

University Policy 407, Code of Student Academic Integrity

Executive Summary:

The academic integrity standards for students at UNC Charlotte are the subject of this policy. Descriptions of each form of academic integrity violation are provided as well as the penalties, procedures for handling cases, penalties which may be imposed, and appeal procedures. Students and faculty members are expected to be familiar with the provisions of this Code.

- [Chapter 1. Principles and Purpose](#)
- [Chapter 2. Definitions](#)
- [Chapter 3. Standards of Due Process, Standard of Proof, and Jurisdiction](#)
- [Chapter 4. Responsibilities](#)
- [Chapter 5. Rights of the Parties](#)
- [Chapter 6. Prohibited Academic Conduct](#)
- [Chapter 7. Academic Misconduct Process Structure](#)
- [Chapter 8. Educational Sanctions](#)
- [Chapter 9. Appeals](#)
- [Chapter 10. Case Files and Accountability Records](#)
- [Related Resources](#)
- [Procedures for Adjudication of Academic Misconduct Cases](#)

As amended and effective for violations occurring on or after August 31, 2021.

Chapter 1. Principles and Purpose

The University of North Carolina at Charlotte is an academic community dedicated to teaching, scholarship, service, inclusion, and the holistic development of Students. Academic integrity is a cornerstone value of the University's intellectual community. It is important to nurture an atmosphere of honesty, fairness, trust, respect, and mutual responsibility. Integrity is essential because it ensures that Students fairly benefit from their educational experience and pursuits of knowledge. Violating the principles of academic integrity damages the reputation of the University and undermines its educational mission and goals.

The University recognizes that Academic Misconduct detracts from the value of a UNC Charlotte degree and has influence beyond the University community, including relationships with employers, other educational institutions, the business community, the UNC system, and the community at large.

The purpose of the Code is to:

1. support and promote an ethical learning environment;
 2. create consistent standards for all members of the academic community;
 3. assist Students in learning responsibility for one's own academic work;
 4. protect the academic environment of the University community; and
 5. clarify Student values and how they relate to the behavior in question.
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Chapter 2. Definitions

When used in the Code, certain terms are defined as follows:

1. **Academic Misconduct** means any of the conduct prohibited in Chapter 6 of the Code and is synonymous with the term “academic dishonesty” in N.C. Gen. Stat. § 116-40.11.
2. **Academic Integrity Board (AIB)** means a body of full-time faculty members, composed as set forth in Chapter 7, Section III, the members of which serve on Hearing Panels to adjudicate charges of Academic Misconduct.
3. **Advisor** means an individual invited by the Student, Faculty, or Referring Party to attend a Hearing and to confer with the Student, Faculty, or Referring Party during the Hearing. An Advisor may not address a University official or the Hearing Panel, other parties, or witnesses, and may not unreasonably delay, disrupt, or otherwise interfere with the proceedings. An Advisor may not argue, make statements, or question witnesses; however, an Advisor may respond to questions if asked to do so. An Advisor may not be called as a witness.
4. **Authorization** means approval of an action, conduct, or activity provided by the Faculty Member responsible for the evaluation of the Student's academic work or as otherwise required in the Code.
5. **Chair** means the Chair of the Academic Integrity Board.
6. **Code** means University Policy 407, Code of Student Academic Integrity.
7. **Convener** means the member of the Hearing Panel who exercises control over the Hearing proceedings to maintain a fair, impartial, and efficient Hearing.
8. **Day** (unless otherwise specified) means a business day on which the University is open.
9. **Director** means the Associate Dean of Students and Director of Student Accountability & Conflict Resolution or designee.
10. **Facilitator** means an individual appointed by the Director to conduct a Facilitated Resolution.
11. **Faculty Member** means a person who is responsible for assigning, grading, reviewing, and/or assessing an academic exercise that is alleged to have been affected by Academic Misconduct, including full-time faculty members, part-time faculty members, adjunct faculty members, instructors, and teaching assistants or a designee.
12. **Hearing** means the resolution method adjudicated by a Hearing Panel.
13. **Hearing Panel** means a body of two members of the Academic Integrity Board (AIB) and a trained undergraduate or graduate student appointed by the Chair or designee that adjudicate a charge of Academic Misconduct against a Student.
14. **Provost** means the Provost and Vice Chancellor for Academic Affairs.
15. **Referring Party** means an individual, other than the Faculty Member, who suspects that Academic Misconduct has occurred, determines that the information is sufficient to warrant an adjudication, and participates in the Academic Misconduct process as a representative of the University.
16. **Responsible** means determined by the procedures in the Code to be responsible for Academic Misconduct.
17. **Staff Advisor** means an individual appointed by the Director to advise a Hearing Panel.
18. **Student** means an individual who has accepted an offer of admission to the University; is currently enrolled in coursework or has registered for coursework at the University; has a continuing relationship with the University; is an auditing Student; or is participating in an educational program sponsored by or affiliated with the University. The continuing relationship ends upon graduation, termination of the relationship, or a break in enrollment of twelve (12) consecutive months after the last semester attended at the University.
19. **Student Panel Member** means a student who is selected, appointed, and trained by the Director or designee to serve on Hearing Panels to adjudicate cases of Academic Misconduct.

