

**Rutgers University**  
**Draft Academic Integrity Policy**  
**9/28/2009**

## **I. Academic Integrity**

As an academic community dedicated to the creation, dissemination, and application of knowledge, Rutgers University is committed to fostering an intellectual and ethical environment based on the principles of academic integrity. Academic integrity is essential to the success of both the University's educational and research missions and violations of academic integrity constitute serious offenses against the entire academic community. This academic integrity policy was developed to guide undergraduate and graduate students as they prepare assignments, complete examinations, and perform the work necessary to complete their degree requirements.

The principles of academic integrity require that:

- All work submitted in a course must be a student's own and must have been produced without the aid of unsanctioned materials or collaboration.
- All use of the ideas, results, or words of others must be properly acknowledged and cited.
- All contributors to a given piece of work must be properly acknowledged.
- All data or results must be obtained by ethical means and reported accurately without suppressing any results inconsistent with the author's interpretation or conclusions.

Failure to uphold these principles of academic integrity threatens both the reputation of the University and the value of the degrees awarded to its students. Every member of the University community therefore bears a responsibility for ensuring that the highest standards of academic integrity are upheld.

The University administration is responsible for making academic integrity an institutional priority and shares with faculty, staff, and students the responsibility for developing effective educational programs that foster an understanding of and commitment to the fundamental principles and practices of ethical academic conduct and for establishing equitable and effective procedures to deal with violations of academic integrity.

Faculty members bear a responsibility for educating students about the importance and principles of academic integrity and for responding appropriately to violations of academic integrity. Individual faculty members<sup>1</sup> are also responsible for informing students of the particular expectations regarding academic integrity within their specific courses and for making reasonable efforts to minimize academic dishonesty.

Students are responsible for understanding the principles of academic integrity fully and abiding by them in all aspects of their work at the University. To affirm their commitment to academic integrity, students are required to affirm that they have read and understood the Rutgers Academic Integrity Policy and to write the University honor pledge on all academic work they submit. Students are also encouraged to help educate fellow students about academic integrity and to report all alleged violations of academic integrity they encounter to the appropriate authorities.

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<sup>1</sup> For purposes of the Academic Integrity Policy, the term faculty member includes not only tenured, tenure-track, and nontenure-track faculty members, but also part-time lecturers, TAs, staff members, and administrators who are serving as the instructor of record in a course; i.e., the instructor responsible for assigning final course grades.

## II. Violations of Academic Integrity and Recommended Sanctions

This section describes various types and levels of academic integrity violations, and the range of recommended sanctions at each level. Examples are provided of each type of violation by level of severity; these examples are meant to be used only as rough guidelines in determining what type of violation may have occurred in a given instance and what an appropriate sanction might be.

### A. Types of Violations

**Plagiarism:** Plagiarism is the use of another person's words, ideas, processes, or results without giving that person appropriate credit. To avoid plagiarism, every direct quotation must be identified by quotation marks, or by appropriate indentation, and must be cited properly according to the accepted format for the particular discipline. Acknowledgment is also required when material from any source is paraphrased or summarized in whole or in part in one's own words.

**Cheating:** Cheating is the use of inappropriate or prohibited materials, information, sources, or aids in any academic exercise. This includes using books, notes, electronic sources, conversations with others, etc. when their use is restricted or forbidden during in-class quizzes or exams or in out-of-class assignments. Cheating also includes submitting papers, research results and reports, analyses, etc. as one's own work when they were, in fact, prepared by others.

**Fabrication:** Fabrication is the invention or falsification of sources, citations, data, or results, and recording or reporting them in any academic exercise. This includes falsifying laboratory exercises or research reports by selectively omitting data that does not support one's hypothesis or claimed experimental precision.

**Facilitation of Dishonesty:** Facilitation of dishonesty is knowingly or negligently allowing one's work to be used by other students without prior approval of the instructor or otherwise aiding others in committing violations of academic integrity. A student who intentionally facilitates a violation of academic integrity is as culpable as the student who receives the impermissible assistance, even if the facilitator does not benefit personally from the violation.

**Academic Sabotage:** Academic sabotage is denying other students access to scholarly resources that they are entitled to use or deliberately impeding the academic progress of another student.

**Violation of Research or Professional Ethics:** This category involves both violations of the code of ethics specific to a particular profession and violations of more generally applicable ethical requirements for the acquisition, analysis, and reporting of research data and the preparation and submission of scholarly work for publication.

**Violations Involving or Resembling Criminal Activity:** Violations in this category include theft, fraud, forgery, or distribution of ill-gotten materials committed in the course of an act of academic dishonesty.

