

**Western Michigan University  
Faculty Senate  
Memorandum of Action**

**MOA – 19/03**

**Recommended Changes to the Undergraduate and Graduate Catalogs and the Student Code of Conduct for the Academic Integrity Process**

**Name of Committee:** Professional Concerns Committee

**Approval Date:** March 16, 2022

**Implementation Date:**  
Upon Administrative Approval

**Responsible Office(s) and Responsible Enforcement Official(s):**  
Office of Student Conduct, Office of Research and Innovation

**RECOMMENDATION:**

Revise the Academic Integrity Policy and Procedures to the Graduate and Undergraduate Catalogs and the Student Code to ensure due process for students charged with academic integrity violations

Specifically:

- Codify the proscription against applying academic sanctions without a finding of responsible through the Academic Integrity Hearing Process.
- Add specific timelines for faculty members to place charges of academic misconduct, respond to communications from the Office of Student Conduct, and assign grades with or without sanctions.
- Specify the course of action if a faculty member does not respond to correspondence with the Office of Student Conduct.
- Specify the course of action if either a student or faculty member do not participate in an Academic Integrity Hearing.
- Change the language of some required actions for faculty members to the imperative sense.
- Specify that academic sanctions may include program dismissal.
- Clarify the use of incomplete grades as part of the Academic Integrity Hearing Process.
- Make terms used in the Catalog and Student Code consistent and consistently applied primarily:
  - “instructor” becomes “faculty member,” as currently defined in the Student Code
  - “penalty” becomes “sanction”
- Separate academic and research misconduct.
- Make catalog language consistent with the Research Misconduct Policy.
- Add relevant terms to the Catalog Glossary and definitions in the Student Code.

|   |                       |
|---|-----------------------|
| <b>Anne-Marie Guidy-Oulai</b>   | <b>March 16, 2022</b> |
| _____<br>Anne-Marie Guidy-Oulai, Chair, Professional Concerns Committee | _____<br>Date         |

Approve                       Disapprove                       Other Action

Comments:

|  |               |
|--|---------------|
| <b>Marilyn S. Kritzman, WMU Faculty Senate President</b>   | <b>Date</b>   |
| _____<br>Marilyn S. Kritzman, WMU Faculty Senate President | _____<br>Date |

Approve                       Disapprove                       Other Action

Comments:

|   |               |
|---|---------------|
| <b>Christopher Cheatham, Acting Provost</b>   | <b>Date</b>   |
| _____<br>Christopher Cheatham, Acting Provost | _____<br>Date |

Approve                       Disapprove                       Other Action

|  |               |
|--|---------------|
| <b>Edward B. Montgomery, WMU President</b>   | <b>Date</b>   |
| _____<br>Edward B. Montgomery, WMU President | _____<br>Date |

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**RECOMMENDATION:**

Revise the Academic Integrity Policy and Procedures to the Graduate and Undergraduate Catalogs and the Student Code to ensure due process for students charged with academic integrity violations.

## Specifically:

- Codify the proscription against applying academic sanctions without a finding of responsible through the Academic Integrity Hearing Process
- Add specific timelines for faculty members to place charges of academic misconduct, respond to communications from the Office of Student Conduct, and assign grades with or without sanctions
- Specify the course of action if a faculty member does not respond to correspondence with the Office of Student Conduct
- Specify the course of action if either a student or faculty member do not participate in an Academic Integrity Hearing
- Change the language of some required actions for faculty members to the imperative sense
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- Clarify the use of incomplete grades as part of the Academic Integrity Hearing Process
- Make terms used in the Catalog and Student Code consistent and consistently applied primarily:
  - “instructor” becomes “faculty member,” as currently defined in the Student Code
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**RATIONALE/PURPOSE**

There have been not-infrequent instances of faculty members identifying suspected academic integrity violations and applying academic sanction(s) to students unilaterally, without involving the Office of Student Conduct. In addition, when the Office of Student Conduct is involved, the Academic Conduct Hearing Process can be stymied by the failure of the faculty member or student to respond in a timely fashion. The result of each of these situations interfere with students' right to due process, which could place the faculty member and the University in legal jeopardy. The Professional Concerns Committee of the Faculty Senate, in conjunction with the Office of Student Conduct, conducted a thorough review of the relevant policies and procedures contained in the Undergraduate and Graduate Catalogs, and in the Student Code. The proposed changes outlined above and detailed below in the Catalogs and Student Code revisions are intended to:

- Ensure due process for students charged with academic integrity violations
- Keep academic evaluations as the purview of the faculty
- Provide consistent language in the Academic Integrity policies and procedures

In addition, the Faculty Senate through the Research Policies Council recently revised the Research Misconduct Policy substantially, such that it most often operates independently of the Academic Misconduct process, therefore the recommended changes within this MOA reflect the separation of the research and academic misconduct policies and procedures.

