

Academic Misconduct Policy for Undergraduates

*Division of Undergraduate Education
June 15, 2015
Effective Summer 2015*

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Overview

The cornerstone of intellectual life at UC Santa Cruz is a commitment to integrity in all forms of teaching, learning, and research. Misconduct violates the standards of our community and is punishable by warning, suspension, dismissal, or revocation of degree.

This document states campus policy concerning academic misconduct by undergraduates and describes the process that will be followed once an instructor or teaching assistant suspects that misconduct has occurred. All students who are charged with misconduct will be invited to discuss the matter with their instructors and with the provosts of the colleges with which they are affiliated. They are also entitled to bring their cases to the Academic Tribunal. Each of these stages of the process is described below.

The [Academic Misconduct Form](https://www.ue.ucsc.edu/am-form) is available at <https://www.ue.ucsc.edu/am-form>.

In cases of academic misconduct, the instructor of record has sole discretion to determine *academic sanctions* (e.g., grade for the work in question, the student's final grade for the course). College provosts, Academic Tribunals, and the Vice Provost and Dean of Undergraduate Education (VPDUE) share discretion for determining *disciplinary sanctions* (including warning, suspension, dismissal, and revocation of degree).

Both students and faculty bear responsibility for preventing academic misconduct. Students are responsible for becoming familiar with Sections 102.01–102.016 and 105.15 of the [UC Santa Cruz Student Policies and Regulations Handbook](#). These sections include a listing of the many types of academic misconduct covered by this policy. Students need to avoid academic misconduct themselves and are enjoined to report any cases of academic misconduct that are known to them. Students making such reports may maintain anonymity. Instructors should clearly explain the University's academic misconduct policy in the context of their courses and specify the academic sanction for misconduct (e.g., no credit for the work in question, failing grade for the course). Failure to include this information in the course syllabus, however, does not excuse students from knowing and being accountable for adherence to the precepts of academic honesty and the policy of the University.

The instructor meets with the student

When an instructor suspects academic misconduct, he or she should notify the student or students of the alleged academic misconduct within ten (10) working days of learning of the problem. Only in very unusual circumstances should as much as an entire term (Fall, Winter, Spring) pass, subsequent to the term in which the incident allegedly occurred, without notification to the student.

Notification should be sent to the student's official UC Santa Cruz email address and a meeting to discuss the situation with the student should take place within ten (10) working days of the initial notification. The instructor should use the [Academic Misconduct Form](#) in the discussion with the student.

If the student fails to respond to the instructor's email within ten (10) working days, or if the student fails to attend the meeting with the instructor, the instructor should note this on the [Academic Misconduct Form](#) and submit the form and all supporting evidence electronically to the provost of the student's college within three (3) additional working days. Failure by the student to respond is taken as *prima facie* admission of academic misconduct.

During the meeting between the student and the instructor, if the student persuades the instructor that no academic misconduct occurred, then the matter is closed and no further action is required. If the instructor is unconvinced by the student's account, he or she must electronically submit the Academic Misconduct Form and supporting evidence to the provost of the student's college within five (5) working days of the meeting with the student. If the student is not affiliated with one of the residential colleges, the Academic Integrity Form should be submitted to the chair of the Council of Provosts.

After meeting with the student and submitting the form, the instructor assigns the course grade in the normal way, taking into account the academic sanction. The remaining process determines whether or not a disciplinary sanction will be imposed. If the disciplinary process results in a finding that academic misconduct did not occur, or that it cannot be determined whether or not such occurred, the instructor may initiate a procedural change of grade to reflect the outcome, if they wish to do so. As with any assessment and regardless of outcome, the student may appeal the grade to the Senate's [Academic Assessment Grievance Committee](#).

The college provost meets with the student

On receiving the form, the provost of the college with which the student is affiliated, or the chair of the Council of Provosts in the event that the student is not affiliated with a college, must contact the student to arrange a meeting between the student and the provost. The meeting should take place within ten (10) working days of receipt of the form. At the time of the form's submission to the student's college, a hold is placed on

the student’s academic record, but the hold is lifted when the student and the provost meet (and may, at the request of the provost, be lifted even before the meeting).

During the meeting between student and provost, the provost should ascertain the student’s account of the situation, explain the procedures that are pertinent to an allegation of academic misconduct, and make sure that the student understands his or her rights. The provost should also try to determine the circumstances that led to the incident in question. Students may change their pleas at the time of this meeting.

If the student agrees that academic misconduct occurred, the provost imposes sanctions guided by the case disposition table, below.

