

Academic Misconduct

Guide for Instructors

**Including full text of Chapter UWS 14
Wisconsin Administrative Code**



The freshman/sophomore UW campuses

Academic Misconduct Guide for Instructors

Plain Language Summary of Chapter 14 Process

A. Introduction

The discovery of cheating in the classroom is distasteful and unpleasant for instructors. Our own values of academic integrity and our view of the classroom as a place where learning occurs in an atmosphere of trust between faculty and students can lead to intense personal reactions when students seem to violate that trust. While the majority of students are honest, the reality is that some students will be tempted to, and will, cheat.

An atmosphere of trust between faculty and students should certainly be encouraged. Instructors can foster this atmosphere by an open and frank discussion of the instructor's own values of academic integrity and of the expectations of the course. The beginning of the semester and/or before the first exam or paper assignment would be natural times to discuss these issues with your students.

Your students should understand that work turned in under a student's name must be solely the work of that student and be carried out in the manner prescribed. Since there is wide variation among instructors as to the amount of collaboration permitted or encouraged on assignments, it is important to let your students know what your expectations are as to discussing and/or collaborating on assignments.

If the writing of papers is a part of your course, plagiarism and the rules of citation should be discussed. This may be particularly important for new or young students who may not be well grounded in the mechanics of citing sources or who may not understand that plagiarism is using another's ideas without credit as well as using another's exact words. You may also wish to make clear your position on whether students may submit work that they have previously submitted in another course.

To reduce the temptation to cheat during exams, you may wish to consider the conditions under which exams are given. Attention to seating, number and role of proctors, and the use of alternate versions of exams may be useful.

We know that honest students are concerned and upset when they observe cheating. It is hoped that the creation of an open atmosphere in which your values and standards are made clear will encourage students who observe misconduct to come to you to share their concerns and observations.

B. Investigation

If it appears to you that a student in your class may be guilty of academic misconduct – for example, cheating on an exam, plagiarizing a paper, or interfering with another student's lab work – you must promptly ask the student to meet with you informally to discuss your

concerns.* You can discuss the matter with the student in person, by telephone, or online. During this meeting, you should explain why you believe the student may have committed academic misconduct and give the student an opportunity to respond. It is not necessary to inform the student in writing before this meeting.

If you conclude that no misconduct occurred or that no penalty is warranted, this meeting will end the matter. You do not need to keep any notes or notify anyone else.

If instead you conclude that the student is guilty and that a penalty is warranted, you may choose from the following range of sanctions. These are ranked as to severity, and the procedures vary with increasing severity. You may choose to impose more than one penalty.

**If students not enrolled in your class are involved, or if you have reason to believe the student may have been involved in other incidents, or if you believe that disciplinary probation, suspension or expulsion may be warranted, or if you feel you could not give the student a fair hearing, you should refer the case to the Investigating Officer at your campus.*

C. Penalties

Chapter 14 lists penalties as “a” through “j.” They are grouped by degree of severity and procedural process as follows:

GROUP A

- a) An oral reprimand
- b) A written reprimand presented only to the student
- c) An assignment to repeat the work, to be graded on its merits

GROUP B

- d) A lower or failing grade on the particular assignment or test
- e) A lower grade in the course
- f) A failing grade in the course
- g) Removal of the student from the course in progress
- h) A written reprimand to be included in the student’s disciplinary file

GROUP C

- i) University disciplinary probation
- j) Suspension or expulsion from the University

Group A: Penalties a through c

You can privately reprimand the student, either orally or in writing, and/or ask the student to repeat the work in which the misconduct occurred. Under the latter option, you must grade the work on its merits without making a deduction for the previous misconduct. No permanent record is made of the incident. The student does have the right to contest any penalty you impose, including these very mild ones. You must inform the student of the right to a hearing and you should keep some notes about the incident.

Group B: Penalties d through h

If you choose a penalty in this group, you must prepare a written report, summarizing the reasons for your belief that misconduct occurred, proposing one or more sanctions, and notifying the student that he or she has the right to request a hearing within 10 days. You must send or give a copy of your report to the student along with a copy of the rules governing academic misconduct. A copy of the report should be sent to the campus Investigating Officer and the Assistant Dean for Student Services who acts as the Student Affairs Officer for purposes of Chapter UWS 14.

