

MANUAL OF PROCEDURE

PROCEDURE NUMBER: 4035

PAGE 1 of 5

PROCEDURE TITLE: Procedure Addressing Academic Dishonesty

STATUTORY REFERENCE: FLORIDA STATUTE 1006.50

BASED ON POLICY: IV-5 Student Rights and Responsibilities

EFFECTIVE DATE: January 21, 1983

LAST REVISION DATE: March 8, 2005

LAST REVIEW DATE: March 8, 2005

I. PURPOSE

This procedure establishes a process for addressing charges of academic dishonesty in a manner that preserves the professional integrity of the faculty member as well as the due process rights of the student. Academic dishonesty includes the following actions, and those that are similar in nature, with respect to a student's academic performance.

- A. Cheating on an examination including unauthorized sharing of information;
- B. Collaborating with others in work to be presented, if contrary to the stated rules of the course;
- C. Plagiarizing, including the submission of others' ideas or papers (whether purchased, borrowed, or otherwise obtained) as one's own;
- D. Submitting, if contrary to the rules of a course, work previously presented in another course;
- E. Knowingly and intentionally assisting another student in any of the above actions, including assistance in an arrangement whereby any work, classroom performance, examination, or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.

Some related actions of academic dishonesty, such as stealing examinations or course material and falsifying records, may be directly addressed through the *Student Disciplinary Procedure - Procedure 4030*.

II. ACADEMIC DISHONESTY: DEFINITION OF SANCTIONS

Set forth below are levels of sanctions that may be imposed by the College for Academic Dishonesty:

- A. Level I Sanctions - Possible sanctions to be imposed by the faculty member:
1. A prescriptive sanction of an academic nature (e.g. re-take test, re-submit assignment, engage in additional coursework)
 2. Change of grade on item in question (e.g., paper, test, class project)
 3. Grade of “F” on item in question
 4. A lower grade for the course
- B. Level II Sanctions - Possible sanctions to be imposed by an Academic Hearing Committee:
1. Any Level I sanction
 2. A grade of F for the course
 3. Record a change from W to F for a course
 4. Any of the remaining sanctions described in *College Procedure 4030, Student Disciplinary Procedure*, including suspension and dismissal.

III. PROCEDURE

- A. Preliminary Meetings
1. The faculty member shall meet with the student in a timely manner to inform the student of the alleged act(s) of academic dishonesty of which the student is accused. At that time, the student shall be notified of the College’s Students’ Rights and Responsibilities Handbook, which describes the College’s procedure for addressing academic dishonesty. If there is an admission of guilt on the part of the student, the faculty member indicates the sanction(s) he/she feels to be most appropriate. If a Level I sanction is imposed by the faculty member, and this is accepted by the student, the incident is considered closed and not subject to any further action.
 2. If the student does not admit guilt, questions the severity of a Level I sanction, or if the faculty member suggests that the College impose a Level II sanction, a meeting is held within five business days which includes the student, the faculty member, and the Department Chairperson or equivalent academic manager. The Department Chairperson/academic manager confirms that the student has knowledge of the Students’ Rights and Responsibilities Handbook and the rights he/she possesses under the procedure.
- If, at this meeting, agreement is reached as to the validity of the charge and/or the nature of the Level I sanction imposed by the faculty member, the incident is considered closed and not subject to further action.

If there is no agreement reached with regard to the validity of the charge and/or nature of the Level I or II sanctions, the student shall be advised that a formal hearing may be requested before the campus Academic Hearing Committee.

B. Notice of Charge

Upon receiving a recommendation of a Level II sanction from the Department Chairperson/academic manager or written request from the student for a formal hearing, the Student Dean schedules a meeting with the student to provide the student with written Notice of Charge, the nature of the hearing process, and of all the rights applicable to students in academic dishonesty cases.

Within three working days of receiving the Notice of Charge, the student shall deliver to the Student Dean's Office a plea of guilty or not guilty, by completing the appropriate section on the Notice of Charge and returning the Notice of Charge to the Student Dean's Office. If the student does not return the Notice, a plea of "not guilty" is entered, and a Hearing before the Academic Hearing Committee is scheduled.

