

NEW ACADEMIC MISCONDUCT PROCEDURES (SIDE-BY-SIDE COMPARISON)

440.00 ACADEMIC MISCONDUCT PROCEDURES

441.00 INSTRUCTOR IMPOSED ACADEMIC SANCTIONS

If an instructor has reason to believe that a student has engaged in academic misconduct, the following procedures apply:

441.01 Informal meeting

The instructor should personally and privately advise the student that there is reason to believe that the student has committed an act that constitutes academic misconduct. The student should be allowed a reasonable opportunity to respond or explain. If, after hearing the student's response (if any is provided), the instructor continues to believe the student engaged in academic misconduct, he or she will inform the student of his or her determination and of any intended sanction (s). An instructor is limited to imposing sanctions within the scope of the academic activity (sanctions A through E of Section 430.00). The instructor will prepare the Academic Misconduct Notification (forms available at department office) and submit a copy to the student, the Department Head, Graduate Dean (if a graduate student) and the Dean of Students. The instructor has the right to refuse to sign a drop form for the class in question.

442.00 ADDITIONAL SANCTIONS UNDER STUDENT CONDUCT CODE

442.01 Referral by Instructor

In addition to the imposition of the academic sanctions, an instructor may request in writing that the Dean of Students file a charge against the student for violation of the Student Conduct Code. If the student is found in violation of the Student Conduct Code, sanctions F-I of Section 430.00 may be imposed in addition to the academic sanctions.

442.02 Recurrence of Academic Misconduct

A student who has been sanctioned by instructors more than once at MSU will be charged with a violation of the Student Conduct Code (Section 632.00) and will be subject to additional disciplinary sanctions.

442.03 Right to Appeal

A student who receives an Academic Misconduct Notification under this section may request a hearing before the Student Conduct Board to contest the instructor's determination that academic misconduct occurred. The student must file a written request with the Dean of Students within five (5) working days of

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442.00 ADDITIONAL SANCTIONS UNDER STUDENT CONDUCT CODE

442.01 Referral by Instructor

In addition to the imposition of the academic sanctions, an instructor may request in writing that the Dean of Students file a charge against the student for violation of the Student Conduct Code pursuant to Sec. 600 below. If the student is found in violation of the Student Conduct Code, sanctions F-I of Section 430.00 may be imposed in addition to the academic sanctions.

442.02 Recurrence of Academic Misconduct

A student who has been sanctioned by instructors more than once at MSU will be charged with a violation of the Student Conduct Code (Section 632.00) and will be subject to additional disciplinary sanctions.

443.00 APPEAL OF INSTRUCTOR-IMPOSED ACADEMIC SANCTIONS

443.01 Right to Appeal

A student who receives an Academic Misconduct Notification under Sec. 441 may appeal the instructor's determination that academic misconduct occurred using

receipt of the Academic Misconduct Notification.

442.04 Grade Pending Resolution

If the student appeals the instructor's academic misconduct determination, an incomplete grade ("I") will be assigned until the matter is concluded. A grade assigned before the instructor's knowledge of academic misconduct may be changed after it was assigned if the grade was obtained through academic misconduct or by fraud.

442.05 Appeal Procedures

If a student appeals the instructor's academic misconduct determination, the procedures under the Student Conduct Code (Section 650.00) will be followed, as modified below.

A. In cases of alleged academic misconduct, the Student Conduct Board will determine whether the student engaged in academic misconduct and will recommend any nonacademic sanction outlined under Section 430.00 above. The decision of the Student Conduct Board will be forwarded to the Dean of Students (or designee) and to the relevant instructor(s).

B. If the Student Conduct Board finds the student committed academic misconduct, the instructor imposed academic sanction will stand. If the Student Conduct Board finds the student did not commit academic misconduct, the instructor will have ten (10) working days to report his or her grade for the student's work. The instructor will forward his or her grade determination to the Dean of Students (or designee), and the Graduate Dean (if a graduate student).

C. The Dean of Students will send a copy of the decision, the grade and the sanction (s) imposed to the student and the instructor, and the Graduate Dean if applicable. Either party may appeal the decision directly to the Provost subject to the criteria set forth in Section 670.00 of the Student Conduct Code. The decision of the Provost is the final decision of the University.

the procedure outlined below.

443.02 Instructor-Imposed Academic Misconduct Sanction Appeal Procedure

A. Department Head/Director Review

The student may present a formal appeal in writing to the instructor's Department Head/Director no later than 10 working days after the student's receipt of the Academic Misconduct Notification. The student must provide evidence that the instructor's determination of academic misconduct was incorrect and the precise relief sought by the student. The student may attach copies of any relevant documents. The student shall send a copy of the appeal to the instructor.

The instructor shall have ten (10) working days to respond in writing to the Department Head/Director after receipt of the appeal. The instructor shall present his or her evidence that the charged student committed academic misconduct. The instructor shall send a copy of the response to the student.

The Department Head/Director will receive and review all evidence, interview each party, if possible, and render a written decision with recommendations as to resolution within ten (10) working days of receipt of the instructor's response. The Department Head/Director shall send a copy of his/her decision to the student, the instructor and the Provost's Office. If the appeal is not concluded within this time, the student may carry it forward to the instructor's College Dean or Vice Provost for Graduate Education for resolution.

B. Dean's Review

1. For Undergraduate Students. Either party may appeal the Department Head/Director's decision in writing to the instructor's College Dean, with copies to the instructor, student and the Department Head/Director. Such appeal will be filed within five (5) working days of receipt of the Department Head / Director's determination. The Dean will submit a written decision to the student, instructor, the Department Head/Director and the Provost's Office within ten (10) working days of receipt of the appeal. The decision of the Dean is the final decision of the University in the matter for undergraduate students.

2. For Graduate Students. Either party may appeal the Department Head/Director's decision in writing to the Vice Provost for Graduate Education, with copies to the instructor, student and the Department Head/Director. Such appeal will be filed within five (5) working days of receipt of the Department Head/Director's determination. The Vice Provost for Graduate Education will discuss the appeal with the Dean of the student's academic college and will subsequently submit a written decision to the student, instructor, the Department

Head/Director and the Provost's Office within ten (10) working days of receipt of the appeal. The decision of the Vice Provost for Graduate Education is the final decision of the University in the matter for graduate students.

442.03 Grade Pending Resolution

If the student's appeal of the instructor's academic misconduct determination has not been resolved before the instructor submits final grades in the course, an incomplete grade ("I") will be assigned until the matter is concluded. A grade assigned before the instructor's knowledge of academic misconduct may be changed after it was assigned if the grade was obtained through academic misconduct or by fraud.

442.04 Appeal Procedures

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A. In cases of alleged academic misconduct, the Student Conduct Board will determine whether the student engaged in academic misconduct and will recommend any nonacademic sanction outlined under Section 430.00 above. The decision of the Student Conduct Board will be forwarded to the Dean of Students (or designee) and to the relevant instructor(s).

B. If the Student Conduct Board finds the student committed academic misconduct, the instructor imposed academic sanction will stand. If the Student Conduct Board finds the student did not commit academic misconduct, the instructor will have ten (10) working days to report his or her grade for the student's work. The instructor will forward his or her grade determination to the Dean of Students (or designee), and the Graduate Dean (if a graduate student).

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