Chapter 3. Standards of Due Process, Standard of Proof, and Jurisdiction

Section I. Standards of Due Process

1. Any Student is entitled to a Hearing before a Hearing Panel, except when the case is resolved through an Informal Resolution or a Facilitated Resolution, as provided in Chapter 7 of the Code.
2. The focus of inquiry in the Academic Misconduct procedures is to determine whether the Student is or is not responsible for engaging in Academic Misconduct prohibited under Chapter 6 of the Code.
3. Formal rules of evidence do not apply, nor does deviation from prescribed procedures necessarily invalidate a decision or proceeding, unless significant prejudice to the Student or Faculty Member results.

Section II. Standard of Proof

For a Student to be found responsible for Academic Misconduct under the Code, the information must establish that the Student is responsible for Academic Misconduct by a preponderance of the evidence—that it is more likely than not that the Student engaged in Academic Misconduct as charged. This determination must be based solely on the information presented, which may include, but is not limited to, pertinent records (e.g., assignment, syllabi), exhibits (e.g., photographs, audio/video information, social media information), and written/oral statements.

Section III. Authority and Jurisdiction

1. When necessary, and in consultation with the Chair, the Director may alter academic misconduct procedures to protect the University community, property, or resources.
2. Subject to the exception in Paragraph 2 below, jurisdiction under the Code may be exercised with respect to all academic work, whether in the classroom, online, through distance education, or in-person. Academic work subject to the Code may be either inside or outside the context of an academic course, including in the preparation of materials submitted as a program or degree requirement or other non-course-related academic contexts.
3. Academic work that is submitted in a grant application or for publication, or in the case of a thesis or dissertation, submitted to ProQuest (or the University's then current dissertation database), falls under the jurisdiction of the Research Misconduct process. Prior to initiating an Academic Misconduct case in which research integrity might be implicated, the Research Integrity Officer and the Chair should discuss the case and make a mutual determination about the appropriate process to be applied. See University Policy 309, Responding to Allegations of Misconduct in Research and Scholarship.

Chapter 4. Responsibilities

The responsibility for maintaining the academic standards of honesty and integrity is shared by all members of the academic community. Students and Faculty Members are expected to be familiar with and abide by the provisions of the Code.

Section I. Faculty Member Responsibilities

Faculty Members are responsible for the academic instruction and evaluation methods for all academic exercises. As such, Faculty Members should ensure, to the best of their ability, that all work submitted by Students is consistent with academic standards, including being free from the adverse impacts of academic misconduct. To that end, Faculty Members are obligated to:

1. Publish, review, and enforce their expectations for academic conduct in course work.

2. If the Faculty Member suspects that Academic Misconduct has occurred and determines that the information is sufficient to warrant an adjudication, report all such cases of suspected Academic Misconduct using the appropriate adjudication method outlined in the Code of Student Academic Integrity so a central record may be kept. Faculty are expected to participate as needed in the adjudication of the suspected misconduct.
3. Engage mechanisms that discourage Academic Misconduct, such as exam monitoring, online submission of materials, etc. (See examples.)
4. If a Faculty Member who has referred an Academic Misconduct case fails to appear at a Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Faculty Member.