### B. Levels of Violations and Sanctions

Any violation of academic integrity is a serious offense and is therefore subject to an appropriate penalty or sanction. Academic integrity violations at Rutgers University are classified into two levels called non-separable and separable, respectively. Non-separable violations are less severe

violations for which the possible sanctions do not include suspension or expulsion from the University; separable violations are more severe violations for which the sanctions may include suspension or expulsion. Whether a given violation is classified as separable or non-separable depends on a number of factors including the nature and importance of the assignment, the degree of premeditation or planning, the extent of dishonest or malicious intent, the academic experience of the student, and whether the violation is a first-time or repeat offense. In determining the level of a violation on a class assignment by an undergraduate student, it is useful to distinguish between a major and a minor assignment, roughly defined as follows:

- A minor assignment is one that is worth less than 20% of the total grade.
- A major assignment is one that is worth 20% or more of the total grade.
- A minor portion is less than 20% of the total assignment.
- A major portion is 20% or more of the total assignment.

### **1. *Non-separable Violations***

Non-separable violations may occur because of inexperience or lack of knowledge of the principles of academic integrity and are often characterized by a relatively low degree of premeditation or planning and the absence of malicious intent on the part of the student committing the violation. These violations are generally quite limited in extent, occur on a minor assignment or constitute a small portion of a major assignment and/or represent a small percentage of the total course work.

Sanctions include, but are not limited to, one or more of the following, but do not include suspension or expulsion:

- Required participation in a noncredit workshop or seminar on ethics or academic integrity.
- An assigned paper or research project related to ethics or academic integrity.
- A make-up assignment that is more difficult than the original assignment.
- No credit for the original assignment.
- A failing grade on the assignment.
- A failing grade for the course
- Disciplinary warning or probation.

### **2. *Separable Violations***

Separable violations are very serious violations of academic integrity that affect a more significant portion of the course work compared to non-separable violations. Separable violations do not occur because of inexperience or lack of understanding of academic integrity. They are often characterized by substantial premeditation or planning and dishonest or malicious intent on the part of the student committing the violation

Sanctions include, but are not limited to, one or more of the following, and may or may not involve suspension or expulsion:

- A failing grade for the course.
- Disciplinary probation.
- Suspension for one or more semesters.
- Dismissal from a departmental or school Honors Program
- Denial of access to internships or research programs.
- Loss of appointment to academically-based positions.

- Loss of departmental/graduate program endorsements for internal and external fellowship support and employment opportunities.
- Removal of fellowship or assistantship support.
- Permanent expulsion from the University with a permanent notation of disciplinary expulsion on the student's Rutgers transcript.

The recommended sanctions at each level are not binding, but are intended as guidelines for the University community. Sanctions for a given violation may be imposed differently on those with more or with less experience as students. Thus violations of academic integrity by graduate students<sup>2</sup> will normally be penalized more severely than violations by inexperienced undergraduate students. In particular, violations that would be considered non-separable for an undergraduate are often treated as separable for a graduate student and violations for which the sanction for an undergraduate would be suspension for a semester or a year might result in dismissal from his or her graduate or professional program or expulsion from the University for a graduate student.

Some professional schools may have codes of professional conduct with mandatory sanctions for violations thereof imposed by their accrediting organizations. These sanctions may be more stringent than those recommended under this Policy. Students and faculty should consult the policies of the particular professional program.

### C. Examples of Non-separable and Separable Violations of Academic Integrity

A number of examples of common violations of academic integrity are given in the table below, categorized both by type and level of the violation. These examples are meant to be illustrations and certainly do not exhaust the possible violations of academic integrity. Note, moreover, that the examples in the non-separable category refer to violations by undergraduate students. Such violations would normally be considered separable if committed by a graduate student.

<b>Plagiarism</b>
<p>Non-separable<sup>3</sup></p> <ul style="list-style-type: none"> <li>• Copying word for word (i.e. quoting directly) from an oral, printed, or electronic source without proper attribution on a minor assignment or a minor portion of a major assignment.</li> <li>• Paraphrasing without proper attribution, i.e., presenting in one's own words another person's written words or ideas as if they were one's own thoughts on a minor assignment or a minor portion of a major assignment.</li> <li>• Receiving unauthorized research, programming, data collection, or analytical assistance from others on a class assignment without acknowledgement.</li> <li>• Using data or interpretive material for a laboratory or other class exercise without acknowledging sources or collaborators.</li> </ul>

<sup>2</sup> In this policy, the term graduate student refers to post-baccalaureate students pursuing advanced degrees of any type or enrolled in graduate courses.

