



Academic Integrity and Misconduct	
Responsible Official: Provost	Responsible Office: Office of the Provost

Policy Purpose

The purpose of this policy is to outline the rights and responsibilities of the student, the instructor, the Dean/Designee, and other members of the campus community in matters of academic integrity and misconduct.

Policy Statement

Students are expected to abide by the ETSU Honor Code and to act with honor, integrity, and civility in all matters. The course instructor has the primary responsibility for maintenance of academic integrity. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the course instructor. Any form of academic misconduct (plagiarism, cheating, etc.) is subject to disciplinary action. Sanctions for a violation may vary with the severity of the offense. The instructor may reduce a grade up to and including assignment of an "F" or a zero ("0") for the exercise/examination or an "F" in the course. If a sanction is imposed then the instructor must begin the academic misconduct procedures and notify both the student and the Dean/Designee. Students may appeal a grade assignment associated with a finding of academic misconduct, as distinct from a student disciplinary or grade appeals process, through the University's Academic Misconduct Procedures. The student will not be subjected to any form of pressure to coerce admission of guilt or information about his/her conduct or that of others.

Authority: [Honor Code](#), [Honor Pledge](#)

Definitions

Academic Misconduct - Any act of dishonesty in academic work in or out of the classroom. Includes plagiarism, cheating, and/or fabrication.

Business Day - A day that University offices are open for business on the main campus in Johnson City, Tennessee.

Cheating - Using or attempting to use unauthorized materials, information, or aids in any academic exercise, assignment, test, or examination.

Fabrication - Unauthorized falsification or invention of any information or citation in an academic exercise.

Instructor - The responsible party of record for a course. Also includes any authorized official with responsibility for a program or activity.

Plagiarism - The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution. Henry Campbell Black defines plagiarism as "The act of appropriating the literary composition of another, or parts of passages of his writing, or the ideas or language of the same, and passing them off as the product of one's own mind" (Black's Law Dictionary, West Publishing Company, St. Paul, Minnesota, 1968, p. 1308). In other words, plagiarism involves using someone else's words or ideas without giving proper credit to the original author. Even if one does not copy the words exactly or even if one copies only a small part of someone else's work, one must cite the name of the original author and provide a reference to that person's work (e.g., title of work, year of publication, and name of publisher) using a format based on the publication manual of a nationally recognized scholarly association, such as the American Psychological Association or the Modern Language Association. These standards apply to print and non-print media and include the Internet. This may include self-plagiarism or the student recycling their own previous work for submission in another assignment without the student gaining express written and advanced approval from the instructor to re-use/re-appropriate their own work.

Sanction(s) -Penalty assigned for a violation. For the purposes of this policy, the deduction of any points/reduction in grade, including the ability to resubmit an assignment with a reduced cap in available points, is considered a sanction. A full listing of all possible sanctions that could be recommended by a Dean/Designee through a hearing board is available in the Student Code of Conduct.

Teachable Moment – Situation in which the instructor decides to discuss the alleged misconduct with the student and issue a verbal warning. No sanction is applied and the issue is considered closed.

UAPA - All cases which may result in (a) suspension or expulsion of a student, or student organization, from the institution, for disciplinary reasons or (b) revocation of registration of a student organization, are subject to the contested case provisions of the Uniform Administrative Procedures Act (UAPA), TCA § 9-8-01 et seq., and shall be processed in accord with the Uniform Contested Case procedures unless the student or organization, after receiving written notice, waives those procedures and elects to have the case disposed of in accord with institutional procedures or waives all right to contest the case under any procedure.

#### Policy History

Effective Date: Approved by Academic Council: 6/28/2018

Revision Date:

#### Procedure (s)

A complaint of academic misconduct, along with any supporting evidence, may be brought by the instructor or to the instructor by other members of the faculty, staff, or student body. Such complaints should not be considered confidential.

Prior to applying a grade sanction for academic misconduct, the instructor consults with the department chair. The level of the consultation will be at the chair's discretion.

The instructor retains the final decision to either:

- A. Use the situation as a teachable moment (discuss with the student, issue a verbal warning, advise that no sanction is being applied, and consider the issue closed), or
- B. Apply a sanction and inform the student in writing.

If B, the following procedure applies.

