

# ACADEMIC HONESTY

• Academic Standards and Admission Committee • May 9, 2004 •

## 1 Introduction

New Mexico Tech has an outstanding academic reputation and excels as a teaching and research university specializing in areas of science, engineering, and related fields. This reputation is contingent on an environment of academic honesty and integrity. Indeed, the institute's mission statement recognizes integrity as a core value along with creative excellence, collegiality, service, and leadership. *"New Mexico Tech must honor integrity as a fundamental value. Dishonesty, cheating, and plagiarism have no place in a respected institution of higher education. But real integrity goes further than these negatives. Integrity means having the courage to defend the truth, to act fairly and honestly in all our endeavors, and to be responsible citizens of the community"* [See *The University* → *Our Mission* → *Integrity* in the NMT Course Catalog]. Academic dishonesty is therefore unacceptable and will not be tolerated at this Institute.

In the following, *the Dean* shall mean the Dean of Students when undergraduate students are involved and the Graduate Dean when graduate students are involved; the term shall also mean the respective Dean's designated representative. Similarly, in the sections reproduced from the Student Handbook, the term *Dean of Students* shall mean the Dean of Students when undergraduate students are involved and the Graduate Dean when graduate students are involved. The term *the Deans* shall mean both the Dean of Students and the Graduate Dean. The term *number of days* shall mean the number of working days.

The Student Handbook reminds students that *"Dishonesty, such as cheating, plagiarism"*, is one of the causes for *"disciplinary measures"*; it also describes a *"Student Discipline Policy"* (reproduced below in Section 6) governing such measures. However, as far as academic honesty is concerned, this policy, entitled *"Academic Honesty"* and included in the NMT Course Catalog, shall take precedence over any overlapping provisions of the Student Handbook. In case of any unforeseen conflict between this policy and any other, the President of the Institute shall determine the applicable policy and inform the Dean of the aforesaid conflict.

## 2 Academic Dishonesty

Academic dishonesty is defined as an act of academic fraud. It could be any of the following:

- cheating:** the use of unauthorized material during a test, or the act of copying from another student;
- plagiarism:** the unauthorized use or use without proper citation of either someone's published work, unpublished material in someone else's computer files or material derived from the Internet;
- theft:** any form of unauthorized procurement of academic documents, e.g., exams, student reports;
- falsification:** any form of illegal alteration of academic documents for any purpose including improper alteration of experimental data obtained in the laboratory;
- impersonation:** the act of permitting another person to substitute for oneself at an examination;
- obstruction:** interference with or sabotage of the work of any other person through vandalism or theft;
- assistance:** the act of helping another to commit fraud in any of the above-mentioned ways.

## 3 Fostering Academic Honesty

The need to foster academic honesty imposes a nexus of responsibilities on the Institute, its students and faculty.

**The Institute:** The Institute's responsibility is to publish relevant policies, ensure that all such publications are consistent with each other, and implement the policies in a consistent manner.

**Students:** Each student's responsibility is to understand for every academic assignment what is expected from him/her and what would indicate academic dishonesty.

**Faculty:** It is the responsibility of the instructor of a course to clearly articulate any special case of academic dishonesty that is relevant to that course but not covered in Section 2 above.

The following recommendations are intended to help in discharging those responsibilities.

#### Recommendations for the Institute:

- Compile useful articles on academic honesty and plagiarism and publish them on the Web.
- Ensure that graduate students, who are typically engaged in learning, teaching, and research, receive guidance about ethical issues in each activity.

#### Recommendations for students:

- Attend all classes; in case a class is missed, talk to the instructor and find out about assignments given and topics covered.
- Time management is crucial. When study time is planned, the possibility of last-minute panic is minimized along with the consequent temptation to take unethical shortcuts.
- Unless explicitly prohibited in a course, sharing and discussing ideas with other students is encouraged as it can facilitate learning. But make sure that you do not share what you turn in for individual assignments.
- Do not keep open books or course material in close proximity to you while you take a test unless it is explicitly allowed.

#### Recommendations for faculty:

- Mention the Academic Honesty section of the Catalog in your syllabus and in your introductory lecture.
- In the syllabus you hand out in the beginning of the course, list any special policies relevant to your course. For example, you could clarify what you mean by a restricted use of a resource like the Internet; you could set guidelines for non-standard assignments like group work, field trips, and ungraded papers. Furthermore, if you could include this syllabus in a Web page for the course, it could benefit students as well as other faculty.