**STAKEHOLDERS**

This policy applies to all personnel (faculty, students, staff) involved in charges and resolution of possible violations of Academic Integrity policy related to Course or Program of Study requirements at Western Michigan University.

**HISTORY:**

1. Graduate and Undergraduate Catalog – Academic Policies – Students Rights and Responsibilities – Academic & Research Misconduct

- a. Effective date of current version: 2004
  - b. Date first adopted: 1999
  - c. Revision history: MOA-04/11: Changes to the Graduate and Undergraduate Catalogs, Student Rights and Responsibilities, Changes to Violations of Academic Honesty and Conduct in Research
  - d. Proposed date of next review: To Be Determined
2. Student Code
- a. Effective date of current version: September 2020
  - b. Date first adopted: April 23, 1999
  - c. Revision history: Unknown
  - d. Proposed date of next review: To Be Determined

### Current Policy Modification (Additions in bold and deletions with strike through)

Undergraduate and Graduate Catalog

Academic Policies

Students Rights and Responsibilities

Academic and Research Misconduct

**Charges of academic misconduct should be made through the Office of Student Conduct within 20 business days of discovery of the misconduct. In some instances, academic misconduct may be discovered after a course or program of study is completed. No academic sanction shall be assessed without a finding of responsibility through the Academic Integrity Hearing process managed and facilitated by the Office of Student Conduct.**

The **complete** policies and procedures regarding student academic misconduct may be found in the Student Code at <http://www.wmich.edu/conduct/code>.

Research Misconduct

The policies and procedures regarding research misconduct may be found at <http://wmich.edu/policies/research-misconduct>. ~~Except in situations which have specific additional requirements due to the project's funding, any student involved in alleged misconduct while conducting research for academic credit will go through the Academic Integrity process managed and facilitated by the Office of Student Conduct.~~ **After receiving an allegation of research misconduct, the Vice President for Research and Innovation, in consultation with the appropriate University official(s), including the Office of Student Conduct if the allegation involves a student, shall assess the allegation to determine whether the investigation should proceed under the Research Misconduct Policy or under other governing policies and procedures (e.g., Academic Misconduct).**

Course Grade and Program Dismissal Appeals

*Course Grade Appeals*

This section applies when a student wants to appeal a final course grade that has been recorded by the Registrar on the student's academic record. Appeal panels are assembled from the faculty under the authority of and by the Provost and Vice President for Academic Affairs or designate. Throughout this process, the Office of the Ombudsman is available to students and ~~instructor~~ **faculty members** for assistance on procedures and clarification of the rights of all parties.

The accepted bases of course grade appeal are:

- A. Grades were calculated or the program dismissal decision was made in a manner inconsistent with the University policy, the syllabus, or changes to the syllabus.
- B. The grade(s) was/were erroneously calculated.
- C. Grading/performance standards were arbitrarily or unequally applied.
- D. The ~~instructor~~ **faculty member** failed to assign or remove an Incomplete or to initiate a grade change as agreed upon with the student.
- E. Late withdrawal from class(es), after grades have been assigned, due to genuine hardship. (Students appealing on this basis should proceed by contacting the Ombuds Office and following the procedures for hardship determination [wmich.edu/ombudsman/appeal-hardship](http://wmich.edu/ombudsman/appeal-hardship))

~~A grade appeal cannot be made after an official finding of responsibility for academic integrity violation(s) has been made through the procedures provided in the academic integrity policy.~~ **Academic Integrity Hearing process, described in the Student Code at <http://www.wmich.edu/conduct/code>.**

Student Code of Conduct

Article II: Definitions

4. The term "academic misconduct" relates to **violations of** academic integrity, and policies and procedures that are outlined in the University Undergraduate and Graduate Catalogs.

