials, other forms of dishonesty in University-related affairs is also prohibited.

The scope includes but is not limited to the following: lying, fraudulently obtaining, altering, falsifying, transferring, loaning, selling or misusing or attempting intended misuse of ID card, validation sticker, or any University document or service, misuse of university computer systems, laboratories, equipment, or software in violation of university computer use policies; unauthorized access, distribution, alteration, or use of electronic materials including, but not limited to, information, images, text, or software; recklessly or maliciously interfering with or damaging computer or network resources or computer data, files, or other information; engaging in or attempting to engage in a denial of service; failing to comply with laws, license agreements, and contracts governing network, software and hardware use; using University computing resources for unauthorized commercial purposes or personal gain; using any account or password without authorization; allowing or causing to be used an account number or password by any other person without authorization; accessing or causing to be accessed, downloading or causing to be downloaded, pornographic or obscene materials.

3. **Cooperative or Collaborative Effort in Coursework:** Without acknowledgement or explicit permission of the instructor (including digital media); knowingly helping or attempting to help another violate any provision of the Honor Code. Examples include, but are not limited to the following:
 - a. Working together on a take-home exam;
 - b. Working together on assignments without instructor permission.

4. **Abuse of Academic Materials:** Intentionally or knowingly destroying, stealing, or making inaccessible any resource material. Examples include, but not limited to:
 - a. Stealing, destroying, or hiding any reference materials needed for common academic requirements.
 - b. Stealing exams, grade books, books, papers, computer equipment and data, and laboratory materials.
 - c. Destroying computer files or programs needed for academic works
 - d. Damaging computer equipment (including removable media such as disks, CDs, flash drives, etc.) or laboratory equipment in order to alter or prevent evaluation of academic work, unauthorized use of another's computer password, disrupting the content or accessibility of an internet site, or impersonating another to obtain computer resources.
 - e. Purchasing and/or using an instructor edition of any textbook in place of the student edition for any course.

5. **Multiple Submission:** Submitting without prior permission, any work submitted to fulfill another academic requirement.

6. **Theft:** Stealing, taking or obtaining in any unauthorized manner information related to any academic work. Examples include, but are not limited to: stealing exams, grade books, books, papers, computer equipment and data, and laboratory materials.

Accountability

Division of Academic Affairs
Division of Student Affairs and Enrollment Management
Office of Student Conduct

Contacts

Provost and Vice President for Academic Affairs
Vice President for Student Affairs and Enrollment Management

Last Update

July 31, 2018