Group C: Penalties i through j

If you conclude that disciplinary probation, suspension or expulsion is warranted, the incident must be referred to the Investigating Officer at your campus. Your report to the Investigating Officer should include a description of the incident and specification of the sanction recommended. The Investigating Officer will consult with you and will also meet with the student. A hearing will automatically be scheduled for these sanctions unless the student waives this right.

D. Academic Misconduct in Online Courses

If you are teaching an online course and suspect a student in that course has engaged in academic misconduct, the procedures are different. You may conduct the required meeting with the student to discuss the matter either by telephone or online.

For purposes of Chapter UWS 14, the Investigating Officer for academic misconduct is the Associate Vice Chancellor for Academic Affairs. The Investigating Officer's jurisdiction is the same as that for all academic misconduct cases. (If students not enrolled in your class are involved, or if you have reason to believe the student may have been involved in other incidents, or if you believe that disciplinary probation, suspension or expulsion may be warranted, or if you feel you could not give the student a fair hearing, you should refer the case to the Investigating Officer.) The Student Affairs Officer, who is responsible for scheduling hearings regarding academic misconduct, is the Chief Student Affairs Officer. The Online Committee serves as the Academic Misconduct Committee.

If you conclude that academic misconduct has occurred, and that charges are warranted, you should consult with the Chief Student Affairs Officer as you prepare the Academic Misconduct Report that is sent to the student. You should provide copies of the completed report to the Director of Distance Education, the Associate Vice Chancellor for Academic Affairs, and the Chief Student Affairs Officer.

E. Student's Right to a Hearing

If the student wishes to contest any part of your report, there will be a hearing before an academic misconduct hearing committee. Note: Your role in the hearing will be that of witness; you are not obliged to "prosecute" the case or defend your decision. The committee will listen to

the evidence and arguments and decide whether academic misconduct has occurred and what the appropriate sanction should be.

If the sanction you propose is probation, suspension or expulsion from the University, a hearing will automatically be scheduled unless the student waives this right. If the hearing committee prescribes one of these severe penalties, the student can appeal to the chancellor, who will review the decision. Ordinarily, campus decisions are final except that the Board of Regents may, at its discretion, grant a review of the record.

Sample Academic Misconduct Report

(Send this letter to students.)

University of Wisconsin Colleges

Date

Name of Student

Address

Dear :

After considering the evidence and results of our conference on **(date)**, I have concluded that you did engage in academic misconduct in my course, **(Title and Number)**. You are, therefore, being charged with a violation of Wis. Admin. Code UWS 14 Student Academic Disciplinary Procedures. More specifically, it is alleged that you have violated:

UWS 14.03 ... *(specify in full)*

The incident that serves as the basis for this charge is *description of academic misconduct including the nature of the misconduct and the assignment(s) involved*.

I am recommending the following sanction(s) be imposed:

UWS 14.04 *(specify in full)*

Under Wis. Admin. Code UWS 14.08, you have the right to a hearing before the campus Academic Misconduct Hearing Committee to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both. You have ten calendar days from the day of service of this statement of charges to request this hearing. Your request for a hearing must be in writing and must be directed to the Assistant Dean for Student Services at your campus.

Should you not request a hearing in accordance with the time allowed, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.