Section II. Student Responsibilities

1. Students are integral members of the academic community and are responsible for their academic work, abiding by the Code, and will be held responsible for their Academic Misconduct. As responsible members of the University, Students are expected to take an active role in encouraging other members of the academic community to respect the standards set forth in the Code. Should a Student suspect Academic Misconduct, they should make the suspicion known to the Faculty Member or Director.
2. If a Student who is charged with Academic Misconduct fails to appear at a Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Student.

Section III. Referring Party (other than Faculty Member) Responsibilities

1. Members of the University community are also expected to take an active role in encouraging Students to respect academic integrity. If a Referring Party suspects that Academic Misconduct has occurred and determines that the information is sufficient to warrant an Academic Misconduct adjudication, they should make the suspicion known to the Faculty Member or Director.
 2. When a Referring Party refers a suspected case of Academic Misconduct to the Faculty Member or Director, it is the Referring Party's responsibility to follow the policies and procedures in the Code, including attendance at and participation in any Hearing that may be conducted to adjudicate a charge of Academic Misconduct, if such attendance and participation is requested.
 3. If a Referring Party who has referred an Academic Misconduct case fails to appear at a Hearing after being notified pursuant to the Code, the Hearing will continue in the absence of the Referring Party.
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Chapter 5. Rights of the Parties

Section I. Rights of the Student

The Student has the following rights:

- A. to be provided a fair, impartial, and efficient process;
- B. to be presumed not responsible for a violation of the Code until determined otherwise;
- C. to be given notice of any allegation(s) of Academic Misconduct;
- D. to review the information that will be presented in any case resolution, provided that the information may be given to the Student in a redacted format;
- E. to present relevant information on their behalf;
- F. to obtain support, advice, or assistance pursuant to relevant sections in Chapter 7 of the Code;
- G. if found responsible, to have sanction(s) imposed on the basis of the guidelines set forth in the Code;
- H. to be informed of the final decision and results of a proceeding;

- I. to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the Office of Disability Services;
- J. to confront, in some manner, the allegations and information presented relevant to the formal charge(s) against them, which in all cases will be brought forward by the University;
- K. to request that a member of a Hearing Panel be excluded from the Hearing on the basis of a conflict of interest, bias about, or interest in the case;
- L. to pose reasonable questions, verbally or in writing, to any witness appearing at a Hearing;
- M. to have prior Academic Misconduct excluded from information presented during a Hearing Panel's deliberation of findings for any charge(s);
- N. to appeal any decision of a Hearing Panel, pursuant to Chapter 9 of the Code; and
- O. to have supervised access to a recording of the Hearing proceedings.

Section II. Rights of the Faculty Member or Referring Party

The Faculty Member or Referring Party have the following rights:

- A. to be provided a fair, impartial, and efficient process;
- B. to review the information that will be presented in any case resolution, provided that the information may be given to the Faculty Member or Referring Party in a redacted format;
- C. to present relevant information on their behalf;
- D. to obtain support, advice, or assistance pursuant to relevant sections in Chapter 7 of the Code;
- E. to be informed of the final decision and results of a proceeding;
- F. to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the Office of Disability Services;
- G. to be provided the same opportunities as the Student to address any University official involved with the resolution of the complaint, including being present during the findings stage of the Hearing;
- H. to request that a member of a Hearing Panel be excluded from the Hearing on the basis of a conflict of interest, bias about, or interest in the case; and
- I. to have supervised access to a recording of the Hearing proceedings only to which the Faculty Member or Referring Party has an opportunity to participate.

Chapter 6. Prohibited Academic Conduct

Except in cases of Research Misconduct, as set forth in Chapter 3, Section III.2 of the Code, the following conduct, or complicity in the following conduct, is considered Academic Misconduct under the Code:

- A. **Cheating** means using or attempting to use materials, or giving assistance or materials without Authorization to another in any academic exercise that could result in gaining or helping another to gain academic advantage. Cheating includes, but is not limited, to the following actions:
 - 1. *Copying* - copying from another's assignment, examination, or other academic exercise;
 - 2. *Use of Unauthorized Materials* - using materials or equipment in connection with an assignment, examination, or other academic exercise which have not been authorized by the faculty member, including but not limited to, notes, calculator, websites, or other technology;
 - 3. *Misrepresentation* - permitting another to substitute for one's self in an academic exercise, or submitting of an academic exercise that has been prepared by another;
 - 4. *Unauthorized Collaboration* - sharing the work or effort in an academic exercise with another individual or individuals without Authorization.

