

Code of Student Conduct

SECTION FIVE

Academic Dishonesty and Disruptive Behavior

As members of the Nicholls State University community, students are expected to uphold the highest standards of academic and personal conduct. Academic dishonesty violates these standards as well as the trust and commitment among students and faculty to instill and to maintain the principles of integrity, responsibility, and respect for others.

Cheating is the actual or attempted deception or fraud to improve one's grade or academic standing or to aid another student in doing so. Individual faculty members may restrict, extend, or modify the university's general definition of cheating to accommodate specific course learning outcomes. All students should carefully review course syllabi and talk with their instructors to ensure their understanding of each instructor's cheating policy.

Examples of cheating include but are not limited to:

- use of unauthorized materials during an exam
- giving aid to or receiving aid from another student during an exam
- taking an exam for another student
- stealing, distributing, or having any unauthorized access to a copy of an exam or revising one's answer on a graded exam for the purpose of claiming a grading error
- use of falsified data and/or references
- use of unauthorized materials in preparation of an assignment representation of the work and ideas of others as one's own (see definition of plagiarism below):

Plagiarism is the presentation of the works, words, or ideas of others as one's own, or the use of others' works, words, and ideas without giving proper acknowledgment through appropriate others to present one's work as their own. Individual faculty members may restrict, extend, or modify the university's general definition of plagiarism to accommodate specific course learning outcomes. All students should carefully review course syllabi and talk with their instructors to ensure understanding of each instructor's plagiarism policy.

Examples of plagiarism include but are not limited to:

- Copying someone else's phrase or sentence(s) without placing quotation marks around the copied phrases or sentence(s), even when the copied wording is made part of one's own sentence.
- Not supplying proper documentation or bibliographical information for the ideas, arguments, findings, or interpretations of data made by others paraphrased or quoted in an assignment.
- Submitting another person's work as one's own (including, but not limited to submitting a paper or report purchased or retrieved from a term paper service or one composed by a tutor, hired writer, student, friend, or relative).
- Allowing another student to copy one's own work or writing a paper, report, or any part of an assignment for another student.

Violations of the university cheating policy (or of a faculty member's cheating policy) will be dealt with in accordance with the disciplinary procedures published in the Code of Student Conduct. **The faculty member** is required to file a charge complaint statement with the Dean (who will then forward it to Office of Academic Affairs) whenever a student is confronted and/or disciplined for cheating ([Reporting Form for Academic Dishonesty](#)). The Office of Academic Affairs will maintain these records, and any student confronted and/or disciplined for multiple offenses (**more than one**) of academic dishonesty will be brought before the Academic Affairs Integrity Committee (**AAIC**) for further review and/or sanctions.

Academic Dishonesty and Disruption of Class/Lab Activities

The Code of Student Conduct recognizes that the student-instructor relationship within the classroom is the basic level of University life.

Expulsion from Course with Failing Grade

1. In cases of academic dishonesty or severe or repeated disruption of class/lab activities, the instructor may invoke a maximum sanction of immediate expulsion from the course with a failing grade. If the student wishes to pursue the matter further, he/she must follow the procedures detailed in the Student Academic Grievances section of this Code

More Severe Penalties

2. If a more severe penalty than expulsion from the class with a failing grade is warranted by the student's conduct, the faculty member will file a formal charge with the dean of the college offering the course (in the case of academic dishonesty) or with the Office of Student Affairs (in the case of disruptive behavior). The Dean will dispose of the violation administratively.
3. Academic Dishonesty: The College Academic Grievance Committee of the college offering the course will serve as the hearing panel for cases of academic dishonesty. The **College Academic Grievance Committee** will follow hearing procedures detailed in the Student Academic Grievance Section of this Code. The academic dean will perform the duties of the dean.
4. Disruptive Behavior: The Discipline Committee will hear cases of disruptive behavior. The hearing will be conducted in accordance with discipline procedures listed in Section Two of the Code. A designee from the Office of Student Affairs will perform the duties of the dean listed in the Code.

Academic Dishonesty Cases and Disruptive Behavior Cases

1. The student has the right to appeal the decision of guilt or any sanction imposed by the instructor, department head, or academic dean.
2. Appeals of decisions involving Disruptive Behavior Cases (Discipline) must be made in accordance with Section Four of this Code. Appeals involving Academic Dishonesty must be made in accordance with the Student Academic Grievance Procedures of this Code.

