

Creighton College of Arts & Sciences

Policy on Academic Misconduct

(April 2023)

Purpose

The College of Arts and Sciences, in keeping with the University mission, seeks to prepare students who are knowledgeable in their discipline and who behave ethically in all circumstances. It expects and requires proper academic conduct from all members of the college. This policy on academic misconduct complements the Standards of Conduct outlined in the Creighton University Student Handbook and the University Academic Misconduct Policy.

Academic dishonesty is a serious offense with serious consequences not only for the student who commits an offense, but also for the College as a whole. When a student engages in academic dishonesty, the educational integrity of the entire College is threatened. For this reason, the College treats matters of academic dishonesty with the utmost seriousness and imposes academic penalties appropriate to the offense. Nevertheless, the College strives first to educate students and, in the case of potential academic misconduct, to impress upon them the importance of academic honesty. For this reason, the College intends its procedures for dealing with charges of academic dishonesty to be educative as well as disciplinary.

Definitions

Violations of academic honesty subject to College and University disciplinary action include, **but are not limited to**, the following (as described in the University Academic Misconduct Policy):

1. Cheating, including:
 - collaborating on assignments or examinations where such a practice has not been specifically approved by the instructor
 - unauthorized use of generative artificial intelligence
 - using unauthorized materials to complete assignments or gain unfair academic advantage
 - offering unauthorized materials to others
 - using and distributing examinations obtained improperly
 - arranging to have others take examinations or complete assignments
 - misrepresenting your attendance or the attendance of others in a course where an attendance policy is in effect
2. Plagiarism in any form, including copying the work of others and submitting it as your own, or submitting work of your own that was previously submitted in another course
3. Falsifying documents, correspondence, reports, or records of any kind, or knowingly providing false information or evidence to University or School personnel, or to others external to the University
4. Theft or intentional destruction of library materials or other academic resources

5. Illegal or other misuse of University-provided resources (e.g., computers, email) related to academic work
6. Violation of any acceptable use policies of the University
7. Violation of confidentiality in any practice and/or learning setting where it is required or expected
8. Violation of academic or professionalism conduct rules or standards described in course policies, or in College, program, or department policies and/or articulated by instructors either verbally or in writing
9. Disruptive behaviors affecting the learning environment of others in either an in-person or an online class
10. Misrepresentation of self or others for the purposes of obtaining an unfair academic advantage
11. Refusing to acknowledge, honor, and/or comply with requests related to academic issues given by faculty, authorized staff, or administrators

Instructors may add additional types of misconduct relevant to a specific type of course, such as laboratory, research, practicum, online, service learning, or internship. Instructors may also vary allowances from assignment to assignment within a course, if they are clear about the specific expectations on each assignment.

Policy

A student who has committed academic misconduct is subject to the disciplinary penalty determined by the instructor after the procedures described in the following section have been followed. The instructor and the student each have rights and responsibilities, as described below.

Rights and responsibilities

1. Student Rights and Responsibilities

The student charged with academic misconduct (violation of academic honesty) has the right and responsibility to:

- a. Be notified in writing
 - Of the charge(s)
 - The basis for the charge(s)
 - The penalty proposed by the instructor
 - The right to an appeal and the procedure for appealing the charge(s)
- b. Appeal the finding of misconduct or appeal the level of penalty or accept both the finding and the penalty.
- c. In the case of an appeal: continue to attend class and participate, pending the outcome of any appeal, except in cases where continuing in the course would create a harmful environment, or ongoing disruption of learning, for the student or others in the class.
- d. Comply with deadlines and other requirements of the appeal procedure described below.
- e. If a student accepts the finding of misconduct or if the student's appeal is unsuccessful, the student may not appeal the course grade that was given as a result of the academic misconduct penalty.

2. Instructor Rights and Responsibilities

An instructor who brings a charge of academic misconduct has the right and responsibility to:

- a. Notify the student of the charges, evidence, and penalty in a clear and timely manner.
- b. Determine a penalty that is appropriate to the level of offense. The type of penalty can range from a warning to failure of the entire course.
- c. Ensure that the student is aware of the College Policy and Procedures (this document), including the right to appeal the finding of misconduct, and the University Policy on Academic Misconduct.
- d. Report to the CAS Dean's office the finding of misconduct and the decision of the student whether or not to appeal the finding or the penalty.
- e. Assure due process for the student by complying with deadlines and other requirements of the appeal procedure described in the **Procedure** section.

In the case of a finding of guilt

When a student has been accused of academic misconduct and has admitted to the violation or the procedures described below have been followed (including any appeal process), and the student has been determined to have committed misconduct, the instructor may apply the previously determined penalty. Instructor-determined penalties may range from a warning to failure in the course. The penalty may not be increased as a result of the appeal process but could be decreased on the recommendation of the appeal committee.

The student may not withdraw from the course during an investigation of academic misconduct and the final grade in the course may not be appealed if the grade results from an academic disciplinary action.