See additional examples.

- B. **Fabrication** means providing fabricated information, including inventing or counterfeiting information, in any form in an academic exercise. See examples.
 - C. **Falsification** means altering without Authorization any data or information, regardless of communication method (e.g., e-mail or other electronic communication), in an academic exercise. See examples.
 - D. **Misuse of Academic Materials** means sharing, distributing, altering, acquiring, damaging, or making inaccessible academic materials without Authorization, that could result in gaining or helping another to gain an academic advantage. See examples.
 - E. **Multiple Submission** means submitting academic work or substantial portions of the same academic work (including oral reports) in more than one academic exercise without Authorization.
 - F. **Plagiarism** means presenting the words or ideas of another as one's own words or ideas, including failing to properly acknowledge a source, unless the ideas or information are common knowledge. Plagiarism includes self-plagiarism, which is the use of one's own previous work in another context without indicating that it was used previously. See examples.
 - G. **Research Misconduct** means a determination that Research Misconduct has occurred under University Policy 309, Responding to Allegations of Misconduct in Research and Scholarship and its Supplemental Procedures. (See Chapter 3, Section III of the Code.)
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Chapter 7. Academic Misconduct Process Structure

This Chapter outlines the general process for handling suspected cases of Academic Misconduct. Specific procedures for adjudicating cases of Academic Misconduct are detailed in the Procedures for Adjudication of Academic Misconduct Cases supplemental to the Code ("Supplemental Procedures").

Section I. Case Referrals

Swift resolution of suspected Academic Misconduct cases is highly desirable for both the institution and the accused Student. To this end, Faculty Member and Referring Parties are responsible for timely communication with the appropriate University officials involved in the Academic Misconduct process. Specific procedures for case referrals are set forth in the Supplemental Procedures.

Once a Student has received notice of an alleged Academic Misconduct violation, if the Student withdraws from the course, the Academic Misconduct adjudication process may continue.

Section II. Adjudication Methods

A. Informal Resolution

Some first offenses are properly handled and remedied by an Informal Resolution with the Faculty Member teaching the specific academic exercise in which they occur. In the event the Faculty Member is unavailable, the chair of the department may appoint a designee, who may act on the Faculty Member's behalf throughout the Academic Misconduct process.

B. Facilitated Resolution

The Director, in consultation with the Chair, may determine that a Facilitated Resolution is appropriate and offer a Facilitated Resolution:

1. if a Student is eligible for an Informal Resolution (it is the Student's first charge of Academic Misconduct), but the Faculty Member and the Student are unable to reach an Informal Resolution; or

2. if a Student is not eligible for an Informal Resolution (it is not the Student's first charge of Academic Misconduct), but the Director determines that it is appropriate to attempt resolution through a Facilitated Resolution.

C. In Absentia Resolution

If a case has not been resolved through Informal Resolution or Facilitated Resolution, and the Student has not responded to meeting requests from the Director or designee, the case may be resolved in the Student's absence through an In Absentia Resolution.

D. Formal Resolution

A Formal Resolution before a Hearing Panel is required in any of the following circumstances:

1. The Faculty Member or designee believes that a more severe sanction is warranted for an alleged first Academic Misconduct charge than is permitted under an Informal Resolution and the Director has determined that a Facilitated Resolution is not appropriate;
2. The Student is eligible for an Informal Resolution, but no such resolution is reached pursuant to the procedures in Chapter 7;
3. The Director has determined that a Facilitated Resolution is appropriate and has offered a Facilitated Resolution, but either the Student or Faculty member declines the offer or no such resolution is reached pursuant to the procedures in Chapter 7; or
4. The Student has been charged and found responsible for a prior Academic Misconduct offense.

Section III. Academic Integrity Board and Hearing Panels

A. AIB Composition

1. The AIB is composed of full-time faculty members, including the AIB Chair.
2. At least two faculty members shall be appointed to the AIB from each college, and the number of faculty members appointed from each college shall be in proportion to the number of full-time faculty members in each college.
3. The Provost or designee shall determine the minimum number of members of the AIB and shall appoint the Chair. The Senior Associate Provost shall appoint all other faculty members to the AIB.
4. The faculty members and the Chairperson shall be appointed for two-year staggered terms. All members of the AIB may be reappointed.

