

AP 5501 Academic Dishonesty

References: *Education Code Sections 66300 and 66301; Accreditation Standard IIA.7.b; BP and AP 5500*

This procedure outlines a process in the case of an instance of academic dishonesty in an instructor led learning environment. Student conduct procedures are outlined in AP 5520 Student Discipline Procedures. According to AP 5500 Standards of Conduct, cases of academic dishonesty are subject to both academic and administrative sanctions. Academic sanctions pertain to the student's grade or status in the class where the offense occurred. Administrative sanctions pertain to the student's status at the College.

A student who is determined by a faculty member to have committed academic dishonesty has the right to appeal the charge of academic dishonesty but not the academic or administrative sanctions. If it is determined that no academic dishonesty occurred, all documentation will be expunged and any actions/sanctions against the student will be reversed.

Definition of Academic Dishonesty

Academic Dishonesty comprises at least one of these actions in these three categories: Cheating, Plagiarism, or Falsification, Theft or the Sale of Protected Materials as outlined below.

1. **Cheating** – Cheating is the act of obtaining, or attempting to obtain, credit for academic work through the use of any dishonest, deceptive, or fraudulent means. Cheating at Ohlone includes, but is not limited to the following:
 - Copying, in part or in whole, from another's test or other evaluation instrument or obtaining answers from another person during a test;
 - Using or consulting during an examination sources or materials not authorized by the instructor, or sitting for an examination in a setting not approved by the instructor;
 - Collaborating with another person on an assignment without instructor permission, or allowing another student to copy from one's work;
 - Submitting work previously presented in another course without first receiving permission from the current instructor to reuse the work;
 - Altering or interfering with grading or grading instructions;
 - Unauthorized preprogramming of and/or having access to electronic devices;
 - Any other act committed by a student in the course of his or her academic work which defrauds or misrepresents, including aiding or abetting any of the actions defined above.
2. **Plagiarism** – Plagiarism is a form of cheating. It is the act of incorporating the ideas, words, sentences, paragraphs, data, or the specific substance of another's work as one's own without properly acknowledging the source of such material through complete and accurate citations and reference lists. Both the intentional and unintentional use of another's work constitutes plagiarism. Plagiarism at Ohlone includes, but is not limited to the following:
 - Directly quoting another person's words without the use of quotation marks and acknowledging the source;
 - Acknowledging the source of another person's directly quoted words but without the use of quotation marks;
 - Paraphrasing, or restating, another person's ideas, opinions, or theories without acknowledging the source;
 - Using facts, statistics, or other material taken from a source without acknowledging the source;
 - Failing to properly cite an original source when using a secondary source;

- Representing another's artistic/scholarly works such as musical compositions, computer programs, photographs, paintings, drawings, sculptures, or similar works as one's own.
3. ***Falsification, Theft or the Sale of Protected Materials*** – includes, but is not limited to the following:
- Any instance of fabrication or falsification. Examples of fabrication and falsification include, but are not limited to the following:
 - Citing information not taken from the source indicated;
 - Citing a source that does not exist;
 - Listing sources in a bibliography or reference list that were not used in the project;
 - Intentionally distorting the meaning or applicability of data;
 - Inventing or falsifying data or source information in experiments, research projects, or other academic assignments;
 - Listing hours worked or activities performed during a clinical, laboratory, or service learning experience that did not occur;
 - Completing an assignment or sitting for an examination by a surrogate, or as a surrogate;
 - Fabricating or falsifying documentation to try to change a course grade;
 - Theft of a copy of an exam or other assessment tool;
 - Selling or purchasing an exam, software program, paper, or other materials to be submitted for an assignment.

Protocol for Addressing Academic Dishonesty

Initial Charge – Student meeting with faculty member

When a faculty member responsible for a course has concluded that a student has committed an act of academic dishonesty, within ten (10) working days after discovery of the act, the faculty member arranges a meeting with the student to discuss the allegations, provide the supporting evidence, and explain the academic sanctions/consequences resulting from the act of academic dishonesty. If the course is a fully online course or meeting face-to-face is not an option, the faculty member will schedule a video or phone conference or use email to discuss the allegation of academic dishonesty.

If, as a result of this meeting, the faculty member concludes academic dishonesty occurred and the student agrees, within five (5) working days the faculty member does the following:

- Informs the student of the academic sanction(s) and consequences to be assessed,
- Completes the Academic Dishonesty Reporting Form (with the student's signature or verification),
- Submits the Academic Dishonesty Reporting Form to the academic dean and the Vice President, Student Services (VPSS) Office for possible administrative sanctions. The student and the instructor are informed of administrative sanctions imposed by the VPSS.

If, as a result of this meeting, the faculty member concludes academic dishonesty occurred and the student disagrees, the student has the right to appeal within ten (10) working days to the Academic Appeals Committee. The appeal process is as follows:

- The faculty member completes the Academic Dishonesty Reporting Form (with the student's signature or verification) and submits the Academic Dishonesty Reporting Form to the academic dean and the Vice President, Student Services (VPSS) Office;
- The VPSS Office informs the student of the ten-day deadline and also refers the student to the Division Dean should he/she have questions about the charge or the appeals process;
- The student files the appeal by completing a Student Appeal of a Charge of Academic Dishonesty form and submits it to the Vice President, Student Services. The Vice President, Student Services then forwards the Academic Dishonesty Reporting Form and all evidentiary documentation to the Vice President, Academic Affairs Office for review by the Academic Appeals Committee;

- If the student does not file an appeal, the Vice President, Student Services (VPSS) Office applies the appropriate administrative sanctions. The student and the instructor are informed of administrative sanctions imposed by the VPSS.
- See the "Process for Appealing Charges of Academic Dishonesty" below.