	Definition and examples	Usual Disciplinary Sanction
Level 1	First offense: evidence suggests the offense may have arisen from a temporary panic or from confusion. No evidence suggests that the student or students engaged in sustained or especially serious violation of academic integrity.	Warning letter. Student is warned of consequences of a second offense and may be required to write an apology or a paper, perform community service, attend meetings as part of the probation, or some other option, or combination of options.
Level 2	First offense: evidence suggests that the student or students engaged in sustained or an especially serious violation of academic integrity. For example, deliberate plagiarism or cheating on an examination may be in this category.	1-3 term suspension. Additional requirements as listed with Warning letter may be imposed.
Level 3	Second offense: when the first offense was level 1.	2-3 term suspension. Additional requirements as listed with Warning may be imposed.
Level 4	Second offense: when first offense was level 2. Third offense: whether previous offenses were level 1, 2 or 3	Permanent Dismissal from the University of California.

Instructors may also request “preservation of grade” as a disciplinary sanction. In this case, dropped classes may be restored, and W grades may be changed to a grade reflecting the academic sanction. Medical withdraw from a course, even before the sixth week, following the process and documentation requirements of the Committee on Educational Policy has precedence over “preservation of grade”.

Within five (5) working days of the meeting, and via official UC Santa Cruz email addresses, the provost formally notifies the student of the outcome of the case, with copies to the instructor, the chair of the course-sponsoring agency, and the offices of the VPDUE and of Conduct and Community Standards. In cases resulting in suspension or dismissal, the University Registrar is also notified.

College academic misconduct records will be retained for five (5) years following the academic year in which the case is closed, except in cases resulting in dismissal, in which case records will be retained for 50 years following the academic year in which the case is closed. Records are retained in accordance with University of California [policy](#).

If the provost is not certain how to proceed in a specific case, the provost should be in touch with the VPDUE as soon as possible.

The case may be reviewed by the Academic Tribunal

If the student maintains that the charge is unfounded or the sanction unwarranted, or the provost believes that there is insufficient evidence to support the instructor's claim, the case is forwarded electronically to the Analyst for the Council of Provosts within five (5) working days of the provost's meeting with the student. The student and instructor are copied, and the provost's observations and recommendation are included. The student may provide additional written information directly to the tribunal within five (5) working days of the case forwarding to the Analyst for the Council of Provosts.

The Academic Tribunal is composed of two or more provosts from colleges other than the college of the student. One of those provosts will serve as Chair of the Academic Tribunal.

The Academic Tribunal shall review the materials within ten (10) working days after receipt and shall conclude one of the following:

- The matter can be decided based on the available material. If the matter can be decided based on the available material, the Academic Tribunal shall determine, by a preponderance of the evidence, whether the student engaged in academic misconduct as defined in this policy.
- The matter requires additional written material from the instructor, the student, or other parties. The student will be provided copies of such material, and be allowed an additional five (5) working days to provide written comment. The tribunal will either decide the case based on this additional information or hold an in-person hearing.
- The matter should be resolved with an in-person hearing.

Whether or not a hearing is held, only in the most unusual circumstances will the resolution be delayed beyond the subsequent regular term in which the alleged academic misconduct occurred. In some cases, resolution of alleged academic misconduct during a spring term will not take place until the fall term immediately following. Students whose graduation is contingent on a finding by an Academic Tribunal will not be eligible to graduate until after the hearing.

A hearing may be held

When the Academic Tribunal determines that a hearing is needed, the hearing will be scheduled to include the instructor and the student. The Academic Tribunal will issue its ruling within five (5) working days of the hearing. Possible findings are that the student engaged or did not engage in academic misconduct, and no finding. If the Academic Tribunal finds that the student engaged in academic misconduct, then at a minimum the same disciplinary sanctions will apply as if the student had admitted responsibility during the provost meeting.

In cases involving multiple accused students, the Academic Tribunal may decide to hear the cases separately or jointly. If more than one student is alleged to have jointly engaged in one or more acts of academic conduct, the Academic Tribunal will make reasonable efforts to hear the cases jointly. If such related cases cannot be heard jointly, the Academic Tribunal may consider all statements, materials and other evidence presented at the first hearing in any subsequent proceedings or hearings of any other student alleged to have been engaged jointly in the same academic misconduct.