## 4 Dealing with Incidents of Academic Dishonesty

If a dishonest action is discovered by, or brought to the attention of, a teaching assistant assigned to a course, he/she shall play the role of *instructor* as described below only if explicitly authorized by the faculty supervisor of that course; otherwise, the teaching assistant shall immediately convey the specific details to the faculty supervisor who will fill that role. The department chair or his/her designated representative shall substitute for an absent faculty supervisor.

When a case of academic dishonesty is detected, it is the instructor's responsibility to (a) distinguish between a minor infraction and a major one, and (b) to take action appropriate to this judgment of severity. For example, a missed reference in an otherwise well-cited paper should be treated as carelessness; one unattributed remark in an ungraded paper should be considered minor. On the other hand, copying a substantial part of a term paper off a document available on the Internet should be considered a major violation; falsification of laboratory work by a student engaged in research should also be considered major.

Minor infractions repeated in spite of warnings may be treated as major.

Three classes of actions are available to the instructor. The instructor may

- (a) **only warn**, i.e., issue a warning to the student(s) without any penalty in grades;
- (b) **only penalize the assignment in question**, e.g., decrease the student's grades for that academic work (perhaps a zero for the entire assignment or a part thereof) and/or ask the student to re-do the assignment; or
- (c) **penalize the course**, i.e., directly change the course grade, e.g., drop a letter grade or assign an 'F' for the course.

The instructor must make every effort to discuss with the student(s) the violation detected and any grade penalty being imposed.

In cases (b) and (c), the instructor must write in a memo to the Dean that the grade for the course has been affected partly or wholly by an act of academic dishonesty, specify the nature of the violation and indicate its severity, give details as to time, place, and persons involved, provide any available supporting evidence, and state the specific

grade penalty imposed. Further, the instructor may recommend in the memo that the Dean should impose an appropriate disciplinary action on the student. The term *disciplinary action* refers to a penalty listed under *Disciplinary Action* in Section 6.4. The Dean shall respond to the instructor as outlined later in this section.

If the dishonesty does not involve any course, e.g., when a student employed under an externally funded research grant falsifies laboratory data, the faculty supervisor must write a memo to the Dean as in case (c) above.

Notifications from the Instructor to the Dean must be sent within ten days of the discovery of the dishonesty or by the day when final grades are due, whichever is earlier.

#### **Recommendations for the Faculty:**

- Gather some evidence for the violation, e.g., copies of assignments exhibiting plagiarism, a witness in case of cheating during an in-class exam, a hard copy of a plagiarized Web page.

The Dean's responsibility is to decide on the imposition of disciplinary action, i.e., whether or not disciplinary action should be imposed and, if so, which specific penalty (listed in Section 6.4) is appropriate. The Dean will follow the procedures described under *The Dean's Investigation* (Section 6.3) with the following additions and clarifications:

1. On receiving a notification of dishonesty, the Dean shall look up the student's record of past incidents of dishonesty.
2. The Dean shall convey to the student involved both the specific charge made by the instructor and the grade penalty imposed, inform the student about the provisions of this policy, and give him/her an opportunity to discuss the incident with the Dean.
3. If the current incident has been judged minor by the instructor but the student has a past record of dishonesty, the Dean shall determine whether or not this time the infraction shall be treated as major. Based on this determination, the Dean may elect to impose disciplinary action.
4. If the current incident has been judged major by the instructor, the Dean shall decide on the imposition of disciplinary action after considering the instructor's recommendation, the evidence presented, the student's account of the case, and any other fact the Dean finds pertinent. The absence of past incidents shall not be construed as a dilution of the seriousness of a major violation. For example, a graduate student who has falsified research results should not be treated leniently solely because it is his/her first incident of academic dishonesty.
5. The Dean shall consider requests from the student for additional time to gather evidence.
6. The Dean shall notify the student and the instructor whether or not disciplinary action is being imposed within ten days of the receipt of the instructor's notification or five days from the end of any additional time period granted to the student.

Notifications of incidents of academic dishonesty from instructors shall remain in the student's file in the Dean's Office until one year after the student has graduated or has been expelled, at which point it shall be destroyed.