If a student fails to respond to the faculty member's request for a meeting or attend a scheduled meeting, or when the apparent academic dishonesty is detected near the end of the semester and the faculty member makes a good-faith effort to contact the student but is unable to do so, the following process takes place:

- Within ten (10) working days, the faculty member issues the appropriate academic sanctions, and
- The faculty member completes the Academic Dishonesty Reporting Form (without student's signature) and sends the form to the academic dean and the Vice President, Student Services.
- The academic dean's office sends written notification to the student informing him/her of the academic sanctions, the student's right to appeal, and that the academic dishonesty has been reported to the Vice President, Student Services Office for potential administrative sanctions.

Process for Appealing Charges of Academic Dishonesty

1. Initial appeal – Academic Appeals Committee

If the student disagrees with the charge of Academic Dishonesty, he/she has the right to appeal to the Academic Appeals Committee through the Vice President, Academic Affairs Office within ten (10) working days of written notification from the dean. A student not knowing what constitutes academic dishonesty at Ohlone College is not grounds for appeal. The student files the appeal by completing a Student Appeal of a Charge of Academic Dishonesty form.

- The Vice President, Student Services (VPSS) Office forwards all evidence and appeal documentation to the Vice President, Academic Affairs. Within five (5) working days the Vice President, Academic Affairs Office informs the Academic Appeals Committee of the appeal and forwards all the evidence and appeal documentation to the committee.
- The Academic Appeals Committee contacts the student to establish a meeting to hear the appeal within ten (10) working days of receiving the notification of the appeal from the Vice President of Academic Affairs Office. The Academic Appeals Committee (consisting of academic and counseling faculty, and students) only convenes during the regular school term.
- Within five (5) working days of hearing the appeal, the Academic Appeals Committee sends notification of its decision to the Vice President, Academic Affairs Office.
- The Vice President, Academic Affairs Office sends written notification of the committee's decision to the student and faculty member within five (5) school days of receiving the decision from the committee. The Vice President, Academic Affairs will also send notification of the decision to the Vice President, Student Services' Office for appropriate administrative sanctions (if warranted) and to be kept on file.

2. Final Appeal – Vice President, Academic Affairs

If the student disagrees with the decision of the Academic Appeals Committee, he/she has the right to appeal to the decision to the Vice President, Academic Affairs Office within ten (10) working days of the committee's findings. The student files the appeal with the Vice President, Academic Affairs by completing a Student Appeal of a Charge of Academic Dishonesty form.

- Upon notification, the Vice President, Academic Affairs Office will review the evidence and appeal documentation. Within ten (10) working days, the Vice President, Academic Affairs will send written notification of his/her decision to the student, the academic dean, and the faculty member.
- The Vice President, Academic Affairs' decision is final, with no other appeal options. The Vice President, Academic Affairs will send notification of the decision to the Vice President, Student Services' Office for appropriate administrative sanctions (if warranted) and to be kept on file.

At the conclusion of the appeals process, the VPSS informs the student and instructor of administrative sanctions imposed by the VPSS.

Note: If a student fails to respond at any level after the faculty member or dean's office has informed him/her of the right to appeal, the rest of the appeals are forfeited and the Vice President, Student Services' Office will be informed for appropriate administrative sanctions.

Guidelines for Academic Sanctions Involving Academic Dishonesty

When a student is determined by a faculty member to have committed an act of academic dishonesty, the decision on academic sanctions shall reside with the instructor. Academic sanctions may include one or more of the following:

- Oral reprimand;
- Lowered grade on assignment, exam, paper, project, or course work involved;
- Failed grade on assignment, exam, paper, project, or course work involved;
- Opportunity to retake or resubmit assignment, exam, paper, project, or course work involved;
- Opportunity to complete additional assignment, exam, paper, project, or course work.

Guidelines for Administrative Sanctions Involving Academic Dishonesty

Administrative Sanctions for students found to have engaged in the Cheating, Plagiarism, Falsification, Theft or the Sale of Protected Materials and/or multiple incidents of Academic Dishonesty are outlined in the Student Code of Conduct and include disciplinary probation, suspension, restitution, and expulsion.

Administrative Sanctions for acts of Academic Dishonesty will include, at a minimum, the following sanctions:

- Students found to have engaged in the Falsification, Theft or the Sale of Protected Materials will be placed on disciplinary probation.
- Students found to have engaged in academic dishonesty behavior in two reported incidents will be placed on disciplinary probation, and may be recommended for either long term (1 semester or more) suspension or expulsion proceedings.
- Students found to have engaged in academic dishonesty behavior in three reported incidents will be recommended for either long term (1 semester or more) suspension or expulsion proceedings.
- Students found to have engaged in academic dishonesty behavior in four or more reported incidents will be recommended for expulsion.
- Suspension and expulsion recommendations will follow the procedures outlined in the Student Code of Conduct.
- A record of disciplinary probation, suspension, or expulsion is part of a student's disciplinary record and will be made available to transfer institutions.

A report of sanctions will be produced and shared with the Faculty Senate annually in the spring term. The review will include the number and categories of academic dishonesty, the number of appeals and their outcomes, and the number and type of academic and administrative sanctions. Results will be disaggregated by discipline, gender, ethnicity, and disability status.

Recommended by Academic Senate on April 17, 2019

Adopted: April 24, 2019