B. Hearing Panels

1. The Director shall appoint a Hearing Panel of two members of the AIB, and one student, to adjudicate a charge of Academic Misconduct through Formal Resolution.
2. One of the members of the Hearing Panel is designated by the Director or designee as the Convener to conduct the Hearing.
3. When the accused Student is a graduate Student, the Hearing Panel must include graduate faculty and a graduate Student Panel Member.
4. The Director shall assign Hearing Panel members on the basis of availability and impartiality in a particular case. Neither faculty member may be from the same academic department in which the alleged offense occurred or the department in which the student is seeking a degree.
5. When the appointed faculty members of the AIB are unable to serve on a particular case, the Director is authorized to appoint a faculty member from an appropriate department on an interim basis.
6. The Chair may not sit on a Hearing Panel.

C. Conflicts of Interest or Bias

1. The Student, Faculty, or Referring Party may challenge any member of the Hearing Panel on grounds of a bias or relationship that might affect impartial consideration of the case by that Panel member. The Student, Faculty, or Referring Party must submit the challenge in writing to the Director or designee at least two (2) Days prior to the scheduled Hearing. The Director must decide the challenge prior to the Hearing. If the Director determines possible bias, they will excuse the Hearing Panel member and appoint a replacement. The Hearing may be rescheduled at the discretion of the Director in order to appoint an available replacement.
2. Additionally, Hearing Panel members may recuse themselves if they believe there is a conflict with, bias about, or interest in the case.
3. The Director shall make the final decision whether to exclude any Hearing Panel member; this decision cannot be appealed. If a Hearing Panel member is excluded, the Director will select a new Panel member as a substitute.

Section IV. Sanctions

When a Student admits to or is found responsible for Academic Misconduct, sanctions may be imposed as set forth in Chapter 8 of the Code.

Section V. Appeals

A Student may appeal the Hearing Panel's determinations on responsibility and sanctions under a Formal Resolution pursuant to Chapter 9 below.

Chapter 8. Educational Sanctions

Sanctions for Academic Misconduct are intended to educate Students on the effects of their Academic Misconduct, encourage appropriate conduct in future academic exercises, and uphold the standards essential to maintaining the integrity of the academic community.

In all cases, a grade received based on sanctions imposed in an Informal Resolution, Facilitated Resolution, or Formal Resolution will not be replaced if the course is repeated. This provision is not subject to appeal or academic petition.

Section I. Compelling Factors

Compelling factors may be considered when determining sanctions and may include, but are not limited to:

- A. Student's demonstration of insight about their behavior;
- B. Nature and seriousness of the offense;
- C. Injury or damage resulting from the Academic Misconduct;
- D. Student's motivation, intent, and state of mind at the time of the incident;
- E. Student's prior Academic Misconduct record;
- F. Student's attitude and demeanor subsequent to the violation; and
- G. Whether the incident was motivated by bias based upon an individual's actual or perceived race, color, religion, age, national origin, ethnicity, gender, gender identity or expression, sexual orientation, disability, or veteran status.

Section II. Sanctioning Options for Faculty Members (Informal Resolution)

Possible sanctions that may be imposed under an Informal Resolution are:

- A. **Written Warning.** Official documentation conveying to the Student that their behavior was unacceptable and that any future violation of the Code may result in more severe action, including Suspension, or Expulsion;
- B. **Resubmission of Academic Exercise** with or without grade penalty;
- C. **Reduced Academic Exercise Grade** including "F" if undergraduate Student and "U" for graduate Student;
- D. **Reduced Course Grade** including "F" if undergraduate Student and "U" for graduate Student; and/or
- E. **Educational Sanctions** to help Students learn from their decisions and reflect on what they want to get out of the University experience. See examples.

The maximum sanction that a Faculty Member or designee may assign using the Informal Resolution form is an "F" for an undergraduate course and a "U" for a graduate course. The sanctions under B-D above do not apply in a case in which an Academic Misconduct violation is not within the context of an academic course.

The Informal Resolution file will be kept for eight years in the Office of Student Accountability & Conflict Resolution.

Section III. Sanctioning Options for Student Accountability Officer (Facilitated Resolution)

Possible sanctions that may be imposed under a Facilitated Resolution are the same as for an Informal Resolution, as well as any sanction available under a Formal Resolution other than expulsion or degree revocation.