Annually, early in the Fall semester, the Deans shall present to the Faculty Council the number of instances of academic dishonesty reported to them along with their breakdown by cases (b)/(c) of instructor notifications, instructor recommendations of disciplinary action, categories of infractions, disciplinary actions imposed, appeals, and their outcomes. In addition, they shall communicate any observations from the President regarding conflicts of this policy with any other so that they may be rectified.

## **5 Students' Right to Appeal**

A student who feels strongly that an academic grade is unjust can pursue the *Grievance Policy* described in Section 7. However, when the grade in question is the direct result of action(s) taken to address academic dishonesty, as also

when the student wishes to appeal a disciplinary action imposed by the Dean, the procedures of the *Student Discipline Policy* described in Section 6 and modified below must be followed.

The student may request a hearing before the Discipline Committee; the request must be made in writing to the Dean; an undergraduate student must send a copy of the request to the Student Association while a graduate student must send a copy to the Graduate Student Association; the request must be made within five days of the receipt of the notification from the Dean.

The procedures listed under *Hearing* (Section 6.6) shall apply with the following additions and exclusions.

#### **Additions**

- The Dean shall submit the instructor notification plus any previous records of academic dishonesty of the student as evidence before the Discipline Committee.
- The instructor who brought charges of dishonesty may choose to act as a witness though he/she is not required to do so.
- If the committee decides that a grade penalty should be reversed, the instructor shall be required to submit a fresh grade computed by removing the penalty.

#### **Exclusions**

- If no disciplinary action is involved, i.e., only a grade penalty is being appealed, legal counsel will not be permitted and no tape recording will be made of the hearing.

The decision of the Discipline Committee may be appealed as described under *Appeal of discipline committee decision* (Section 6.7) with the following additions and exclusions.

#### **Additions**

- The instructor who brought charges of academic dishonesty may appeal the decision of the Discipline Committee.
- The President shall communicate the final outcome of the appeal to the student, the Dean, and the instructor who brought charges of academic dishonesty.

#### **Exclusions**

- If no disciplinary action is involved, i.e., only a grade penalty is involved, the decision of the Discipline Committee may not be appealed unless it was based on a tie.

The composition of the Discipline Committee shall be as described under *Discipline Committee* (Section 6.9) with the following modification.

- When the appeal is by a graduate student, the ratio of undergraduate to graduate students shall be reversed, i.e., the student members shall consist of *two* members of the Graduate Student Association and one alternate designated by the President of the Graduate Student Association and *one* member of the Supreme Court of the Student Association and one alternate (another member of the Supreme Court).

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The following sections appear in the Student Handbook under *General Campus Rules*

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## **6 Student Discipline Policy**

The New Mexico Tech Student Discipline Policy has two primary purposes. First, it is intended to ensure that the student charged with disciplinary infractions is granted due process of law consistent with the principles of the United States Constitution. Due process means a fundamentally fair procedure based upon reasonable principles impartially applied. Second, the policy is intended to educate the student in question regarding the standards of conduct expected at New Mexico Tech and throughout society as a whole. The campus judicial process is not intended to mimic a genuine adversarial court proceeding but is based upon sound judicial practices. Students violating General Campus Rules are subject to disciplinary action in accordance with the following procedures:

### **6.1 Bringing of charges**

Charges of violations of the General Campus Rules may be brought by any member of the student body or staff, including, but not limited to, members of the administration. Charges must be in writing, must specify the nature of the violation, and must give details as to time, place, and persons involved. This statement must be given to the Dean of Students within ten days of the incident(s) in question or the report of a violation. In all cases, "number of days" means that number of school days. The term "Dean of Students" shall be construed to mean the Dean of Students or the Dean's designated representative.

### **6.2 Notification of charges**

Students charged with violations of the General Campus Rules must be notified in writing by the Dean of Students of the charge within five school days of the bringing of charges. This notice must contain the particulars specified in the written statement of charges and a copy of this Discipline Policy.

### **6.3 The Dean's Investigation**

The Dean of Students will investigate the charges and may impose disciplinary penalties as stated in the "Disciplinary Action" section. The action taken shall constitute the Dean's decision. Regardless of the action taken by the Dean of Students, the student has the right of hearing and appeal.