Student Academic Grievances

Introduction:

Each academic college will implement the following procedures for the resolution of academic grievances filed by students. These procedures are to be followed by a student who feels he/she has been treated unfairly with respect to an academic matter. These procedures are also to be used in grade appeals. Other complaints, such as those concerning harassment or discrimination, must follow procedures published in the Code of Student Conduct. The student may seek the assistance of the SGA Director of Student Rights and Grievances at any time during the informal and formal procedures. All academic grievances must be initiated within the prescribed time period(s) indicated in the following Informal and Formal Procedures.

Informal Procedures:

1. The student must attempt to resolve the academic grievance with the faculty member involved within 60 calendar days of the alleged incident.
2. If the matter is not resolved with the faculty member, for whatever reason, the student may pursue the issue with the head of the faculty member's department within 90 calendar days of the alleged incident by completing a [Student Academic Grievance Form](#) and submitting it to the head of the department in which the faculty member teaches. The department head may use a department based grievance committee to review and make recommendations regarding the

matter. A copy of the Academic Grievance Form is available in every academic department office and in Student Life.

3. If the matter is not resolved at the department level, the student may submit a copy of his/her academic grievance form to the Dean of the College in which the faculty member teaches. The grievance form must be filed with the Dean within 6 months of the alleged incident.

Formal Procedures:

1. The dean shall verify that the 6 month deadline for filing the academic grievance has been met. If so, the dean shall refer the matter to the **College Academic Grievance Committee** within 10 work days after receipt of the grievance form. If the form is not submitted to the dean within six months of the alleged incident, the dean shall inform the student in writing that the time period for acting on the matter has expired; and therefore, the form (petition) is rejected and the matter closed.
2. If the student has met the deadline, the dean shall provide the chair of the committee with copies of all pertinent documents related to the academic grievance.
3. The hearing will be scheduled by the chair at a date and time agreed upon by the complainant and the alleged offender. If agreement is not reached, the chair will set the date and time for the hearing. The chair will make every attempt to schedule the hearing within 30 work days of receiving the grievance. The chair may postpone the hearing for good cause. The decision of the chair to postpone or reschedule a hearing is final and not subject to appeal..
4. The chair will caution both parties that there should be no communication between them concerning the grievance. Both the grievant and the faculty member shall refer all matters pertinent to the academic grievance to the chair.
5. The grievant and the faculty member will provide the chair a list of witnesses to be called. Each party is responsible for notifying his/her witnesses of the meeting. The chair may assist with summoning witnesses to the hearing; however, the responsibility of producing witnesses rests with the respective parties involved.

College Academic Grievance Committee Composition

The College Academic Grievance Committee will be appointed by the dean of each college. The Committee will consist of five members: three faculty members from the college and two students. An ad-hoc committee will be appointed to hear graduate student issues. Membership of the ad-hoc committee will be three graduate faculty and two graduate students. One alternate faculty member and one alternate student will be named in the event that a seated committee member finds it necessary to excuse himself/herself or is successfully challenged. The dean will appoint one of the three faculty members to serve as chair. The College Academic Grievance Committees will hear academic dishonesty cases as well as allegations of unfair/unacceptable treatment of students by faculty. Complaints involving discrimination or harassment will be handled in accordance with Section Seven of this Code. If the case concerns academic dishonesty, the procedures followed are the same as for disciplinary matters. When the student or student group lodges a formal academic grievance of unfair/unacceptable treatment against a faculty member, procedures for conducting a hearing will be followed as described below.

Hearing Procedures

Rules of evidence, disclosure, procedure, and the burden of proof for deciding issues found in a court of law do not apply to these procedures. The purpose of an administrative hearing in a university environment is to search for the truth and to make reasonable decisions regarding the pursuit of truth and recommendations regarding such matters. To that end, the weight of proof when deciding an issue is "more likely than not." For example, does the evidence and argument presented during

the hearing weigh more for accepting or rejecting the allegation? The answer to that question will provide the basis for the committee's finding.

The committee may consider those issues that a reasonable employee or student would likely consider in making decisions. The committee will operate in the spirit of fairness to all parties and thus all reasonable evidence and testimony that the Committee deems appropriate may be heard in the committee's attempt to determine the merits of the allegation and to determine recommendations regarding such matters.