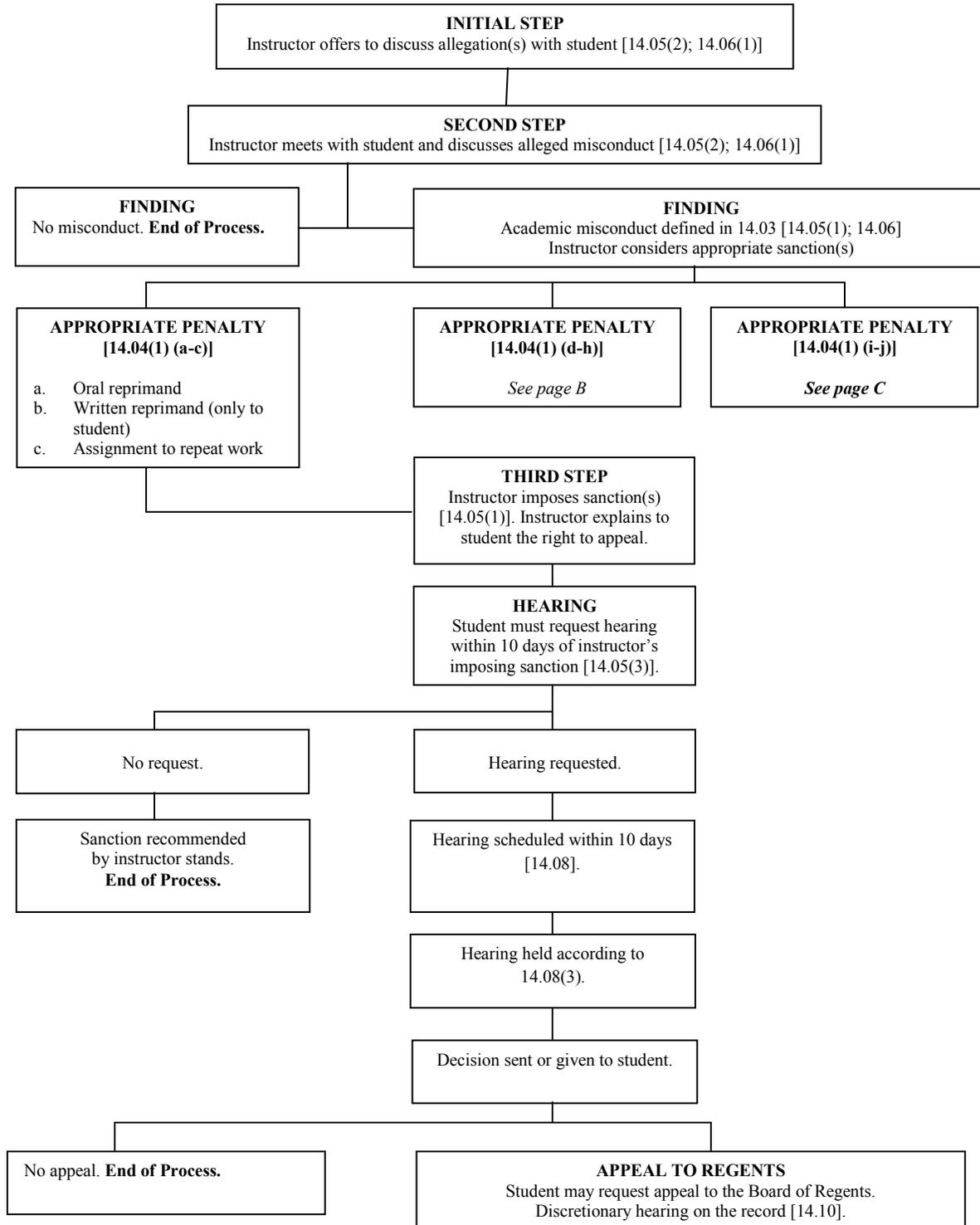
Enclosed for your information is a copy of Chapter UWS 14 and the University of Wisconsin Colleges Institutional Procedures that implement this chapter.

Sincerely,

Professor _____

xc: Campus Investigating Officer (or Director of Distance Education – *for Online Student*)
Campus Dean (*omit for Online Student*)
Assistant Dean for Student Services (or Associate Vice Chancellor for Academic Affairs – *for Online Student*)
Chief Student Affairs Officer