Step 1. Written notice is sent to the student's ETSU email account within seven (7) business days of assigning the grade sanction. The written notification includes the student's E Number, course information, the sanction that has been applied, a copy of the evidence, and the appropriate Dean/Designee the student contacts to file an appeal.

- A. This communication is copied to the Dean/Designee of the college in which the violation occurred. Cases of alleged academic misconduct involving graduate students (including those enrolled in the Ph.D. program in Biomedical Sciences within the College of Medicine) are reported to the Dean of the Graduate School. Alleged violations by students at the Quillen College of Medicine (COM) or the Gatton College of Pharmacy (COP) are adjudicated through the respective college procedure: The Student Honor System as detailed in the COM Student Handbook and the Academic Misconduct section of the COP Student Handbook.
- B. Allegations not directly tied to a specific academic course are referred to the appropriate Dean/Designee for the area in which the alleged misconduct occurred.

Step 2. The Dean/Designee contacts the Registrar's Office and requests a hold and note be applied to the student's record pending a final resolution of the matter. This ensures the student cannot drop the course in question until the matter is resolved.

Step 3. The Dean/Designee submits the student's name to the Designee for Academic Affairs/ Director of University Advisement to determine if this is a first offense or if the student has prior offenses recorded. If the student has committed other academic misconduct offenses at the University, the Dean/Designee will take that information under advisement and determine if additional sanctions may be warranted through a hearing board and if it may reach the level of suspension or expulsion.

Step 4. The Dean/Designee arranges a conference with the student against whom the allegations of misconduct have been made.

- A. At this meeting, the Dean/Designee explains the available options to the student. Possible options could include:
  - 1. The student accepting the instructor-imposed sanction;
  - 2. The student requesting a formal board hearing; and/or
  - 3. The Dean/Designee forwarding the case to a formal board hearing due to the nature of the allegation, the imposed sanction, or due to the student's prior history.
- B. The student notifies the Dean/Designee in writing within five (5) business days which option was selected.

- C. If the student fails to notify the Dean/Designee of a selection, the student forfeits the right to select an option and the Dean/Designee moves forward with the Dean/Designee recommendation.
- D. In the event the student elects to waive a hearing and accept the instructor's sanction and the Dean/Designee concurs, then the student waives the right to a hearing in writing. The Dean/Designee informs the instructor, department chair, Registrar's Office, and the Designee for Academic Affairs/Director of University Advisement of this result and the sanction is implemented. The issue is then considered closed.

Step 5. If the student elects to appeal the instructor's grade sanction or the Dean/Designee elects to forward the case to a hearing board, the Dean/Designee begins the hearing process. Every attempt will be made to conclude the procedures within forty-five (45) days of the date the student and/or the Dean/Designee selects the hearing board option.

- A. If the offense is such that suspension or expulsion is a possible outcome, the Uniform Administrative Procedures Act (UAPA) process will also be offered with the student having five (5) business days to select or decline this option. If UAPA is chosen, then the case is forwarded to University Counsel for adjudication. See UAPA in definitions.
- B. The Dean/Designee designates a hearing board of six (6) members that includes three (3) faculty members and three (3) students who are not involved in the offense or from the department in which the offense took place.
  - 1. Board members may be selected from a standing committee appointed by the Dean of each school or college on an annual basis or from the college population at large.
  - 2. The Dean/Designee either appoints a chair or has the board elect a chair from among the hearing board members.
- C. The Dean/Designee schedules a hearing board.
- D. The Dean/Designee notifies the student and instructor in writing, at least seven (7) business days in advance of the date, time, and place of the hearing, as well as the specific allegations, evidence, the structure and procedure for the hearing, the range of possible sanctions, and the student's right to be accompanied by an advisor.
- E. Both the instructor and the student provide any evidence or documentation, the names of witnesses they will have at the hearing, and the name of their advisor to the Dean/Designee at least three (3) business days prior to the hearing.
- F. The Dean/Designee collects and distributes any evidence or documentation from the instructor and student to be used in the formal hearing.
- G. Both the student and instructor may be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. Both parties are responsible for presenting their own case and advisors are not permitted to speak or to participate directly in any hearing. The University Counsel's Office will be advised when an advisor is an attorney.