1. Any member of the committee who is directly involved with the academic grievance before the committee shall excuse himself/herself in order to insure a fair hearing.
2. Either the student or the faculty member may challenge any member of the committee for lack of impartiality. The challenging party shall present grounds for the challenge. The chair will rule on such challenges. The decision of the chair is final.
3. All parties concerned with the academic grievance shall appear in person and remain until they are released by the chair.
4. Parties may appear alone or with one other person. This person may be either a friend, an advisor, or an attorney. If any party chooses to be accompanied by an attorney, he/she must so inform the chair of the committee at least 3 days in advance of the hearing. The attorney, advisor or friend may not address the committee, witnesses or the other party(ies) directly. If the student chooses to invite the SGA Director of Student Rights and Grievances to attend the meeting, this person will be permitted to attend the meeting as the advisor.
5. The student and the faculty member may present documentary evidence, witnesses, and testimony. Only three witnesses may appear for each side. Exceptions to the number of witnesses will be granted by the committee only upon demonstration that a party's case cannot be adequately presented by three witnesses. The chair will rule on all exception requests. The decision of the chair is final.
6. The following sequence shall be followed for the presentation of testimony:
 - a. Grievant opening statements
 - b. Faculty opening statements
 - c. Testimony and cross examination of witnesses
 - d. Student closing statement (10 minute limit)
 - e. Faculty closing statement (10 minute limit)
 - f. Student rebuttal (5 minute limit)
 - g. Faculty rebuttal (5 minute limit)
7. The committee reserves the right to question any party appearing before the committee at any time.
8. All testimony on behalf of the student and the faculty member shall be heard unless judged by the chair to be repetitious or irrelevant. The decision of the chair is final.
9. Neither the student nor faculty member shall question the other directly but may suggest questions to the chair.
10. A tape recording of the proceedings, except for the committee deliberations in executive session, will be maintained along with the written record.
11. After all evidence has been presented, the committee will move into executive session to evaluate the testimony, including documentary evidence presented, and will reach a decision on the validity of the academic grievance and action to be taken. The committee may take notes or

materials with them into executive session. All individual notes will be collected and destroyed at the conclusion of the hearing. The committee will review the findings and cast ballots in executive session. Each member is allowed one vote. The weight of proof for deciding an issue is "more likely than not." See first paragraph of section titled "Hearing Procedures."

12. The committee will reconvene in regular session for the purpose of informing the student and the faculty member of its findings and recommendation(s).
13. The committee will report its findings and recommendations to be taken to the dean of the college within ten (10) work days of the hearing. The chair will forward the records of the hearing and minutes of the meeting the dean.
14. The dean will conduct a procedural and substantive review of the matter. The dean will either accept the findings and implement the recommendations of the committee, or if the dean determines that a procedural or due process error has been made, reject the findings and/or recommendations of the committee and impose appropriate action or refer the matter back to the committee for reconsideration.
15. The dean will notify the student and faculty member in writing of his/her decision(s) regarding the matter within 10 days of receipt of the report from the college Academic Grievance Committee. The dean's letter will advise the student of his/her right to appeal and the procedures for submitting an appeal.

Appeal Procedures

The student or the faculty member may appeal the decision of the dean of the college by petitioning the Vice President for Academic Affairs in writing within 10 work days from the date of the letter sent by the dean. The Vice President shall forward the petition to the Chair of the Academic Policies and Standards Committee (undergraduate) or Graduate Council (graduate student appeals).

The petition must indicate the basis for the appeal one or more of the following:

- a. Published procedures were not followed;
- b. There was insufficient evidence to support the Committee's decision(s);
- c. Sanctions imposed were inappropriate;
- d. Subsequent to the hearing, information was discovered which indicates that member(s) of the committee were not impartial.

No new evidence may be presented. The decision on appeal will be based on the records of the College Academic Grievance Committee hearing, the contents of the official file including the letter of notification issued by the Dean, and the appeal petition submitted by the student or faculty member. The Academic Policies and Standards Committee (Graduate Council) will, within 10 work days of the receipt of the petition by the Vice President for Academic Affairs, complete a review of this matter and send its findings and recommendation(s) to the Vice President for Academic Affairs for review, implementation, rejection or referral back to the appropriate committee or academic administrator for further consideration. The Vice President will notify in writing the student, faculty member, and other appropriate parties of the decision in this matter.

The student or faculty member may appeal the decision of the Vice President by submitting a petition to the President for review and recommendation by the President's Executive Appeals Committee. The petition must be filed with the Office of the President within 10 work days of the letter sent by the Vice President for Academic Affairs. The petition must indicate the basis for the appeal as noted in items a, b, c, and d above. No new evidence may be presented. The review will be based on the records the case and the appeal petition submitted by the student or faculty member.

The President will notify the appropriate parties of the decision. The decision of the President is final.