<sup>3</sup> As noted in the introduction to this table, these violations are normally treated as separable when committed by a graduate student.

Separable

- Copying word for word (i.e. quoting directly) from an oral, printed, or electronic source without proper attribution on a major portion of a major assignment.
- Paraphrasing without proper attribution, i.e., presenting in one's own words another person's written words or ideas as if they were one's own thought on a major portion of a major assignment.
- Submitting a purchased term paper or other purchased materials to satisfy a course requirement.
- Incorporating into one's work graphs, drawings, photographs, diagrams, tables, spreadsheets, and computer programs, and other non-textual material from other sources without proper reference on a major assignment.
- Repeated non-separable violations

**Cheating**

Non-separable<sup>3</sup>

- Receiving research, programming, data collection, or analytical assistance from others on projects where this is not permitted.
- Working with another student on a homework or laboratory assignment when such collaborations are not permitted
- Copying another student's work or answers on a minor quiz or examination.
- Using or possessing books, notes, calculators, cell-phones, or other devices and/or prohibited materials during a minor quiz or examination.
- Submitting the same work or major portions thereof to satisfy the requirements of more than one course without permission from the second instructor.

Separable

- Preprogramming a calculator or other electronic device to contain answers, formulas, or other unauthorized information for an exam
- Acquiring a copy of an examination from unauthorized sources prior to the examination.
- Having a substitute take an examination for one
- Requesting that others (including commercial companies) conduct research or prepare work for one.
- Copying another student's work or answers on a major test or examination.
- Using or possessing books, notes, calculators, cell-phones, or other devices and/or prohibited materials during a major test or examination.
- Copying another student's work or using unauthorized materials during a proficiency exam, Master's examination, or doctoral Qualifying Examination.
- Repeated non-separable violations.

<b>Fabrication</b>
<p>Non-separable<sup>3</sup></p> <ul style="list-style-type: none"> <li>• Citing a source that does not exist on a minor assignment.</li> <li>• Inventing or falsifying evidence or data or references for a minor assignment.</li> </ul>
<p>Separable</p> <ul style="list-style-type: none"> <li>• Citing a source that does not exist on a major assignment.</li> <li>• Inventing or falsifying evidence or data or other source materials for a major assignment.</li> <li>• Falsifying research papers or reports by selectively omitting or altering data that do not support one's claims or conclusions.</li> <li>• Repeated non-separable violations.</li> </ul>
<b>Facilitation of Dishonesty</b>
<p>Non-separable<sup>3</sup></p> <ul style="list-style-type: none"> <li>• Collaborating before a minor quiz or examination to develop methods of exchanging information.</li> <li>• Allowing others to copy answers to work on a minor quiz or examination or assisting others to do so.</li> </ul>
<p>Separable</p> <ul style="list-style-type: none"> <li>• Collaborating before a major test or examination to develop methods of exchanging information.</li> <li>• Allowing others to copy answers to work on a major test or examination or assisting others to do so.</li> <li>• Distributing a test or examination from unauthorized sources prior to the test or examination.</li> <li>• Distributing or selling a term paper to other students.</li> <li>• Taking an examination for another student.</li> <li>• Repeated non-separable violations.</li> </ul>
<b>Academic Sabotage</b>
Non-separable: None
<p>Separable</p> <ul style="list-style-type: none"> <li>• Intentionally destroying or obstructing another student's work.</li> <li>• Stealing or defacing books, journals, or other library or University materials.</li> <li>• Altering computer files that contain data, reports or assignments belonging to another student.</li> <li>• Intentionally giving other students false or misleading information about assignments or examinations.</li> <li>• Removing posted or reserved material or preventing other students' access to it.</li> </ul>

<b>Violation of Research or Professional Ethics</b>
Non-separable: None
Separable <ul style="list-style-type: none"> <li>• Knowingly violating a canon of the ethical code of the profession for which a professional or graduate student is preparing.</li> <li>• Using unethical or improper means of acquiring, analyzing, or reporting data in a Master's or doctoral research project, grant-funded research, or other research submitted for publication.</li> <li>• Quoting directly or paraphrasing without acknowledging the source and/or presenting the ideas or results of another as one's own in a senior thesis, a master's thesis, a doctoral dissertation, a scholarly article submitted for publication, or a grant proposal.</li> <li>• Misuse of grant or institutional funds.</li> <li>• Violating professional ethics as a Teaching Assistant or Graduate Assistant.</li> </ul>
<b>Violations Involving or Resembling Criminal Activity</b>
Non-separable: None
Separable: <ul style="list-style-type: none"> <li>• Stealing an examination from a faculty member's or University office or from electronic files.</li> <li>• Selling or distributing a stolen examination.</li> <li>• Forging a change-of-grade form.</li> <li>• Falsifying a University transcript.</li> <li>• Misrepresenting one's academic credentials on a resume.</li> </ul>