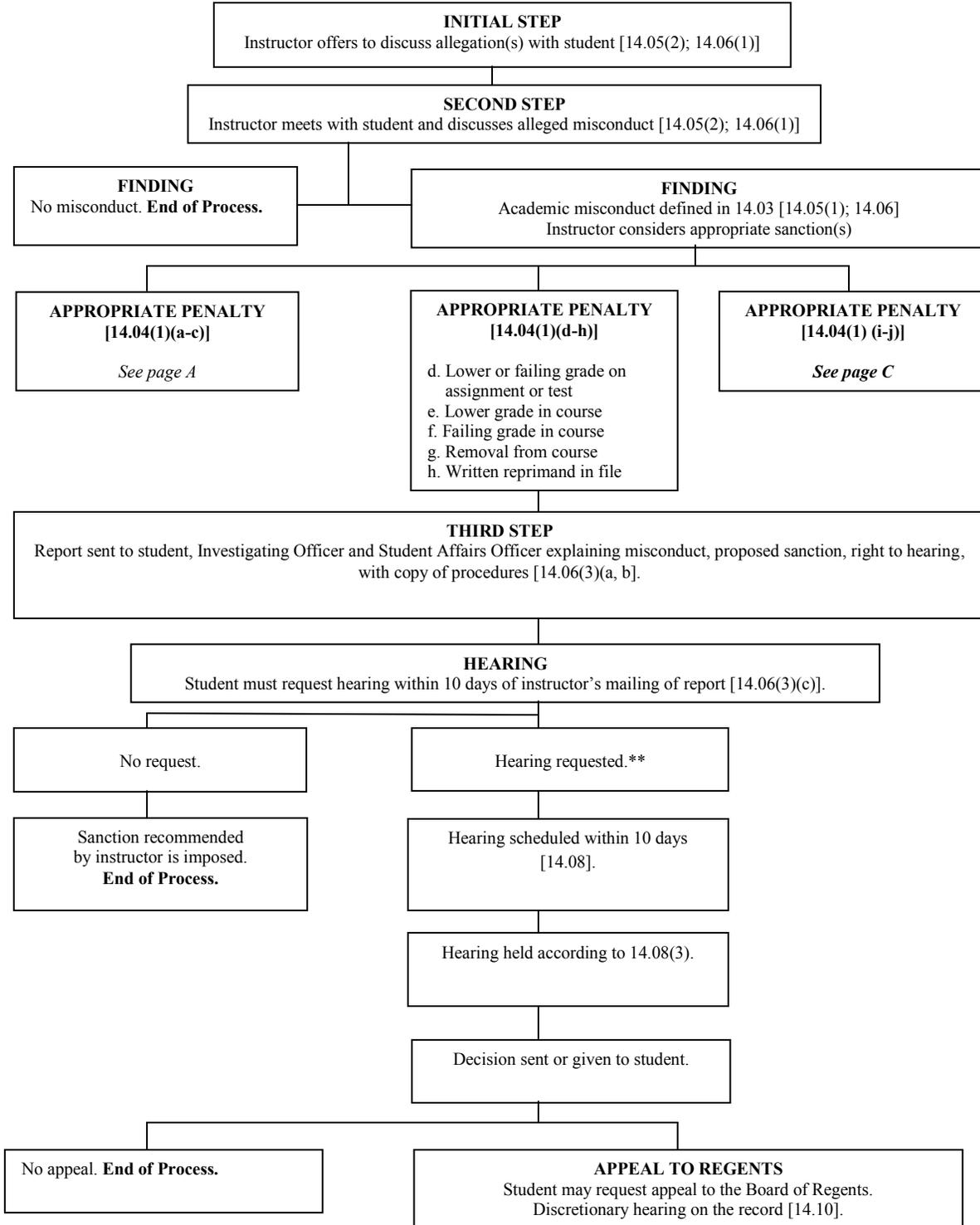
Flow Chart for UWS 14-Page A
Academic Misconduct Procedures – Student enrolled in instructor’s course*



* If the student is not in the instructor’s course, the instructor refers the matter to the Investigating Officer, who proceeds under 14.07. The process under 14.07 is similar to 14.06.