A copy of the [Student Academic Grievance Form](#) documenting the outcome of the grievance procedure will be forwarded to the Academic Dishonesty Data Warehouse in the Office of Academic Affairs

Academic Affairs Integrity Committee

Purpose:

It is considered important that students disciplined for academic dishonesty not repeat this action in other university settings. Therefore, the office of Academic Affairs will **maintain** records of those students disciplined for academic dishonesty (name, offense, and disciplinary action taken). If a student is recorded as a multiple offender (more than one listing in the data file) of the academic dishonesty policy, the student will be brought before the Academic Affairs Integrity Committee for review, and the AAIC may impose additional sanctions upon the student.

The faculty is responsible for reporting **all** cases in which a student has been confronted and/or disciplined for cheating to the Office of Academic Affairs using the form attached ([Reporting Form for Academic Dishonesty](#)) **even when disciplinary action has been taken at the faculty level.**

Membership

The Academic Affairs Integrity Committee will be composed of one **tenured** faculty member from each college, one dean, and one student representative to be appointed by the SGA president. Faculty members will be nominated by the deans of each college and approved by the Vice President for Academic Affairs. The VPAA will also appoint a dean to the committee.

Process:

Academic Affairs requires that instructors report all suspected and known cases of academic dishonesty to the Academic Affairs Integrity Data Warehouse using the [Reporting Form for Violations to the Academic Integrity Policy](#)). The instructor must submit concerns or the paper in question with an explanation and any supporting materials (such as a Turnitin or Safe Assign).

When a student commits more than one act of academic dishonesty (based upon Academic Affairs Integrity Data Warehouse records) the documentation will be forwarded to the Academic Affairs Integrity Committee for review. The Committee will conduct a thorough review of all documentation on file and, at its discretion, interview parties involved. If warranted, the committee may impose additional sanctions on the multiple offender as outlined below.

The student may appeal the decision of the Academic Affairs Integrity Committee by submitting a petition for review and recommendation by the President. The petition must be filed with the office of the President within 10 work days of the letter sent by the Academic Affairs Integrity Committee. The petition must indicate the basis for the appeal as one or more of the following:

- a. Published procedures were not followed;
- b. There was insufficient evidence to support the committee's decision(s);
- c. Sanctions imposed were inappropriate;
- d. Subsequent to the hearing, information was discovered which indicates that members(s) of the committee were not impartial.

No new evidence may be presented. The review will be based on the records the case and the appeal petition submitted by the student or faculty member.

The President will notify the appropriate parties of the decision. The decision of the President is final.

Types of Sanctions:

OFFENSES RECORDED WITHOUT ADMISSION OF GUILT

Two offenses recorded -- If the offenses are "minor," for example, a first-offense plagiarism case where a student misused citations (e.g., has a reference page but lacks internal citations, has internal citations but forgot quotation marks on quotes, or has haphazard citations altogether), a warning plus points off on assignment and assigned hours in the Writing Center to work with a tutor on use of sources may be appropriate. This includes a written statement from the committee censuring the student for violating the academic honesty policy and warning the student that another offense will result in more serious action.

If the two offenses are deemed more serious than the minor offenses illustrated above, such as papers copied from the Web with no references at all, purchased papers, or "borrowed" papers, sanctions shall begin at the level and severity of "three offenses recorded."

Three offenses recorded – A minimum sanction of a grade of "F" for the class(es) in which cheating incidence occurred for that semester. If deemed sufficiently egregious, the student shall be suspended from the University for up to two regular semesters as deemed appropriate by the committee. The student will be allowed to reenter the university after serving the suspension and his/her previous record of academic dishonesty will remain active.

Student Academic Grievance Form

Informal Procedures: (must be initiated within 60 calendar days of the alleged incident)

1. This form is to be used by students who wish to initiate an academic grievance, that is, students who feel that they have been treated unfairly with respect to an academic matter or who wish to appeal a grade and who have attempted to resolve the matter with the instructor.
2. Students may request assistance with the grievance process from the SGA Director of Student Rights and Grievances. The SGA Office is located in the Student Union. The telephone number is 985-448-4557, email is SGA.Grievances@nicholls.edu
3. If the matter is not resolved with the instructor, the student may pursue the issue by completing this form and submitting it to the department head within 90 calendar days of the alleged incident. If the matter is resolved with the instructor, the student is encouraged to keep this form for his/her records.

