

O'Neill Guide to Academic Misconduct Process

Revised: Feb 2025

Academic misconduct is defined as *“any activity that tends to undermine the academic integrity of the institution.”* Examples of academic misconduct include cheating or using disallowed resources on an assignment or exam, fabrication of data or sources, plagiarism (including using Generative AI in a manner inconsistent with course requirements), violating course or department rules, or facilitating the academic misconduct of another student.

If you have questions, contact the Assistant Dean for Graduate Affairs for graduate courses or Undergraduate Affairs for undergraduate courses.

1. Student and Faculty meet to discuss finding of misconduct. A faculty member who suspects a student has committed misconduct in connection with that faculty member's course meets with the student face-to-face in a location closed to the public (or over the phone or by electronic meeting such as Zoom) to discuss the matter with the student and hear the student's response.

- A faculty member may ask the Dean's Office for assistance with note-taking in this meeting. (The note-taker must have taken IU's FERPA training.)
- If, despite the faculty member's good faith effort to schedule such a discussion, the student fails to meet or respond to faculty outreach, the faculty member proceeds to Step 2.

2. Faculty member decides whether misconduct occurred. After meeting with the student and conducting any additional investigation needed, the faculty member decides whether alleged misconduct occurred, **based on the preponderance of evidence.**

- **No misconduct occurred.** If the faculty member concludes that no misconduct has occurred, the matter ends there. There is no academic sanction imposed, and there will be no record in the student's file of a misconduct charge.
- **Misconduct occurred and sanctions imposed.** If the faculty member concludes that misconduct occurred, they must report the instance to the Dean of Students as described in Step 3, below.

The faculty member may impose an academic sanction for the course.

Sanctions that may be imposed by the faculty member include but are not limited to one or more of the following:

- A lower or failing grade for any assignment(s) in which misconduct occurred.
- A lower or failing grade for the course (the penalty for a serious act of academic misconduct ordinarily should involve the recording of a failing grade for the course).

- Repeating the assignment(s) in which misconduct occurred.
- Completing additional assignment(s).
- A “*” to be appended to the final course grade, which will prevent the course from being “grade-replaced” (also known as “grade x”).
- Required withdrawal from the course, with a grade of either F or W at the faculty member’s discretion, regardless of when during the semester the student withdraws from the course.

An incomplete may be given in the course if the matter cannot be resolved before final grades are due to the Office of the Registrar.

If the sanction includes a failing grade for the course, the Registrar will be notified that the grade was given because of academic misconduct. The Registrar will record the grade of “F” on the student’s permanent academic transcript. The Registrar will ensure that the grade of “F” will not be removed from the transcript for any reason. A grade of “F” given because of academic misconduct, like any other “F” grade, must be calculated in a determination of the student’s grade point average, but the grade will not prevent the student from repeating the same course for credit.

3. Faculty member reports misconduct to IU Office of Student Conduct. Within five (5) business days after misconduct has been determined to have occurred and sanction imposed, the faculty member must complete a misconduct report form provided by the IU Office of Student Conduct at https://cm.maxient.com/reportingform.php?IndianaUniv&layout_id=2.

Misconduct cases involving multiple students may require additional business days to complete all required misconduct reporting forms.

The IU Office of Student Conduct notifies the student, the dean of the unit in which misconduct occurred, and the dean of the unit in which the student is enrolled (if different). Notice to the student from the IU Office of Student Conduct includes:

The faculty member’s report concerning the finding of misconduct.

The terms of the academic sanction being imposed.

A statement that the student may submit an appeal within seven (7) business days after receiving the notice.

When a misconduct charge does not involve a particular course in which the student is enrolled (for example, the student is charged with taking a test for a friend or giving the friend a paper to submit in a course under the friend’s name, or a student uses unauthorized materials during a doctoral qualifying exam), the Office of the Dean of Students substitutes for the faculty member in the steps above. The Dean of Students uses the procedures for personal misconduct to

address the matter, and may impose any of the sanctions that may be imposed for personal misconduct.

When a student commits an act of academic misconduct related to a course in which the student is enrolled and commits a separate but simultaneous act of academic misconduct unrelated to that course and/or an act of personal misconduct, the faculty member involved and the Dean of Students may handle the matters jointly or separately.

4. **Appeals.** Within seven (7) business days of receiving the notice concerning misconduct, the student may appeal the finding of misconduct, the particular sanction imposed, or both, by following the directions in the Office of Student Conduct notice.

If appealing the finding, the student must provide evidence that one or more of the following occurred:

1. the preponderance of the evidence standard is not met;
2. there was bias; or
3. there was a due process (procedural) error.

If appealing the sanction, the student must provide evidence that the sanction was arbitrary or disproportionate.

The Academic Dean reviews submitted appeals and can reject any appeal that does not allege lack of preponderance of the evidence, bias, due process error, or arbitrary or disproportionate sanction.

If the Academic Dean does not reject the appeal, the Academic Dean talks with the student and faculty member, either separately or together, at their discretion. If the matter is not resolved within seven (7) business days of talking with the student and faculty member, the student may request a hearing before O'Neill's Academic Fairness Committee (Committee). For a hearing to be granted, the student must declare whether they are appealing the finding that misconduct occurred, the sanction, or both. In addition, the student must provide to the Chair of the Committee evidence that one or more of the following occurred:

1. the preponderance of the evidence standard is not met;
2. there was bias; or
3. there was a due process (procedural) error.

If appealing the sanction, the student must provide evidence that the sanction was arbitrary or disproportionate.

The Committee is composed of three (3) faculty and two (2) students. The Committee holds an audio-recorded hearing on the issue(s) raised by the student. If the student appealed the finding that misconduct occurred, the

Committee determines whether a preponderance of evidence supports the finding of misconduct. If the Committee concludes that the evidence does not support a finding of misconduct, the matter ends there. If the Committee finds that misconduct occurred, and the student has appealed the academic sanction imposed, the Committee may uphold that sanction or, after finding the sanction was arbitrary or disproportionate, reduce that sanction. If the student has only appealed the sanction, the Committee decides only whether to uphold or reduce the sanction.

The Committee issues a written decision within seven (7) business days after the hearing ends. The decision sets out the Committee's conclusions and the findings of fact and reasoning supporting those conclusions. The Chair of the Committee sends the decision to the O'Neill Executive Associate Dean, with copies to the student, the faculty member, the Dean of Students, and the academic dean of the unit in which the student is enrolled (if different from the unit in which the misconduct occurred).

If either the student or the faculty member believes that a procedural error occurred at the Committee that was serious enough to prevent the Committee's full and fair consideration of a misconduct finding or academic sanction, the student or faculty member may file a written appeal with the Office of the Vice Provost for Faculty and Academic Affairs (graduate student) or the Vice Provost for Undergraduate Education (undergraduate student). The student or faculty member has seven (7) business days from the date the student or faculty member receives the decision of the Committee to file the appeal. A student may not appeal the Committee's factual conclusion as to whether misconduct occurred, or the propriety of the academic sanction imposed.