- H. The hearing shall be private, unless otherwise requested by both student and instructor, in writing.
- I. The student or instructor may challenge the ability of a board member to render an impartial judgment and may request the member's removal prior to the hearing beginning. The board will rule on the request by a majority vote. If any members of a board believe that their relationship with either the case or the individuals involved would affect their ability to render an impartial judgment, they may disqualify themselves.
- J. The hearing board proceeds with a quorum of two-thirds (2/3) of the hearing board members.
- K. The hearing may proceed in the absence of a properly notified student or instructor (having been sent written notice at least seven (7) business days in advance).
- L. The board chair ensures that there is a single record, such as minutes or a tape recording of the hearing. The record is the property of the University.
- M. At the hearing, the Dean/Designee coordinates the presentation of evidence relevant to the alleged misconduct to the hearing board.
- N. Both the student and the instructor may be present throughout the hearing, until the hearing board goes into executive session.
- O. Both the student and instructor have the opportunity to testify and present evidence and witnesses relevant to the charges and penalties involved and to cross-examine any witnesses. In no case will the hearing board consider written statements against the student unless he/she has been advised of their contents. The student may decline to testify, with knowledge that silence may be considered as evidence. The board may dispose of the case in whatever manner it deems just based upon available information.
- P. Determinations as to the admissibility of evidence or any procedural questions in the hearing rest solely in the discretion of the hearing board.
- Q. After all evidence has been presented, members of the hearing board meet in executive session to deliberate on the charges. The hearing board's decision and recommendation are based on a simple majority vote. In the event of a tie, both opinions are shared with the Dean/Designee.
- R. The board will use a preponderance of the evidence standard to decide if more likely than not the violation occurred.
  - 1. If the finding is for the student the hearing board recommends that the sanction applied by the instructor be removed.
  - 2. If the finding is against the student the hearing board recommends such sanction as deemed appropriate. After considering all the evidence, this penalty may differ from that imposed initially by the instructor.
- S. If the hearing board recommends expulsion or suspension and the Dean/Designee concurs, the approval of the appropriate vice president must be obtained.

- T. The Dean/Designee then advises the student of the decision and of the student's right to appeal, and on what grounds an appeal may be based.
- U. The Dean/Designee provides a written outcome of the hearing to the student, instructor, and Designee for Academic Affairs/Director of University Advisement within five (5) business days following the hearing.

Step 6. The student or instructor may file an appeal in writing with the appropriate vice president within seven (7) business days of the written outcome.

- A. Appeals are not new hearings; they are a review of the existing case. It is not the function of the appeals process to permit a rehearing of the factual issues presented to the hearing board, but rather to ensure that the procedures have been implemented fairly and consistently.
- B. The written appeal will contain the substantive grounds upon which the appellant is basing the appeal.
- C. General dissatisfaction with the outcome of the decision is not a basis for consideration of an appeal. An appeal may be filed based on one of the following conditions:
  - 1. An error in procedural due process hearing board which prejudiced the disciplined student to the extent that he/she was denied a fundamentally fair hearing as a result of the error; or
  - 2. The emergence of new evidence which could not have been previously discovered by the exercise of due diligence and which, had it been presented at the initial hearing, would have substantially affected the original decision of the hearing board; or
  - 3. The student thinks that the assigned sanctions are unduly harsh.
- D. Appeals that do not allege sufficient grounds will be denied consideration and dismissed. Appeals which do allege sufficient grounds will be accepted for consideration. The appropriate vice president may permit written or oral statements from the concerned parties at the time the appeal is considered.
- E. The appropriate vice president will have several options:
  - 1. The original decision may be affirmed or reversed
  - 2. The case may be reverted to the original hearing board for consideration of additional information
  - 3. The original action may be modified, or
  - 4. The case may be referred to a completely new hearing board for a new hearing.
- F. The appropriate vice president will notify the student, instructor, Dean/Designee, and the Designee for Academic Affairs/Director of University Advisement of the outcome of the appeal in writing within fifteen (15) business days.

Step 7. After the Academic Misconduct Procedures are completed, the Dean/Designee shall request the Registrar's Office to remove the hold from the student's record within five (5) business days of receiving notice of the final resolution.

Procedure History

Effective Date: Approved by Academic Council: 6/28/2018

Revision Date:

Related Form(s)

[Academic Integrity Website](#)

[Sample Communication](#)

[Flowchart](#)

Scope and Applicability

Check those that apply to this policy.

	Governance
X	Academic
X	Students
	Employment
	Information Technology
	Health and Safety
	Business and Finance
	Operations and Facilities
	Communications & Marketing
	Advancement