Flow Chart for UWS 14-Page B

Academic Misconduct Procedures – Student enrolled in instructor’s course*

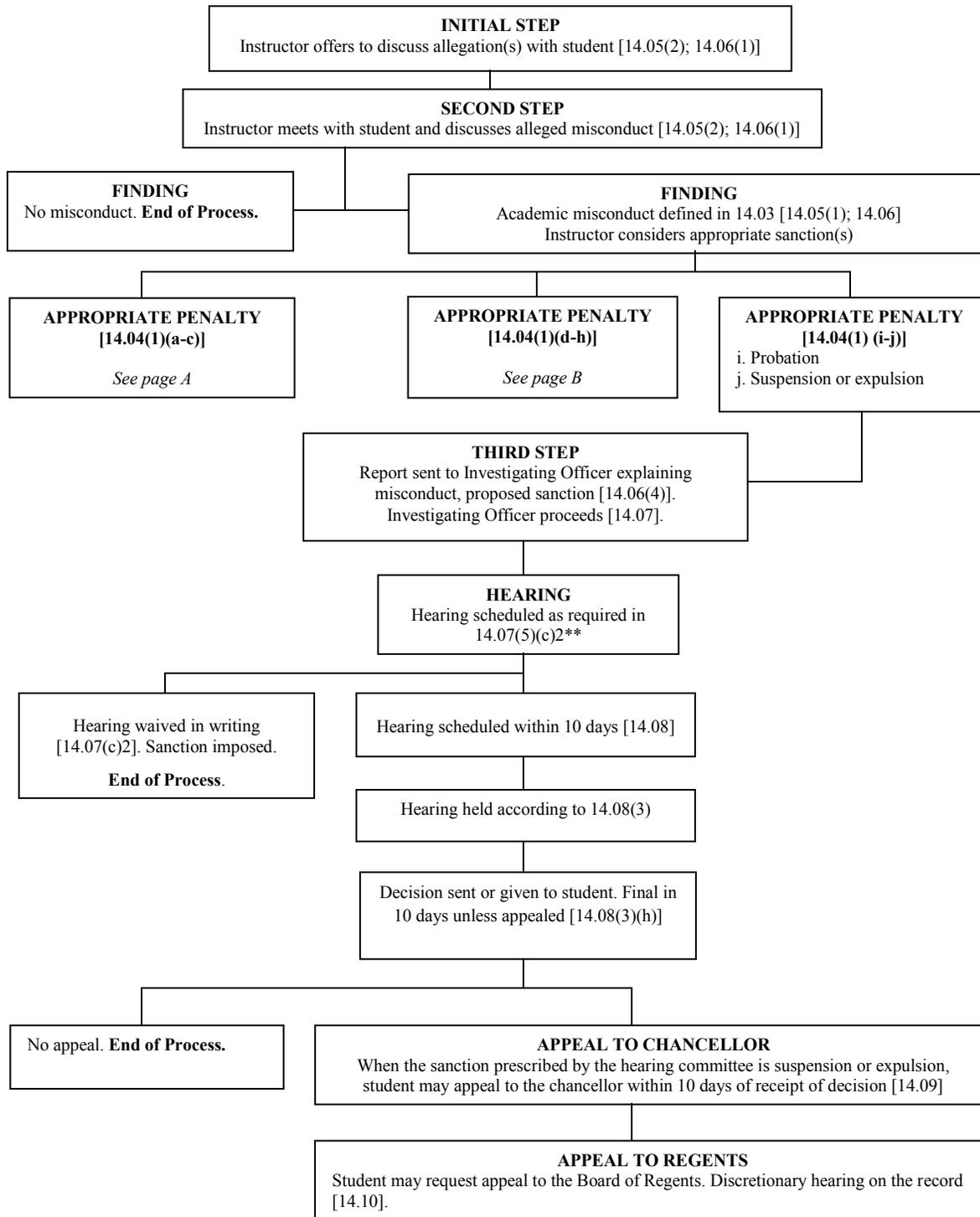


* If the student is not in the instructor’s course, the instructor refers the matter to the Investigating Officer, who proceeds under 14.07. The process under 14.07 is similar to 14.06.

**Sanctions recommended by the instructor or Investigating Officer are not imposed until after the hearing is held or waived.

Flow Chart for UWS 14-Page C

Academic Misconduct Procedures – Student enrolled in instructor’s course*



*If the student is not in the instructor’s course, the instructor refers the matter to the Investigating Officer, who proceeds under 14.07. The process under 14.07 is similar to 14.06.

**Sanctions recommended by the instructor or Investigating Officer are not imposed until after the hearing is held or waived.

UW Colleges Senate Policy
Institutional Policy Regarding Students #206
UWS 14 Academic Misconduct Institutional Procedures

Adopted by the Senate, Oct. 7, 1989, p. 7, App. 15.
Ratified by the Senate, Nov. 18, 1989, p. 10, App. 8
Reorganized and Renumbered March 15, 2001

