

**FLORIDA ATLANTIC UNIVERSITY
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: May 6, 2022

REGULATION TITLE AND NUMBER: Code of Academic Integrity (4.001)

SUMMARY: The University seeks to amend FAU Regulation 4.001, *Code of Academic Integrity*, which describes the University's expectations for ethical academic conduct and the procedures for charging a student with a violation of the Code. The purpose of this amendment is to update the definition of academic dishonesty, clarify the procedures for hearings and appeals, and provide additional information regarding the penalties and potential consequences of a violation. Academic Affairs received input on these revisions from the College Deans and the Faculty Senate's Policy Committee.

FULL TEXT OF THE REGULATION: The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at www.fau.edu/regulations. In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or GeneralCounsel@fau.edu.

AUTHORITY TO AMEND THE REGULATION: Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT: Michele Hawkins, Interim Provost and Vice President for Academic Affairs.

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting:

THE PERSON TO BE CONTACTED REGARDING THE REGULATION AMENDMENT IS: Daniel A. Jones, Deputy General Counsel, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), GeneralCounsel@fau.edu.

Florida Atlantic University

Regulation 4.001

Code of Academic Integrity

(1) Purpose. Students at Florida Atlantic University are expected to maintain the highest ethical standards. Dishonesty is considered a serious breach of these ethical standards, because it interferes with the University mission to provide a high quality education in which ~~all~~ students enjoys an ~~unfair advantage over any other~~ equal opportunity to succeed. Dishonesty is also destructive of the University community, which is grounded in a system of mutual trust and places high value on personal integrity and individual responsibility.

(2) Definitions. The FAU Code of Academic Integrity prohibits dishonesty and requires a faculty member, student, or staff member to notify an instructor when there is reason to believe dishonesty has occurred in a course, ~~program requirement,~~ or University supported academic activity. The instructor must pursue any reasonable allegation, taking action where appropriate.

(A) For purposes of this regulation, “instructor” means the instructor of record for the course in which the alleged dishonesty occurred or, in the case of a program requirement or University supported academic activity, the faculty or staff member providing oversight or guidance for the requirement or activity. Allegations of academic dishonesty may also be reviewed in accordance with University Policy 10.1.1, Research Misconduct.

~~(2)(B)~~ Academic dishonesty includes any act designed to obtain, or assist another in obtaining, academic credit, grades, or other recognition, which is not properly earned, or behavior that improperly advances, protects, or diminishes the academic status of individuals or the University. Examples of academic dishonesty include, but are not limited to, the following:

1. Cheating
 - a) The unauthorized use of notes, books, electronic devices, or other study aids while taking an examination or working on an assignment.
 - b) Providing unauthorized assistance to or receiving assistance from another ~~student~~ person or entity during an examination or while working on an assignment.
 - c) Having someone take an exam or complete an assignment in one’s place.
 - d) Securing an exam, receiving an unauthorized copy of an exam, ~~or~~ sharing a copy of an exam or uploading an exam or exam questions online.
2. Plagiarism
 - a) The presentation of words from any other source or another person as one’s own without proper quotation and citation.
 - b) Putting someone else’s ideas or facts into your own words (paraphrasing) without proper citation.
 - c) Turning in someone else’s work as one’s own, including the buying and selling of term papers or assignments.

3. Other Forms of Dishonesty

- a) Falsifying or inventing information, data, or citations.
- b) Failing to comply with examination regulations or failing to obey the instructions of an examination proctor.
- c) Submitting the same paper or assignment, or part thereof, in more than one class without the written consent of both instructors.
- d) Any other form of academic cheating, plagiarism, or dishonesty.

(3) Procedures.

(A) If the instructor determines that there is sufficient evidence to believe that a student engaged in dishonesty, the instructor will meet with the student at the earliest possible opportunity and provide notice to the student of their ~~instructor's~~ perception of the facts, the charges against the student, and the sanction. If the student fails to respond to the instructor's written request for a meeting within ten (10) business days from the date of the request, the instructor will proceed with the written notice of allegation in accordance with paragraph (3)(B), below. The instructor may not remove the student from the course until the appeal process has come to a conclusion.

(B) If, after this meeting, the instructor continues to believe that the student engaged in dishonesty, or if the student failed to respond to the instructor's request for a meeting, the instructor will provide the student written notice of the ~~charges-allegation, and~~ the penalty, and a link to this regulation. The notice of allegation should be provided within ten (10) business days of the meeting with the instructor, unless the instructor notifies the student that additional time is needed. A copy of this ~~allegation-statement~~ shall be sent to the chair of the department or director of the school/program administering the course.