### **III. Administration of the Academic Integrity Policy**

#### **A. Role of CAOs and CAIDs**

The Chief Academic Officer (CAO) on each campus; i.e., the Executive Vice President for Academic Affairs in New Brunswick/Piscataway and the Chancellor in Newark and in Camden, has the ultimate responsibility for implementing and overseeing the Academic Integrity Policy on his or her campus. The CAO is responsible for deciding the sanction for (a) students found responsible for separable violations of academic integrity and (b) students who appeal the finding of responsibility and/or the sanction for a non-separable violation of academic integrity on the campus. The CAO shall either exercise these responsibilities personally or delegate them to one or more academic administrators called Campus Academic Integrity Designees (CAIDs). The Executive Vice President for Academic Affairs also has the responsibility to make sure that the Academic Integrity Policy is implemented consistently and fairly across all the University's campuses, schools and colleges.

## **B. Role of AIFs and Faculty**

Academic Integrity Facilitators (AIFs) shall ordinarily be academic staff or faculty members appointed by the deans of their respective schools or colleges. The AIFs shall help to educate students and faculty concerning academic integrity, shall advise faculty concerning academic integrity policies and procedures, and shall investigate and adjudicate allegations of non-separable violations of academic integrity that faculty members choose not to handle themselves. The AIFs may also carry out the Preliminary Review of cases of alleged separable violations of the Academic Integrity Policy, as described in the *University Code of Student Conduct*.

Faculty members may also play a role in the administration of the Academic Integrity Policy by investigating and adjudicating allegations of non-separable violations of Academic Integrity under the guidelines provided in this Policy.<sup>4</sup>

## **C. Role of the Academic Integrity Review Committees**

Each regional campus has its own Academic Integrity Review Committee (AIRC), which is a standing committee of faculty members and staff members, appointed by the campus CAO, and student members of the Honor Council (see III.G below), all trained by the Office of Student Conduct. The AIRCs are limited to considering student appeals regarding determination of responsibility and/or recommended sanction for non-separable violations of academic integrity. All such student appeals are referred to the appropriate Campus AIRC.

## **D. Role of the Hearing Boards and Hearing Officers**

University Hearing Boards hear cases of students accused of separable violations of academic integrity who do not accept responsibility for the alleged violation. Hearing Boards consist of students and faculty members (normally three students and two faculty members) chosen from a pool of students and faculty trained by the Director of the Office of Student Conduct. Hearings are conducted by a *Hearing Officer*, who must be a member of the University community, normally a staff or faculty member.

## **E. Role of Campus Advisers**

Campus advisers are staff or faculty members trained to provide assistance to complainants or respondents in University Hearings or Disciplinary Conferences.

## **F. Role of the Appeals Committees**

Each regional campus has its own Appeals Committee consisting of one faculty member, one administrator, one undergraduate student, and one graduate student. These committees consider appeals of findings of responsibility and/or sanctions for separable violations of academic integrity. Appeals are considered by a three-member panel consisting of the faculty member, the administrator, and either the undergraduate student or the graduate student member of the Committee, depending on whether the respondent is an undergraduate or a graduate student,

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<sup>4</sup> Faculty members may not handle allegations of separable violations of academic integrity, but must refer such allegations to an appropriate AIF or to the Office of Student Conduct or the Campus Conduct Officer.

respectively. Appeals are decided on the basis of the record of the original proceeding and on written statements submitted by the interested parties. Appeals panels do not conduct a hearing nor take direct testimony.

### **G. Role of the Honor Council**

The Honor Council is an organization of undergraduate and graduate students from all three regional Rutgers campuses dedicated to promoting academic integrity. The Honor Council plays a key role in educating students and other members of the University community about academic integrity. Members of the Council also play a number of roles in the administration of the Academic Integrity Policy, including

1. serving as student members of University Hearing Boards, Appeals Committees, and AIRC panels.
2. serving as the complainant at a University Hearing; i.e., presenting the case against the respondent, when the faculty member or other member of the University community who filed the complaint against the respondent does not wish to do so. These Honor Council members are called *Community Advocates*.
3. providing information, advice, and assistance to students accused of violating the Academic Integrity Policy, including accompanying the student to any meeting with a faculty member or AIF and assisting the respondent during a University Hearing or Disciplinary Conference. Such Honor Council members are called *Student Advocates*. They are permitted to address the Hearing Board at a University Hearing or the Conduct Officer at a Disciplinary Conference and to question witnesses in either case.