***Procedures for Online Students: Please see section, “Academic Misconduct in Online Courses.”**

I. Personnel

- A. The Director of Student Services of each campus shall serve as the Student Affairs Officer and shall have all of the responsibilities assigned to this position under Chapter UWS 14 including:
1. Receiving student requests for hearings before the Academic Misconduct Hearing Committee;
 2. Scheduling of hearings before the Academic Misconduct Hearing Committee as requested, or as mandated under UWS Sec. 14.07(5)(c)2;
 3. Notifying the appropriate parties, including the Investigating Officer, of the time, date and place of the hearing; and
 4. Receiving written reports of misconduct from faculty or the Investigating Officer.
- B. The Campus Steering Committee shall annually recommend to the Chancellor the individual who will serve for a one-year term as the Investigating Officer. As continuity is an important aspect of this position, the Investigating Officer should expect to serve more than the initial one-year term. In the event of a conflict of interest, the Campus Steering Committee shall designate another individual to serve as the Investigating Officer for a particular charge of academic misconduct. The Investigating Officer shall have all of the responsibilities assigned to this position under Chapter UWS 14 including:
1. Receiving copies of all academic misconduct reports prepared by faculty;
 2. When the Investigating Officer receives a written report of academic misconduct, determining whether the student charged has previously been subject to disciplinary sanctions. If the student has been subject to such sanctions, the Investigating Officer should confer with the faculty member filing the report, and may recommend more severe sanctions;
 3. Not serving as a member of the Academic Misconduct Hearing Committee, the Investigating Officer may be called as a witness at a hearing conducted by such Committee;

4. In the case of a hearing before the Academic Misconduct Hearing Committee, forwarding copies of any written reports prepared by faculty, or by the Investigating Officer, to the Chair of the Committee;
 5. Being responsible for any cases of Academic Misconduct arising during his or her tenure as Investigating Officer until such cases are closed, even if closure does not occur until after the expiration of the Investigating Officer's term; and
 6. Preparing an annual report summarizing the cases brought under Chapter UWS 14.
- C. The campus Academic Action Committee shall serve as the Academic Misconduct Hearing Committee and shall have all of the responsibilities assigned to this committee under Chapter UWS 14.

II. Maintenance of Disciplinary Files

- A. The Student Affairs officer shall have responsibility for the maintenance of disciplinary files which shall include written reports prepared by faculty, the Investigating Officer, and the Academic Misconduct Hearing Committee.
- B. Disciplinary files will be maintained separately from academic files and will be housed in the Office of Student Services.
- C. A record shall be maintained of the final determination concerning an academic misconduct charge, including a determination by the Investigating Officer that no academic misconduct occurred. In the case of such a determination made by the Investigating Officer, the Investigating Officer shall so inform the Dean, the Assistant Dean for Student Services, the faculty member, and the student involved.
- D. A sanction for academic misconduct shall not become part of the student's permanent academic record. When suspension or expulsion occurs, the Investigating Officer shall inform the Office of Academic Affairs. The Office of Academic Affairs shall inform the other University of Wisconsin Colleges campuses and the University of Wisconsin System Institutions.

III. Withdrawal Pending a Charge of Academic Misconduct

- A. When a charge of academic misconduct is pending, a student may not withdraw from a course without the consent of the faculty member who has brought the charge.
- B. In the event the faculty member permits the student to withdraw as a resolution to the charge of academic misconduct, the faculty member shall file a report with the Investigating Officer.

IV. Conduct at Hearings

Under UWS Sec. 1408(3)(a), a student shall have the right to representation at a hearing. However, only the student, or his or her representative, and not both, shall have the right to present evidence and question witnesses. This shall not preclude the student's right to give testimony.

V. Written Reports

- A. The original copy of any written report prepared by a faculty member, other than to submit a case to the jurisdiction of the Investigating Officer shall be sent to the student either via personal delivery or through U. S. first class mail.
- B. Faculty shall submit copies of written reports to the Student Affairs Officer and Investigating Officer. After the conclusion of a case or if no hearing is scheduled within 30 days, the Investigating Officer shall combine his/her copy of a written report with that of the Student Affairs Officer.

VI. Readmission Following Suspension or Expulsion

A student who has been expelled may petition for readmission, and a student who has been suspended may petition for readmission prior to the expiration of the suspension period. The petition for readmission must be in writing and directed to the Chancellor of the UW Colleges. The petition may not be filed before the expiration of one year from the date of the final determination in expulsion cases, or before the expiration of one-half of the suspension period in suspension cases. The Chancellor shall refer all such petitions to the Senate Academic Policy Committee for review. The Senate Academic Policy Committee shall make its recommendations to the Chancellor who shall communicate her/his decision to the student.