C. The Academic Hearing Committee

The Academic Hearing Committee (AHC) shall consist of the following individuals appointed by the Campus President, upon the recommendation of the Academic Dean:

1. Two student members who shall be nominated by the Student Government Association;
2. Two faculty members nominated by the Academic Dean;
3. Two academic administrators, one of whom shall be the Hearing Officer;
4. The Dean of Students shall serve as the AHC resource person for coordination of the committee's activities and maintenance of official records.

D. Hearing Process

The Hearing Officer shall be responsible for coordinating and scheduling the AHC Hearing. The Hearing Officer shall preside over the Hearing and shall be responsible for maintaining proper decorum and order, and ruling on admissibility of evidence. The Hearing Officer shall have the power to exclude any person who impedes or threatens to impede a fair and orderly hearing or who has no legitimate interest in the Hearing. Subject to applicable laws, the Hearing shall be closed to all persons not directly involved in the process; however, the student and faculty member may each have a non-participating observer present at the Hearing.

The Hearing Officer and AHC members have the following responsibilities:

1. At the beginning of the hearing, the Hearing Officer shall briefly explain to the student and the faculty member the manner in which the hearing will be conducted.

2. To ensure, to the extent possible, that all questions asked and information offered are relevant. Questions as they pertain to the appropriateness of the sanctions should be included.
3. To ensure that the student has the right to examine all evidence, to testify, to present evidence and witnesses, and to hear and question all witnesses appearing and testifying against him/her. The student as well as the faculty member bringing the charge may each have a non-participating observer present.
4. To ensure that no statement against the student is considered by the committee unless the student has been advised during the Hearing of its content, and of the name of the person who gave the statement, and unless the student has been given the opportunity to rebut inferences which might be drawn from this statement.
5. To ensure, to the extent possible, that all relevant evidence is introduced before the committee and that the decision is based solely upon the evidence.
6. To conduct the hearing in an orderly manner as set forth below:
 - a. The hearing is to be conducted as follows:
 - 1) Introduction of the individuals present
 - 2) Explanation of the procedure of the hearing
 - 3) Explanation by the Hearing Officer of the charges
 - 4) Statement by the student and witnesses
 - 5) Statement by the faculty member and witnesses
 - 6) Questions by committee members to the student and/or the faculty member and/or witnesses
 - 7) Closed deliberations by the committee and a ballot vote. The Hearing Officer abstains from voting except to break a tie.
 - b. All proceedings of the AHC will be tape recorded, and any written statements or other exhibits will be preserved as part of the official record kept in the office of the Student Dean. These records will be kept in compliance with and for the duration described in the College policy governing records retention (*Policy I-25*).
 - c. The Student Dean shall inform the student by certified mail of the Academic Hearing Committee's decision and shall provide copies to the faculty member and Chairperson.
 - d. Within three working days of receipt of the certified mail notice, the student shall have the option to appeal in writing to the Campus President, on the basis of severity of sanction and/or violation of the Hearing procedures as established in College Procedure. The written appeal must contain a description of the specific violations upon which the appeal is based, and/or they must contain a statement as to why the sanction is perceived to be too severe. After consideration of the appeal submitted by the student as well as the official record of the Academic

Hearing Committee, the Campus President shall issue a written determination either:

- 1) Affirming the action of the Academic Hearing Committee, or
- 2) Remanding the matter to a new Hearing Officer for a new Hearing before a different Academic Hearing Committee, or
- 3) Reducing the penalty, or
- 4) Dismissing the charge against the student.


- e. The decision of the Campus President shall be final on the College's behalf. The student shall be notified in writing by certified mail of the Campus President's decision.

E. Attempts to Avoid Penalty

Students who have Level I or II sanctions recommended or imposed may not avoid penalty by withdrawing from the course or the College. Students who have withdrawn from the course or the College while in process need to be reinstated.

F. Hold on Re-enrollment

If a student has been notified of a Hearing before the Academic Hearing Committee, and he/she fails to appear for the Hearing, the Student Dean will place a hold on the student's future registration. This hold will prevent the student from re-enrolling at any of the Miami Dade College campuses. The College will notify the student in writing of this action.

	
3/8/05	
PRESIDENT	DATE