### **6.4 Disciplinary action**

A student who is found to have violated a General Campus Rule may be subject to one or more of the following penalties:

- Costs for damage to school property
- Removal from campus housing
- Disciplinary probation, not to exceed one calendar year (recorded in the student's file in the Dean of Students' Office)
- Interim suspension (see "Interim Suspension")
- Disciplinary suspension, not to exceed one calendar year (recorded in the student's permanent file in the Office of the Registrar)
- Permanent dismissal (recorded in the student's permanent file in the Office of the Registrar)

If none of the above penalties is deemed appropriate, a student may be given an oral or written warning or statement that no disciplinary action is warranted. Disciplinary action may be taken in cases where students are convicted of breaking criminal or civil law off campus. The Dean of Students may also proceed with disciplinary action against a student or students without waiting for the results of off-campus criminal proceedings. The decision whether or not to take action shall belong to the Dean of Students.

## 6.5 Interim Suspension

At times, on the basis of his investigation, the Dean of Students may conclude that it is necessary to suspend a student immediately, prior to a hearing on the matter. This may be the case when the student in question is dangerous to himself or herself, to others, or to property. Under such circumstances, the Dean of Students, with the concurrence of the Vice President for Academic Affairs, or in his/her absence, a person designated by the Institute President, may impose an interim suspension pending written notice with a hearing to be set at a later date.

An interim suspension may not be imposed unless it is based upon facts which clearly show that the student's continued presence on campus constitutes a danger to the student, to others, or to property. An interim suspension may not be based upon mere suspicion of guilt. Any student suspended on an interim basis has the right to a hearing before the Discipline Committee. The student suspended on an interim basis must present a written request for a hearing to the Dean of Students within five days of the effective date of the interim suspension. The hearing must be held within five days of the suspended student's request for a hearing unless the student charged requests a delay, in which case the times specified in the following section shall apply.

The interim suspension shall terminate when the hearing is held. The Dean of Students may impose regular disciplinary penalties at this point in the proceedings.

## 6.6 Hearing

Upon request by the Dean of Students or by the student charged and subjected to disciplinary action, the case will be heard by the Discipline Committee. Requests for a hearing before the Discipline Committee must be presented in writing to the Dean of Students within five days of the effective date of the disciplinary action.

The hearing is not intended to be a full-fledged adversarial proceeding: it is intended to be a fair hearing with ample opportunity for both parties (the student and the Institute) to present the facts. The Institute will be represented by the Dean of Students.

The following procedures shall apply:

1. Both parties will be notified of the date of the hearing at least five days prior to the hearing (except in the case of interim suspension). In exceptional cases the Discipline Committee may choose to hold the hearing at an earlier time, but only with the express agreement of both parties.
2. Both parties shall be permitted to inspect, at least 24 hours in advance of the hearing, any documentary evidence which the other party intends to submit at the hearing.
3. Each party is permitted, but not required, to be represented by legal counsel. The other party must be advised of the intent to have counsel present at least five days before the hearing.
4. Both parties or their counsel may question any witness who testifies at the hearing.
5. A tape recording will be made of the hearing. A more formal record by a court reporter may be arranged by either party at their own expense.
6. The hearing shall be private if so requested by the student charged.
7. The student charged is not required to testify in his/her own defense and failure to testify shall not be held against the student.
8. The Discipline Committee will base its findings and decision solely on the evidence presented at the hearing.
9. The Discipline Committee shall give a written copy of its findings and decision to the parties within a reasonable amount of time. A copy of the findings and decision will also be kept on file in the Dean of Students' Office.
10. The Discipline Committee may affirm, reverse or modify the decision of the Dean of Students. The decision of the Discipline Committee shall be final unless appealed and reversed or modified.

## 6.7 Appeal of discipline committee decision

Old Version (to be replaced by the new version below)

Either the student charged or the Dean of Students may appeal the decision of the Discipline Committee. This appeal, which must be in writing, will be sent to the President of the Institute within ten days of the date of the Discipline Committee's written decision. The President's review shall be limited to a review of the record made before the Discipline Committee, including all documentary evidence, if any, admitted. However, the President may allow such additional testimony and/or documentary evidence to be presented to him/her as he/she may, at his/her sole discretion, determine to be necessary in order to clarify the facts and/or the respective position of the parties. The President may affirm, reverse, or modify the Discipline Committee's decision. The decision of the President shall be returned in a timely manner and shall be binding. Should the President be a party to the dispute, a person selected by the Regents shall perform the duties assigned to the President.