### **H. Role of the Office of Student Conduct and the Campus Conduct Officers**

The Office of Student Conduct (OSC) handles cases of alleged separable violations of academic integrity on the New Brunswick campus, under the *University Code of Student Conduct*; this role is played by the Campus Conduct Officer on the Newark campus and on the Camden campus. The OSC and the Campus Conduct Officers play a key role in educating students, faculty, and staff about academic integrity.

The OSC also provides a number of university-wide services, including assisting the Campus Conduct Officers in the provision of University Hearings, serving as the central university repository of student disciplinary records, and providing training for Academic Integrity Facilitators, Campus Advisers, Student Advocates, Community Advocates, Hearing Officers, and members of Hearing Boards, Appeals Committees, and the Academic Integrity Review Committees, in cooperation with the campus CAOs and CAIDs.

## **IV. Policies Regarding Adjudication of Alleged Violations of Academic Integrity**

### **A. Reporting Alleged Violation**

Faculty members<sup>1</sup> shall either investigate and adjudicate alleged non-separable violations of academic integrity by undergraduate students or they shall refer such allegations to an AIF of the school or college offering the course (for alleged violations occurring in a Rutgers course), or to an AIF of the school or college in which the student is enrolled (for alleged violations

occurring outside a Rutgers course<sup>5</sup>). Faculty members may not adjudicate cases of alleged separable violations of academic integrity but must refer them to an appropriate AIF or to the Office of Student Conduct or the Camden or Newark Campus Conduct Officer. Since all violations of academic integrity by a graduate student (as defined in this Policy) are potentially separable under the Academic Integrity Policy, faculty members should not adjudicate alleged academic integrity violations by such students, but should refer the allegation to an appropriate AIF in the student's school of matriculation.

Members of the University community other than faculty members (as defined in this Policy) should normally report evidence of a violation of academic integrity in a Rutgers course to the instructor of record in the course or to the Chair of the department offering the course; evidence of a violation of academic integrity occurring outside a Rutgers course<sup>5</sup> should normally be reported to the faculty member supervising the accused student or to the student's Department Chair or Graduate Director. However, any member of the University community is permitted to file a formal allegation of academic dishonesty with the Office of Student Conduct or the Camden or Newark Campus Conduct Officer.

## **B. Adjudicating Alleged Non-separable Violations**

However an allegation of a non-separable violation of academic integrity is initially reported, the allegation shall be adjudicated by (1) the faculty member either teaching the course in which the violation is alleged to have occurred or responsible for supervising the accused student or (2) by the appropriate AIF (as specified in IV.A above). All such allegations must be adjudicated according to the procedures specified in *Appendix B* of this Policy entitled *Procedures for Adjudicating Alleged Non-separable Violations of Academic Integrity*. These procedures are briefly summarized below. This summary is meant only to give the reader an overview of the procedures. Anyone wanting an in-depth knowledge of the procedures for adjudicating non-separable violations of academic integrity, including the rights and responsibilities of the respondent and all others involved in the process, needs to consult Appendix B.

The procedures for adjudicating allegations of non-separable violations of academic integrity specify time limits or deadlines on actions by faculty members, AIFs, the AIRCs, and student respondents (not all of which are noted in the summary below). These deadlines are designed to ensure that the adjudication process proceeds in a timely and efficient manner for the benefit of all concerned. Any of the deadlines may be extended by mutual consent of the parties concerned. The consequences of failure by a student respondent to meet the relevant deadlines are made clear in Appendix B. If a faculty member, an AIF, or a campus AIRC fails to meet a deadline, the student respondent may file a complaint with the campus CAO or appropriate CAID. The CAO or CAID shall consider the complaint and act, if necessary, to bring the adjudication process to completion as rapidly as possible, including possibly dismissing the charges against the student.

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<sup>5</sup> Examples include alleged violations of academic integrity committed in a research project, scholarly paper, or examination not tied to a specific Rutgers course.