Section IV. Sanctioning Options for a Hearing Panel (Formal Resolution)

Possible sanctions that may be imposed by the Hearing Panel in a Formal Resolution are the same as for an Informal Resolution, in addition to one or more of the following, taking into consideration the Faculty Member's recommendations:

A. Academic Integrity Probation. A status in which the Student is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Academic Integrity Probation is imposed. Academic Integrity Probation does not affect the Student's academic standing and is not notated on the Student's academic transcript. In the event the Student is subsequently found responsible for a violation(s) of the Code while on Academic Integrity Probation, more severe sanctions, including Grade Reduction/Transcript Notation, Suspension, or Expulsion, could result. Conditions restricting the Student's participation in University activities may also be imposed.

B. Grade Reduction/Transcript Notation. The grade of "F" for an undergraduate Student or "U" for a graduate Student for the course with a notation of "X" on the academic transcript indicating that the notation is a result of Academic Misconduct.

1. If the Hearing Panel imposes this sanction, it will stipulate the exact minimum length of time the "X" notation shall remain on the academic transcript. When that time has elapsed, the "X" notation will be removed automatically by a request from the Dean of Students Office to the University Registrar.
2. Students may not exclude a grade from GPA calculations for any course in which they have received a grade with an "X" notation. The accountability record will document the offense and sanction and will be maintained in accordance with the University's records retention schedule, which currently requires retention for a period of eight (8) years

C. Suspension. Separation from the University for a period no less than the remainder of the current semester.

1. Suspension may be effective immediately or deferred until the end of the current semester.
2. A notation of Suspension shall be recorded on the Student's official University transcript maintained by the Registrar's Office.
3. The notation of Suspension shall be removed from the Student's transcript after they have completed the Suspension period. In the case of suspension for an indefinite period of time, the notation of Suspension shall be removed upon approval of the Director.
4. For cases in which an Academic Misconduct violation is not within the context of an academic course, Suspension from the University shall be for a minimum of one semester (or a longer designated period of time) following the semester in which the violation occurred. A record of the violation will be kept in the disciplinary file for a period of time to be determined by the Hearing Panel, after which it will be removed upon written request by the Student to the Director.

D. Expulsion. Permanent separation from the University.

1. Expulsion shall be effective immediately.
2. Expulsion precludes enrollment and matriculation at any constituent institution of the University of North Carolina System.
3. A notation of Expulsion shall be recorded on the former Student's official University transcript maintained by the Registrar's Office.
4. A record of the Expulsion will be kept in the Student's conduct file permanently.
5. The former Student may petition the Chancellor to rescind the Expulsion no earlier than two (2) years after the effective date of the Expulsion. The Chancellor's conclusion shall be based on the former Student's petition and relevant documentation supporting or opposing the rescindment. If the Expulsion is rescinded, the Expulsion notation shall be removed from the former Student's transcript, and they are no longer precluded from enrollment and matriculation at any University of North Carolina constituent institution on the basis of the Expulsion.

E. Post-Enrollment and Post-Graduation Sanctions

A Student who has violated the Code, but who graduates from the University or ceases enrollment before imposition of a sanction is subject to:

1. Revocation of any degree awarded;
2. Temporary or permanent withholding of the diploma or transcript for any degree, regardless of whether the degree has been awarded; and/or
3. Having sanction(s) imposed as a condition of re-enrollment at the University.

Chapter 9. Appeals

A. Eligibility for Appeal

1. A Student may appeal the Hearing Panel's determinations on responsibility and sanctions under a Formal Resolution.
2. The Faculty Member bringing the charge of Academic Misconduct against a Student is bound by the Hearing Panel's determinations on responsibility and sanctions and is not permitted an appeal. If a grievance has arisen, the Faculty Member may address it under the appropriate grievance procedure.

3. A Student may not appeal an Informal Resolution or a Facilitated Resolution.

B. Grounds for Appeal

Grounds for appeal at any level of review are limited to:

1. violation of due process;
2. material procedural error;
3. sanctions inconsistent with charge.

It is not the purpose of the appeal process to provide for a new hearing at a higher administrative level.