New Version (VPAA 4/20/2004)

Either the student charged or the Dean of Students may appeal the decision of the Discipline Committee. This appeal, which must be in writing, will be sent to the Vice President of Academic Affairs of the Institute within ten days of the date of the Discipline Committee's written decision. The Vice President of Academic Affairs review shall be limited to a review of the record made before the Discipline Committee, including all documentary evidence, if any, admitted. However, the Vice President of Academic Affairs may allow such additional testimony and/or documentary evidence to be presented to him/her as he/she may, at his/her sole discretion, determine necessary in order to clarify the facts and/or the respective position of the parties. The Vice President of Academic Affairs may recommend to the President affirmation, reversal, or modification of the Discipline Committee's decision to the President. Following this, the decision of the President shall be binding. The decision of the Vice President of Academic Affairs shall be returned in a timely manner. Should the President be a party to the dispute, a person selected by the Regents shall perform the duties assigned to the President.

## 6.8 Records of disciplinary actions and hearings

1. A letter of warning placed in a student's file in the Dean of Students' Office shall be removed from the file and destroyed after one year unless further disciplinary action has been taken against the individual as a result of other separate charges prior to the expiration of the year. In the latter event, all disciplinary records will be removed from the student's file and destroyed one year after the latest disciplinary action.
2. A record of disciplinary probation in a student's file in the Dean of Students' Office will be removed and destroyed at the end of the probationary period.
3. A record of disciplinary suspension in a student's file in the Dean of Students' Office will be removed and destroyed one semester following the student's readmission to the college. A record of disciplinary suspension will, however, remain in the student's permanent file in the Office of the Registrar.
4. Two years following the hearing of a charge, the report of the Discipline Committee and the tape recording or other record of the hearing will be destroyed.
5. Any student may examine his or her own file and may request that records of disciplinary action be removed and destroyed. Such requests will be reviewed by the Dean of Students and must be honored if the relevant period specified in the paragraphs 1, 2, 3, and 4 above has expired.

## 6.9 Discipline committee

1. The Discipline Committee shall hear cases of students charged with violations of General Campus Rules and subject to disciplinary penalties if requested by either the student charged or the Dean of Students. The committee will then make its decision following a hearing on the matter.
2. The Discipline Committee shall be composed of:
  - two members of the Supreme Court of the Student Association and one alternate (another member of the Supreme Court)
  - one member of the Graduate Student Association and one alternate as designated by the President of the Graduate Student Association

- three members of the Faculty Council and two alternates (not members of the administration other than chairpersons of academic departments) elected by the Faculty Council
3. Either party to the dispute may disqualify one member of the Discipline Committee. Members may also disqualify themselves and should do so if they are aware of any reason they would not be able to render a fair and impartial decision.
  4. The Discipline Committee shall establish its own procedures and shall select its own Chairperson, except that a quorum shall consist of all six members of the committee. (In the event that one or more committee members are unable to meet at times consistent with the provisions of previous sections titled Interim Suspension and Hearings, an alternate member shall serve.) The Chairperson must vote on each and every issue. In case of a tie vote on the charges, the student shall be found innocent, and in case of a tie vote on the discipline imposed, the less serious disciplinary action shall be recommended to the Dean of Students.

## **7 Grievance Policy**

Occasionally students may have reason to disagree with an academic decision or feel that they have a legitimate grievance against an instructor or staff member at Tech.

Students should be aware that the Dean of Students is available to all students to discuss and advise on any troublesome matter of academic concern and frequently helps to expedite resolution of such matters.

### **7.1 Academic Grievance**

The following procedure applies equally to grades or any other academic grievance:

- The student first should discuss the grievance, orally or in writing, with the instructor in question.
- If the student is not satisfied, he or she should then consult with the instructor's department chair. If the grievance is with the department chair, the student should meet with the Associate Vice President of Academic Affairs. Every effort should be made to resolve the issues at this level.
- If no satisfactory resolution has yet been reached, the student should then present the grievance to the Vice President for Academic Affairs or his/her designated representative.