## Brief Summary of Procedures

### 1. *Notification of the Respondent*

A faculty member or AIF handling an allegation of a non-separable violation of academic integrity notifies the student respondent in writing of the substance of the allegation and requests the student to make an appointment to meet with him or her to respond to the allegation. The letter of notification also informs the student of the availability of a Student Advocate from the Honor Council who can provide information and assistance, including accompanying the student to any meeting with the faculty member or AIF. A faculty member is required to notify the student within ten working days of the time the faculty member identifies or is advised of the alleged non-separable violation; an AIF is required to notify the student within five working days of receiving a report of the alleged violation. The student then has ten working days from the time of notification to respond to the faculty member or AIF. Once the student has been notified of the allegation, he or she may not drop the course or withdraw from school until the adjudication process is completed.

### 2. *Investigation and Adjudication*

The faculty member or AIF investigates the allegation and reaches a decision by considering all available evidence, interviewing available material witnesses, meeting with the student respondent, and carefully considering the student's response to the allegation. An AIF also interviews the referring party.<sup>6</sup> If the student does not respond within the prescribed time limit or chooses not to meet with the faculty member or AIF, the faculty member or AIF reaches a decision based on the available evidence, including any written response from the student.

If the faculty member or AIF determines that the student has not violated the Academic Integrity Policy, the matter is closed. If the faculty member or AIF concludes that the student is responsible for a non-separable violation of academic integrity, the faculty member or AIF proposes a sanction and informs the student in writing of the finding of responsibility and the recommended sanction. The letter of notification also informs the student of the opportunity to file a written appeal of the finding of responsibility and/or sanction to the Campus Academic Integrity Review Committee (AIRC) within ten working days.

### 3. *Sanctioning and Reporting*

If the student respondent accepts responsibility for the violation and agrees to the recommended sanction or fails to appeal to the Academic Integrity Review Committee within the prescribed time period, the recommended sanction is imposed and the disposition of the case reported to the Office of Student Conduct or the Camden or Newark Campus Conduct Officer. If the student does not accept responsibility for the violation or does not agree with the recommended sanction, he or she may appeal the finding of responsibility and/or recommended sanction in writing to the Campus AIRC. In the latter case, the final decision on responsibility is made by the AIRC and, assuming that the finding or responsibility is upheld, the final decision on sanction is made by the CAO or CAID.

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<sup>6</sup> The referring party is the faculty member or other member of the University community who referred the allegation to the AIF.

4. *Review by the Campus Academic Integrity Review Committee (AIRC)*

AIRC reviews are conducted by a four-person panel consisting of one faculty member from the AIRC, two student members from the AIRC, and a nonvoting staff member from the AIRC called the staff investigator. Prior to the meeting of an AIRC panel to hear an appeal, the staff investigator gathers information pertaining to the allegation as necessary to permit the panel to make an informed decision. The panel considers all appeals on the basis of the written information presented through the staff investigator and does not take direct testimony. Its decisions are made by simple majority vote and voting members of the panel are not permitted to abstain.

If the AIRC panel overturns the finding of responsibility, the matter is closed. If the panel upholds the finding of responsibility or if the appeal is only of the recommended sanction, the panel reviews the sanction recommended by the faculty member or AIF and transmits its recommendation with regard to sanction to the CAO or CAID. The CAO or CAID makes the final decision regarding sanction, notifies the student respondent, the faculty member or AIF, and the Office of Student Conduct or Camden or Newark Campus Conduct Officer, and directs that the sanction be imposed.

5. *Handling of Repeat Violations*

When the Office of Student Conduct or a Campus Conduct Officer receives (a) a report of the disposition of a case handled by a faculty member or an AIF or (b) a student appeal to the AIRC, a staff member will check the disciplinary records database to see if the respondent has been found responsible for a previous violation under the ***University Code of Student Conduct***. If the respondent has previously committed a violation and the cumulative record is sufficiently serious, the case is treated as a separable offense under the procedures of the ***University Code of Student Conduct***. If the cumulative record does not rise to the level of a separable violation, an additional sanction beyond that imposed or recommended by the faculty member or AIF may be imposed on the respondent by the CAO or CAID, assuming that the student did not appeal the finding of responsibility or that the AIRC upheld the finding of responsibility.

6. *Standard of Proof*

The standard of proof used by faculty members and AIFs is clear and convincing evidence.

### C. **Adjudicating Alleged Separable Violations**

Regardless of how an allegation of a separable violation of academic integrity is initially reported, the allegation must be adjudicated according to the procedures specified in the ***University Code of Student Conduct***. These procedures are briefly summarized below. This summary is meant only to give the reader an overview of the procedures. Anyone seeking an in-depth knowledge of the procedures for adjudicating separable violations of academic integrity, including the rights and responsibilities of the respondent and of others involved in the process, must consult the ***University Code of Student Conduct***. Additional explanatory material on the procedures may be found on the Student Conduct website: <https://studentconduct.rutgers.edu>.

