

## Florida Atlantic University

### **Regulation 4.001 Honor Code, Academic Irregularities, and Student's Academic Grievances.**

(1) Academic irregularities frustrate the efforts of the faculty and serious students to meet University goals. Since faculty, students and staff have a stake in these goals, the responsibility of all is to discourage academic irregularities by preventative measures and by insuring that appropriate action is taken when irregularities are discovered. Thus, FAU has an honor code requiring a faculty member, student or staff member to notify an Instructor when there is reason to believe an academic irregularity is occurring in a course. The Instructor's duty is to pursue any reasonable allegation, taking action, as described below, where appropriate.

(2) The following shall constitute academic irregularities:

(a) The use of notes, books or assistance from or to other students while taking an examination or working on other assignments unless specifically authorized by the Instructor are defined as acts of cheating.

(b) The presentation of words or ideas from any other source as one's own – an act defined as plagiarism.

(c) Other activities which interfere with the educational mission within the classroom.

(3) Initially, the Instructor will determine whether available facts and circumstances demonstrate that there is reason to believe that a student is involved in an academic irregularity.

(a) The Instructor will, in conference, apprise the student with the Instructor's perception of the facts. Early appraisal is desirable.

(b) If, after this conference, the Instructor continues to believe that the student was involved in an academic irregularity, the Instructor will mail or give the student a brief written statement of the charges and the penalty.

(c) A copy of this statement shall be sent to the Department Head, who will notify the Registrar that an electronic notation of the irregularity should be attached to the student's transcript. The notation will be part of the student's internal University record, but will not appear on the printed transcript. If the charges are dropped in the appeal process, or if there is no second offense during the student's stay at the University, the notation will be expunged from the record upon written request from the student following graduation from or two semesters of non-attendance at, the University.

(d) The student may appeal the Instructor's actions by requesting a departmental conference within ten (10) days. The conference, held as soon as possible, will be among the student, the Instructor, and the Head of the Department administering the course. An advisor may attend to provide counsel to the student, but not to answer in place of the student. The Department Head's written statement of action taken pursuant to the conference will be delivered to the student and the Dean of the College administering the course.

(4) When the Department Head notifies the Registrar of the irregularity (paragraph (3)(c)), the Registrar will inform the Department Head as to whether the student is a repeat offender. If the student is a repeat offender, the Department Head will

recommend to the Dean a penalty suspension or expulsion. The Dean will make the decision as to the penalty and notify the student in writing.

(5) The student may appeal the actions of the departmental conference or the Dean, at a faculty-student council. This council will be established by each College and will be composed of the Dean, two faculty members, and two students. Requests for a hearing must be presented in writing within ten (10) days of the departmental conference. Records of appeals and minutes will be maintained by the Dean. These hearings are considered to be educational activities. The strict rules of evidence do not apply. Students may be assisted by attorneys, but may not abdicate the responsibility to respond to charges to their legal advisors.

(6) The student may appeal the faculty-student council's action to the Vice President of Academic Affairs by requesting a hearing within ten (10) days of the committee's decision. These appeals are limited to the following bases:

- (a) Failure to receive due process.
  - (b) Arbitrary actions including lack of commensurateness of penalty to offense.
  - (c) New pertinent information not available during earlier proceedings.
- (7) Penalties will vary with the offenses.

(a) The Instructor's penalty, paragraph (3)(b) above, ranges from a grade of F on any work up to an F for course.

(b) Penalty grades cannot be removed by drop or forgiveness policy.

(c) Penalties assigned by the Dean, subsection (4) above, may include suspension or dismissal.

(d) Each College or Department may adopt a policy of penalties more severe than prescribed above. Such a policy must be widely distributed in the Colleges.

(8) The Vice-President for Academic Affairs may act on an appeal as follows:

- (a) Dismiss the appeal and uphold the action taken by the College.
- (b) Order a new hearing by a different student-faculty council.
- (c) Reduce the severity of the penalty administered.

(9) Student grievances arising from academic activities require a written request for conference with the Instructor. If unsatisfied, the student may request further discussion in a department conference similar to the one in paragraph (3)(d) above. Grades will not be changed except by the Instructor, and grievances involving the judgment and discretion of a faculty member in assigning grades shall not proceed under this rule beyond the conference with the Instructor. This is an application of the concept of academic freedom. The exception to this rule occurs if the student can demonstrate malice on the part of a faculty member. A grievance involving a charge of malice may be appealed to the student-faculty council, as above, and subsequently to the Vice President of Academic Affairs. In the event of a finding of malicious action, the University may take disciplinary action against the faculty member and, at the option of the student, remove the grade from the record and refund the student's fees for the courses. Students, whose accusations of malice are found to be frivolous by the Vice President of Student Affairs, are subject to disciplinary action.

*Specific Authority 240.227(1), 240.261 FS. Law Implemented 120.53(1)(b), 240.202, 240.261 FS., 6C-6.0105, F.A.C. History—New 10-1-75, Amended 12-17-78, 3-28-84, Formerly 6C5-4.01, Amended 11-11-87. Formerly 6C5-4.001.*