C. Submission of Appeal

1. A Student who wishes to appeal the outcome of a Formal Resolution must submit a written brief in support of the appeal to the Director within **five** Days after the Notice of Outcome.
2. The appeal shall separately state each ground upon which the Student claims that the Hearing Panel committed error in reaching its conclusions and shall set forth the Student's information and arguments in support of such claims.
3. Failure to submit a written appeal will render the decision of the Hearing Panel final and conclusive.
4. Upon request, the University shall provide access to the case file to the accused Student for the purpose of preparing an appeal. The University shall redact any such copy to exclude confidential records regarding other Student(s), as appropriate.
5. If the written appeal has been timely filed, the Director shall deliver them with the record on appeal to the Provost.

D. Provost's Review

1. The Provost or their designate shall review the record and issue a written decision on the appeal. If the Provost designates another person to make the determination on appeal, that person's review and decisions shall be treated in all respects as if made by the Provost. The decision may:
 - a. Affirm the decision reached and sanction imposed by the Hearing Panel;
 - b. Affirm the decision and reduce but not eliminate the sanction recommended by the Hearing Panel; or
 - c. Remand the case for a new Hearing before a Hearing Panel composed of members of the AIB who have not previously participated in the case.

On remand, the new Hearing Panel's decision(s) on responsibility and sanctions to be imposed if any, shall be final and conclusive, except that the Student may appeal the Hearing Panel's decisions on remand to the Chancellor. Such appeal is permitted only by method and on the grounds specified in Section E below.

2. The Provost or designee shall send copies of the decision on the appeal to the Student, Faculty Member, Student Accountability & Conflict Resolution, and Chair.
3. The decision of the Provost or designee or the decision of the Hearing Panel on remand shall be final and conclusive, and the sanction(s) will be imposed as directed. If the sanction is expulsion or revocation of degree, the Student may file a written signed letter of appeal to the Chancellor through the Director.

E. Chancellor's Review

1. If the Provost's decision on appeal or the Hearing Panel's decision on remand results in a sanction of expulsion or degree revocation, the Student may file a written signed letter of appeal to the Chancellor through the Director.
 2. Such written appeal must be received by the Chancellor within **five** Days after the Student receives notice of the Provost's decision or the Hearing Panel's decision on remand.
 3. The appeal shall separately state each ground upon which the Student claims that the Hearing Panel committed error in reaching its conclusions and shall set forth the Student's information and arguments in support of such claims.
 4. Failure to submit a written appeal will render the Provost's decision on appeal or the Hearing Panel's decision on remand final and conclusive.
 5. Upon request, the University shall provide access to the case file to the accused Student for the purpose of preparing an appeal. The University shall redact any such copy to exclude confidential records regarding other Student(s), as appropriate.
 6. The decision of the Chancellor shall be final and conclusive, and the sanction(s) will be imposed as directed.
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Chapter 10. Case Files and Accountability Records

A. Accountability Records

1. Accountability records related to an individual Student are confidential and shall be maintained pursuant to University Policy 402, Student Education Records (FERPA), including limited exceptions that permit disclosure without a Student's consent.
2. All resolutions are considered part of a Student's accountability record.
3. Academic transcripts shall reflect sanctions as provided in Chapter 8 of the Code.

B. Records Retention

1. The Academic Misconduct case file, including any audio recordings and/or transcripts of a Hearing, will be retained as part of the Student's accountability record for eight (8) years from the date of resolution. Accountability records may be retained for longer periods of time or permanently, as specified in the sanction(s) or if the sanction(s) is considered incomplete.
2. Accountability records including the sanction of Expulsion shall be retained for seventy-five (75) years. Accountability records including the sanction of Expulsion shall not be voided except under very rare circumstances with unusual and compelling justification.

C. Student Access to Records

Students may inspect and review their Academic Misconduct records in accordance with University Policy 402, Student Education Records (FERPA).

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- [Revised November 6, 2014](#)
- Updated Settlement Forms January 5, 2015
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- [Revised August 13, 2020](#)
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Authority: Chancellor

Responsible Office: Academic Affairs and Student Affairs

Related Resources:

- [Procedures for Adjudication of Academic Misconduct Cases](#)
- [Academic Integrity Informal Resolution Form](#)
- [Academic Integrity Process and Resolution Options](#)
- [Academic Integrity Resources and FAQs](#)
- [Student Response System \(Poll Everywhere\) and Academic Integrity](#)