The accused student and members of the Academic Tribunal should be provided with copies of the relevant evidence at least five (5) working days prior to the scheduled hearing. If the accused student wishes to present written evidence or to call witnesses at the hearing, the written evidence itself and the names of the witnesses must be provided to the provost of the student's college and the Academic Tribunal chair at least ten (10) working days before the scheduled meeting. It is the responsibility of accused students to invite witnesses if desired, and to ensure their attendance at the scheduled time. Up to five (5) working days prior to the hearing date, the student may inform the Analyst for the Council of Provost of the intent to bring another person (e.g., friend, parent) to the hearing for support purposes only. Such a person may communicate quietly with the accused student but the visitor is not allowed to address the Academic Tribunal members or participate in questioning or testimony. Supporting individuals may be asked to leave the hearing at any time.

If the student has any disability-related needs with respect to the hearing, they should be discussed with the Disability Resource Center as soon as the hearing is scheduled, and any resulting request for accommodation should be provided to the chair of the tribunal as soon as possible, always at least ten (10) calendar days prior to the hearing date.

Similar rights are extended to faculty members with respect to witnesses and support individuals.

A single recording is made of the hearing and is maintained by the university.

Both the instructor and the accused student are given a chance to speak during the hearing and then members of the Academic Tribunal pose questions as desired.

A decision is made

Findings by the Academic Tribunal, whether or not there is a hearing, are made on the basis of the “preponderance of evidence,” meaning that it is more likely than not that the student engaged in, or did not engage in, academic misconduct. This is a significantly different standard than is used, for example, in criminal cases in an American court of law. The Academic Tribunal may determine that it is equally likely that the student engaged in, or did not engage in, academic misconduct, in which case the Tribunal issues a determination of “no finding.”

The decision of the Academic Tribunal must be communicated to the student within five (5) working days of the hearing or, if there is no hearing, the Tribunal’s final meeting on the case.

If the Academic Tribunal finds that the student engaged in academic misconduct, then at a minimum the same disciplinary sanctions will apply as if the student had admitted responsibility during the provost meeting.

Using official UC Santa Cruz email addresses, the Academic Tribunal formally notifies the student, instructor, the chair of the course-sponsoring agency, and the offices of the VPDUE and of Conduct and Community Standards. In cases resulting in suspension or dismissal, the University Registrar is also notified.

Academic Tribunal records (written and/or audio) will be retained by the Office of the VPDUE for five (5) years following the academic year in which the case is closed, except in cases resulting in dismissal, in which records will be retained by the Office of the VPDUE for 50 years following the academic year in which the case is closed.

A student considering an appeal may request a copy of tribunal records, including the audio recording of any hearing, up to five (5) working days after the student receives the decision of the Academic Tribunal. Typically, the only record of the Tribunal’s deliberation is the final letter that is provided to the student.

If the Chair of the Academic Tribunal is not sure how to proceed in a specific case, the chair should be in touch as soon as possible with the VPDUE.

An appeal may be submitted

The decision of the Academic Tribunal with respect to verdict and sanctions is final and ends the academic misconduct process, unless the student submits an appeal to the VPDUE. Only the student (not the instructor bringing charges) may appeal the decision of the Academic Tribunal.

Appeals will be granted only if one or more of the following conditions are met:

- There is evidence that, in coming to a decision and imposing disciplinary sanctions, there has been a violation of university policies, campus regulations, or a student's rights of due process, and such violation(s) more likely than not affected the Tribunal's decision regarding responsibility or sanction;
- There is evidence which was unavailable at the time of the original hearing through the exercise of due diligence, which is relevant and not cumulative with other evidence considered by the original tribunal, and which would be more likely than not to affect the Tribunal's decision;

The time frames expressed within this policy represent the usual case. Winter closure, spring break, summer quarter, and other situations may impact completion within the time frames. Issues of significant variance from the policy's specified time frames may be raised in the appeal process.

Any appeal must be made in writing and received by the VPDUE's office within ten (10) working days of the date on the letter or email informing the student of the decision of the Academic Tribunal. If the VPDUE has a conflict related to review of the appeal, the Chancellor will designate an alternate appellate officer.

An appeal can have several outcomes, including but not limited to, upholding the tribunal finding, modification of the tribunal finding to "no finding" or "did not engage in academic misconduct," modification of disciplinary sanction, or other remedy.

If, as a result of an appeal, it is found that a student was improperly found responsible for academic misconduct, the Vice Provost and Dean of Undergraduate Education shall ensure that records are adjusted appropriately.

The decision of the VPDUE as appellate officer is final and shall be conveyed to the student and the provost of the student's college, who will formally inform all other parties involved in the case.