If the Dean or their designee determines that this incident is a second (or more) offense by the student, the student may be referred immediately to the office of the Provost for potential additional sanctions, including possible suspension or expulsion from the University (as described in the University Academic Misconduct Policy #4.1.7).

Records

A brief summary of the incident, including the identity of the student, will be reported to the Provost's Office and to the Dean's office of the student's college (if the student is not a CAS student) no later than the end of the semester in which the case is concluded. All documents related to the case and the final decision will be maintained in the Dean's office for the period of time mandated by the University Records Retention Policy (#2.1.22)

In the case of exoneration

If the student is found not to have committed an act of academic misconduct, the Dean or the Dean's delegate shall expunge the student's record of all documents relating to the alleged offense and shall direct the instructor to expunge his or her files of any documents relating to the alleged offense. No additional reports will be made regarding the alleged incident.

Syllabus contents

Each academic course syllabus should include a statement instructing students where to find the College Academic Misconduct policy (this document) as well as the University Academic Misconduct Policy.

Procedure

1. *Guidelines for making the charge of academic misconduct*

- a. Timeline for making the charge:
 - i. A charge of academic misconduct should be communicated to the student in writing as soon as the instructor has evidence that an act of misconduct has occurred.
 - ii. The instructor should arrange to meet with the student before the next class meeting (preferably) but at the latest within seven (7) calendar days of the written notification. At this meeting the instructor and student will discuss the charge and proposed penalty. The student must be informed of their right to appeal.
- b. If, after discussion with the student, the instructor chooses to go forward with the charge of academic misconduct, they should notify the Department Chair (hereafter referred to as Chair) and the CAS Dean's office (using the appropriate form available on the Faculty Resources Forms webpage) after the initial discussion with the student.
- c. The student must inform *in writing* the instructor and the Associate Dean who is charged with overseeing academic misconduct within seven (7) calendar days of the discussion if they intend to appeal the finding. *Failure to notify the instructor and the Dean's office will constitute acceptance of the finding by the student.*

2. *The Appeals Process*

- a. When the student submits notification of intent to appeal, the student and the instructor have the option to meet with the Chair as a first step in resolving the appeal. This meeting is required if the student is appealing *only* the level of penalty. If the meeting with the Chair resolves the appeal, the instructor will communicate the resolution to the Associate Dean, who will mark the case resolved and take appropriate action (see **3.d**)
- b. If the meeting with the Chair does not resolve the appeal or if the student and instructor choose to go straight to committee, the student and the instructor shall prepare separate written accounts of the alleged academic misconduct. These accounts, along with any supporting evidence are to be submitted to the Associate Dean within ten (10) calendar days of the notification of appeal.
- c. At the time that the Associate Dean is notified of a committee appeal, they will work with the CAS Faculty Senate President to convene a committee of 3 – 5 tenured faculty members, none of whom may be members of the instructor's department or program.
- d. The committee will review the evidence presented by both the instructor and the student. They may interview witnesses and/or speak directly to the instructor and/or student, as they deem necessary.
- e. The committee should be thorough in its review but also complete the review in a timely manner (generally within 14 – 21 days of receiving the evidence).
- f. The committee will report its recommendations to the Associate Dean.

3. *Actions*

The Associate Dean will review the recommendations of the committee and communicate the decision to the instructor and the student.

- a. If the committee recommends that there is insufficient evidence to support a charge of academic misconduct against the student all records of the allegation will be expunged from the Dean's Office files and the student record. No further report of

the alleged incident will be made.

- b. If the committee affirms that there is evidence that the misconduct occurred but the committee believes the penalty is too harsh, the Associate Dean will call a meeting between the committee and the instructor to discuss and determine an appropriate penalty. The Associate Dean will communicate the committee's finding and the revised penalty to the student.
- c. If the committee affirms that the misconduct occurred and that the penalty is appropriate, the Associate Dean will communicate this to the student and to the instructor.
- d. In the case of 2.a, 3.b or 3.c, the Associate Dean will prepare a summary of the case and transmit that summary to the Provost's office. The full records will be held in the Dean's office for the time period mandated by the University Records Retention Policy.

4. *Reporting incidents of academic misconduct*

- a. The Associate Dean will provide summary reports of *all* resolved incidents of academic misconduct to the Provost's office on a routine basis (generally every academic semester).
- b. The Associate Dean will provide summary reports of resolved incidents of academic misconduct in CAS courses committed by students from other colleges to the Dean's office of the student's college.
- c. Incidents of academic misconduct will be reported to external entities when the request is accompanied by appropriate documentation (signed release by the student or legal subpoena, e.g.)

5. *Multiple and/or egregious offenses*

If the Associate Dean determines that a student has committed multiple offenses or that the offense is particularly egregious, they may recommend to the Provost that the student be suspended from the college or expelled from the University. A student has the right to appeal the recommendation, pursuant to the University Academic misconduct policy.

Suspension or expulsion as a result of academic misconduct will be indicated as such on the student's academic transcript.