## Brief Summary of Procedures

### 1. *Preliminary Review*

The first step in the process is the Preliminary Review, which is carried out by an AIF or other staff member assigned by the Director of the Office of Student Conduct or the Camden or Newark Campus Conduct Officer. The purpose of the preliminary review is to determine if there is sufficient evidence to charge the respondent with a separable violation. At the end of the review, the Conduct Officer (a) dismisses the complaint, (b) charges the student with a non-separable violation of academic integrity and refers the case for adjudication according to the procedures specified in Appendix B of this Policy, (c) charges the student with a separable violation of academic integrity, or (d) charges the student with both separable and non-separable violations.

If the student is charged with a separable violation of academic integrity and accepts responsibility for the violation or does not contest the charge(s), the Conduct Officer recommends a sanction to the CAO or appropriate CAID. The CAO or CAID gives the respondent and the reporting party<sup>7,8</sup> at least five working days to submit written statements concerning the sanction. The CAO or CAID then makes a decision regarding sanction and notifies the respondent and other appropriate parties.

If the student does not accept responsibility for the alleged separable violation, the case is referred to a University Hearing unless the respondent requests that it be referred to a Disciplinary Conference instead. A request for a Disciplinary Conference is granted only if the reporting party agrees.

### 2. *Hearing Procedures*

University Hearing Boards normally consist of three students and two faculty members chosen from a pool of trained students and faculty. The Hearing is conducted by a Hearing Officer, who must be a member of the University community, normally a staff or faculty member. The Hearing Officer and Hearing Board members play an investigatory as well as an adjudicative role during the Hearing: they can call witnesses, question the complainant and all witnesses who testify. They can also question the respondent provided he or she waives the right to remain silent. The Hearing Officer makes all necessary rulings on evidence and is responsible for conducting an orderly and expeditious Hearing that insures fairness to all concerned.

The faculty member or other reporting party<sup>7</sup> normally has two choices as to his or her role in the Hearing: he or she may choose to serve as the complainant; i.e., present the case against the respondent, with the help of a Campus Adviser if desired, or request to have the case presented by a Community Advocate from the Honor Council. In the latter instance, the reporting party is expected to help the Community Advocate prepare the case and serve as a witness at the Hearing. If the reporting party does not wish or is not able to serve as the

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<sup>7</sup> The reporting party is the faculty member or other member of the University community who filed the formal allegation against the respondent.

<sup>8</sup> If not a faculty member, the reporting party may be notified of the recommended sanction and permitted to submit a statement concerning it, only if such notification is permitted under the provisions of the Family Educational Rights and Privacy Act (FERPA).

complainant and no suitable Community Advocate is available, a member of the dean's staff of the respondent's school or college may serve as the complainant.<sup>9</sup>

The respondent can, if desired, be assisted at the Hearing by a Student Advocate from the Honor Council or, if preferred, by a Campus Adviser (see section III.E). In addition, the respondent is permitted to have one additional support person present, who may be an attorney. The Student Advocate or Campus Adviser is permitted to make statements to the Hearing Board and question witnesses. The role of the additional support person is strictly advisory; he or she is not permitted to speak to the Hearing Board or question witnesses.

After the fact-finding phase of the Hearing, the voting members of the Hearing Board (which do not include the Hearing Officer) retire to closed deliberations. The decision is made by majority vote and Board members are not permitted to abstain.

### 3. *Sanctioning*

If the Hearing Board finds the respondent not responsible for a violation of academic integrity, the matter is closed. If the Hearing Board finds the respondent responsible for a violation, the respondent, the reporting party<sup>8</sup>, the Conduct Officer who carried out the Preliminary Review, and the Director of the Office of Student Conduct or the Camden or Newark Campus Conduct Officer may make statements concerning the appropriate sanction to be imposed. In addition, the past disciplinary record, if any, of the respondent is made known to the Hearing Board for the first time. The Board then retires to determine a recommendation regarding sanction, which is transmitted to the CAO or CAID.

The CAO or CAID then gives the respondent and the reporting party<sup>8</sup> at least five working days to submit written statements concerning the sanction recommended by the Hearing Board. The CAO or CAID then makes a decision regarding sanction and notifies the respondent and other appropriate parties.