(C) The student is entitled to an opportunity to be heard at a meeting with the instructor and chair/director to review and discuss the ~~allegation/instructor's charges/statement~~. Such request for a meeting must be made in writing and received by the chair/director within five (5) business days of receipt of the ~~instructor's charges/statement~~ notice of allegation. ~~The purpose of the meeting is to discuss the facts and to advise the student of the appeal process. The chair/director will provide the student, the instructor, and the dean of the college administering the course a summary of both the student's position and the instructor's position.~~

1. The purpose of the meeting is to discuss the facts, explore potential resolution of the allegation, and advise the student of the appeal process. The chair/director will not issue a decision on the allegation without the mutual agreement of the student and the instructor.
2. If the allegation is not resolved during the meeting, the chair/director will provide the student, the instructor, and the dean of the college administering the course a summary of both the student's position and the instructor's position. The summary should be provided within ten (10) days after the meeting with the chair/director, unless the chair/director notifies the student that additional time is needed.

(D) If the allegation is not resolved at the meeting with the chair/director, ~~t~~The student may appeal in writing to the dean of the college administering the course. The appeal must be received by the dean within five (5) business days of receipt of the chair/director's summary from the review meeting. The dean will convene a Faculty-Student Council ("Council"), which will be composed of the dean (or designee), two faculty members, and two students. The dean (or designee) will act as chair of the Council, direct the hearing, and maintain the minutes and all records of the appeal hearing, which will not be transcribed or recorded. The hearing is an educational activity subject to student privacy laws/regulations, and the strict rules of evidence do not apply. The student may choose to be accompanied by a single advisor, but only the student may speak on her/his/their own behalf. The student and instructor may present testimony and documents on his/her/their behalf. Additional witnesses may be permitted to speak at the dean's (or designee's) discretion and only if relevant and helpful to the Council. The Council will deliberate and make a recommendation to the dean to affirm or void the instructor's findings of academic dishonesty only and shall not make a finding with regard to the penalty assigned by the instructor. The dean (or designee) will inform the student and instructor in writing of his/her/their findings ~~of academic dishonesty~~ after receipt of the Council's recommendation.

(E) The student may ~~request-submit~~ an appeal in writing of the dean's findings of academic dishonesty to the University Provost (or designee) and include relevant documentation in support of such appeal. The appeal must be received by the University Provost (or designee) within five (5) business days of receipt of the findings by the dean (or designee). The University Provost (or designee) will notify the student, dean, and instructor of his/her decision in writing. This decision by the Provost (or designee) constitutes final University action.

(F) At the conclusion of all appeals or the expiration of the applicable deadline for appeal, ~~if~~ there is a finding that the Code of Academic Integrity has been violated, the chair will notify the University Registrar that the following notation be included on both the student's academic official-transcript and on the student's internal record: "Violation of Code of Academic Integrity, ~~University Regulations 4.001.~~" ~~If such violation is appealed and overturned, the dean or University Provost (or their designees) will notify the University Registrar that such notation should be removed from the student's transcript and internal record.~~

(4) Penalties.

(A) The instructor will determine the penalty to be administered to the student in the course. If the penalty is a final course grade of "F" or "U", the pPenalty grades cannot be removed by drop, withdrawal, or forgiveness policy. Students should be aware that, in some Colleges/programs, failure in a course or a finding of dishonesty may result in other penalties, including expulsion or suspension from the College/program.

(B) In the case of a first offense, the student may elect to complete an Academic Integrity Seminar ~~peer counseling program~~ administered by the Division of Student Affairs by the end of the semester following the semester in which the dishonesty

occurred. ~~Upon successful completion of this~~If the student fails to complete the Academic Integrity Seminar, the notation regarding the violation of the Code of Academic Integrity will remain permanently on the student's official transcript. ~~Upon successful completion of the is program seminar,~~ the notation regarding violation of the Code of Academic Integrity will be expunged from the student's official transcript but will remain in the student's internal University record. ~~If the violation results in a final course grade of "F" or "U".~~The grade, however, the grade will remain unchanged and cannot be removed by drop or forgiveness policy. ~~Also, the notation will remain in internal University student records.~~

(C) In the case of a repeat offense, even if the notation of violation of the Code of Academic Integrity from the first offense had been expunged from the official transcript ~~as a result of~~after successful completion of the ~~peer counseling program~~Academic Integrity Seminar, the student will be expelled from the University. For purposes of this paragraph, a repeat offense occurs when a student has been found responsible for a violation of the Code of Academic Integrity in accordance with this regulation and is subsequently found responsible for a separate violation that occurred after a final decision is rendered on the first notice of allegations.

Specific Authority: Article IX of the Florida Constitution, 1001.706, 1001.74 F.S., Board of Governors Regulations 1.001, 6.010, and 6.0105. History—New 10-1-75, Amended 12-17-78, 3-28-84, Formerly 6C5-4.01, Amended 11-11-87. Formerly 6C5-4.001. Amended 5-26-10;~~6-7-22.~~