Grievance Information:

Name of Student: _____

Local Telephone Number: _____

Nicholls Email Address: _____

Type of Grievance (check one) _____ Grade Appeal _____ Unfair Treatment

Name of Instructor: _____ Course (if applicable) _____

Please provide a written description of the Grievance (attach to this form):

- A. detailed description of the nature of the grievance;
- B. description of the informal procedures taken by the student to resolve the matter, including date student met with instructor;
- C. description of documentary evidence to be used in support of the grievance (copies should be attached if available), and
- D. Remedial action requested by the student.

TO BE COMPLETED BY DEPARTMENT HEAD:

Date student submitted copy of grievance form to department head: _____

Date student met with department head: _____

Matter satisfactorily resolved with department head: _____yes* _____ no

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

4. If the matter is not satisfactorily resolved, the student may request a hearing on the matter submitting a copy of the grievance form to the Dean within 6 months of the alleged incident.

Formal Procedures: (Formal grievances must be filed within 6 months from the date of the alleged incident)

TO BE COMPLETED BY DEAN:

Date grievance form submitted to Dean of the College: _____
Date Dean provided student a copy of the formal grievance procedures: _____
Date grievance referred to Chair of College Academic Grievance Committee: _____
Date of Committee Hearing: _____
Date Committee findings and recommendations forwarded to Dean: _____
Date parties notified of Dean's decision: _____
Matter satisfactorily resolved with Dean: _____yes * _____no

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

5. Either party may appeal the decision of the Dean by submitting a petition to the Vice President for Academic Affairs. The petition must be filed with the Vice President within 10 days of the date of the Dean's letter of notification. The appeal must be based on one or more of the following:
- A. Published procedures were not published;
 - B. There was insufficient evidence to support the decision;
 - C. Sanctions imposed were inappropriate;
 - D. Subsequent to the hearing, information was discovered which indicates that member(s) of the committee were not impartial

TO BE COMPLETED BY VICE PRESIDENT FOR ACADEMIC AFFAIRS:

Date grievance form and petition received by Vice President for Academic Affairs: _____
Date grievance forwarded to Chair of Academic and Policies Committee: _____
Date Committee forwarded findings and recommendations to Vice President: _____
Date parties informed of Vice President's decision: _____
Matter resolved with Vice President: _____yes* _____no

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

6. The student or the faculty member may appeal the decision of the Vice President for Academic Affairs by submitting a petition to the President for review and recommendation by the President's Executive Council Appeals Committee within 10 days of the date of the letter from the Vice President for Academic Affairs.

TO BE COMPLETED BY PRESIDENT'S OFFICE:

Date petition received by President: _____
Date findings and recommendations from President's Executive Council Appeals Committee received by President: _____
Date President notifies parties of decision: _____

The Decision of the President is final.*

*Forward this completed form and all documents to the Academic Affairs Integrity File located in the Office of Academic Affairs.

Reporting Form for Academic Dishonesty to Academic Affairs Integrity File

For all cases of violations to the Academic Integrity Policy, please complete and return this form to the Dean (who will then forward it to the Vice President for Academic Affairs in the Office of Academic Affairs).

Please Print Clearly or Type

Reporting Date		Date of Incident	
Student's Name			
Student's ID#			
Faculty's Name			
Department			
Faculty Phone		Faculty Email	
Course Name		number/section	
Detailed Description of Incident			
Date of Conference with Student			

Faculty Action or Recommended Action: Use AT for action taken or RA for recommended action

	"F" in course		Lower grade on the assignment/paper
	"F" or zero on assignment		Written reprimand from Dean placed on student's record
	Re-do assignment/paper		
	Tutoring		Lower final course grade
Other, please specify			

Signature of person reporting incident

Date

Student Signature*

Date

Dean Signature

Date

Dean must forward this report and all pertinent documentation to the Academic Affairs Integrity File in the Office of Academic Affairs.

*Student signature acknowledges receipt of a copy of this report and that student has been apprised of his/her rights stated in Section 5 of the Code of Student Conduct and particularly that the faculty member is required to file a record with the Office of Academic Affairs whenever a student is confronted and/or disciplined for cheating ([Reporting Form for Academic Dishonesty](#)). If student refuses to sign reporting form person reporting incident should duly note such in space provided for student signature. Documentation of student receipt of copy of form via email may also be attached in lieu of student signature. The Office of Academic Affairs will maintain these records and any student confronted and/or disciplined for multiple offenses (**more than one**) of academic dishonesty will be brought before the Academic Affairs Integrity Committee (**AAIC**) for further review and/or sanctions.