### 3. *Disciplinary Conferences*

A Disciplinary Conference is a less formal process than a University Hearing. It is conducted by a Conduct Officer assigned by the Director of the Office of Student Conduct or by the Camden or Newark Campus Conduct Officer. The reporting party<sup>7</sup> is not required to be present unless his or her participation is requested by the respondent or the Conduct Officer. The respondent may (a) request that appropriate witnesses be summoned, (b) be assisted by a Student Advocate from the Honor Council or, if preferred, by a Campus Adviser, and (c) have one additional support person present, who may be an attorney. The Student Advocate or Campus Adviser is permitted to speak to the Conduct Officer and question witnesses. The role of the support person is strictly advisory: he or she is not permitted to speak to the Conduct Officer or question witnesses.

If the Conduct Officer decides that the respondent has not committed a violation of academic integrity, the matter is closed. If the Conduct Officer finds the respondent responsible for a violation of Academic Integrity, he or she selects an appropriate sanction. If the violation is separable, the proposed sanction is a recommendation to the CAO or CAID. The CAO or CAID gives the respondent and the reporting party<sup>8</sup> at least five working days to submit

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<sup>9</sup> If the reporting party is a student, he or she does not have the option of serving as complainant.

written statements concerning the sanction. The CAO or CAID then makes a decision regarding sanction and notifies the respondent and other appropriate parties.

#### 4. *Appeal Procedures*

Any determination of responsibility for a separable violation of academic integrity by a University Hearing Board or Conduct Officer at a Disciplinary Conference or any sanction assigned for such a violation by a CAO or CAID may be appealed to the Appeals Committee of the regional campus in which the respondent is enrolled. Requests for appeals must be submitted in writing to the Director of the Office of Student Conduct, who transmits the appeal to the appropriate campus Appeals Committee. Such requests must be received within ten working days from the date of the letter notifying the respondent of the finding and/or sanction.

Appeals are considered by a three-member panel consisting of the faculty member, the administrator, and either the undergraduate member (if the respondent is an undergraduate) or the graduate member (if the respondent is a graduate student) of the Appeals Committee. The appeal is decided on the basis of the record of the original proceeding and on written statements submitted by the respondent, the reporting party, the CAO or CAID, and/or various Conduct Officers involved in the case. The Appeals Committee does not conduct a hearing or take direct testimony.

If the finding of responsibility is being appealed, the Appeals Committee will (a) affirm the finding and the sanction, (b) affirm the finding but reject the sanction and send the case back to the CAO or CAID for reconsideration of the sanction, or (c) send the case back for reconsideration to the original Hearing Board or the Conduct Officer who conducted the Disciplinary Conference. If the appeal is only of the sanction, the Committee will either affirm the sanction or reject it and send the case back to the CAO or CAID for reconsideration of the sanction. Sanctions may be rejected only if found to be grossly disproportionate to the offense. Cases may be sent back to a Hearing Board or Conduct Officer only if new and significant evidence has become available since the original Hearing or Disciplinary Conference or if errors occurred in the original Hearing or Disciplinary Conference and were so serious as to effectively deny the respondent a fair Hearing or Disciplinary Conference.

The Appeals Committee normally notifies the respondent of its decision within 15 working days of the filing of the appeal. If not satisfied with the decision of the Appeals Committee, the respondent may petition the President of the University to review the finding and/or sanction within ten working days of the decision by the Appeals Committee. Whether or not to review the case is solely within the discretion of the President.

#### 5. *Implementation of the Sanction*

Once all avenues of appeal have been exhausted or the respondent elects to forego further appeal, the Director of the Office of Student Conduct or the Camden or Newark Campus Conduct Officer oversees the implementation of the imposed sanction.

#### 6. *Standard of Proof*

The standard of proof used by Conduct Officers and Hearing Boards is clear and convincing evidence.

#### **D. Keeping of Disciplinary Records**

As required by the University Records Management Policy, the University must maintain disciplinary records, including records of academic integrity violations, in the Office of Student Conduct. Expulsion files are considered active permanently and shall be retained indefinitely. All other files are considered active until the student graduates and shall be retained for ten years after adjudication of the violation.

Records of academic integrity violations in a College or School or on a Campus may also be kept in the appropriate Dean's or Chancellor's Office. Copies of all such records must be sent to the Office of Student Conduct for inclusion in the official University-wide student disciplinary records database. All requests for information concerning student disciplinary records should be forwarded to the Office of Student Conduct.

#### **E. Voiding of Student Disciplinary Records**

After all the terms of a sanction have been fulfilled, a student found responsible for a violation of academic integrity may petition the CAO or CAID to void the student's disciplinary record. In considering the student's petition, the CAO or CAID shall take into account the conduct of the student since the violation, the nature of the violation, and the severity of the harm caused to others. All voiding of disciplinary records must be reported to the Office of Student Conduct.