## Article IV: Proscribed Conduct

## B. Conduct Policies

1. **Academic misconduct** – Including but not limited to the following:

- c. Multiple submission: Multiple submission is the submission of substantial portions of the same work (including oral reports) for credit more than once without authorization from ~~instructor's~~ **faculty members** of all classes for which the student submits the work. Clarification: i. Examples of multiple submission include submitting the same paper for credit in more than one course without all faculty members' permission; making revisions in a credit paper or report (including oral presentations) and submitting it again as if it were new work.  
Clarification:
  - i. Examples of multiple submission include submitting the same paper for credit in more than one course without all faculty members' permission; making revisions in a credit paper or report (including oral presentations) and submitting it again as if it were new work.
- f. Academic computer misuse: Academic computer misuse is the use of software to perform work which the ~~instructor~~ **faculty member** has told the student to do without the assistance of software.

## Article V: Conduct Hearings

Allegations of violations of Article IV, Section B.01 of the Student Code are brought forward by the ~~instructor~~ **faculty member** of the course and reviewed using the process described in Article VI.

## Article VI: Academic Conduct Hearing Process

Western Michigan University's academic honesty and conduct in research policies have been created and defined by members of its academic community, recommended by its faculty senate, and adopted by its board of trustees. The processes necessary to support these policies are managed and facilitated by the Office of Student Conduct (OSC). This section applies to cases in which a student is to be charged with a violation of Article IV, Section B.01: Academic Misconduct.

1. **Charging a student with a violation: A faculty member** submits the academic honesty **misconduct** charge form indicating the charge(s). **Charges of academic misconduct should be made within 20 University business days of discovery of the misconduct. In some instances, academic misconduct may be discovered after a course or program of study is completed. No academic sanction shall be assessed without a finding of responsibility through this process.** After submission of the charges, the course syllabus, original assignment, and supporting documentation ~~are~~ **shall be** submitted electronically to the Office of Student Conduct. Upon submission of charges, a hold is placed on the student's account. OSC will contact the student for an appointment to meet with a staff member. The student is expected to respond to communications from the OSC as outlined in Article IV, Section B.12. During the meeting with the student, an Academic Conduct Process Form will be completed.
2. **If the student accepts responsibility:** If the student accepts responsibility, the OSC will contact the ~~instructor~~ **faculty member** and the ~~instructor~~ **faculty member** may impose an academic ~~penalty~~ **sanction** including a reduced or failing grade for the assignment(s) in question up to failure of the course in which the student is enrolled. The OSC may also impose non-grade-related sanctions ranging from a warning to expulsion from the University, as described in Article V.A.4.
3. **If the student does not accept responsibility:** the OSC will consult with the ~~instructor~~ **faculty member** to ascertain the ~~instructor~~ **faculty member's** preference as to the hearing type. The hearing may be a meeting between the ~~instructor~~ **faculty member** and the student or a meeting between the student, ~~instructor~~ **faculty member**, and an Academic Integrity Hearing Panel (AIHP). An Academic Integrity Hearing Panel will consist of three faculty members and two students, selected using procedures established by the Professional Concerns Committee of the Faculty Senate. The choice of hearing type is the ~~instructor~~ **faculty members**. The OSC will set up the hearing and will notify the student and faculty member of its time, date, and location. **The faculty member is expected to respond to communications from the OSC in a timely manner, typically five University business days. Should the faculty member fail to make timely responses, the case shall proceed to an AIHP hearing, notwithstanding the faculty member's selection of hearing type. The failure of either the student or faculty member to appear shall not preclude a hearing from proceeding, nor prejudice its outcome.**
6. **If a finding of "responsible" has been made:** A finding of "responsible" occurs when a student accepts responsibility, the ~~instructor~~ **faculty member** so decides in an instructor hearing, or an Academic Integrity Hearing Panel so decides by majority vote. When that finding has occurred, the ~~instructor~~ **faculty member** may impose an academic penalty **sanction** including a reduced or failing grade for the assignment(s) in question up to failure of the course in which the student is enrolled. A decision by the ~~instructor~~ **faculty member** regarding a grade penalty cannot be appealed by the student once the student has been found responsible and has exhausted or waived all appeals of the finding. Also, once the student has been found responsible and has exhausted or waived all appeals of the finding, that student's continued attendance in the relevant class depends on the grade penalty imposed by the

~~instructor~~ **faculty member** and/or the sanctions from OSC. If the ~~instructor~~ **faculty member** determines to fail the student in the course, the student is not permitted to continue attending or participating in class, whether virtually or in person. In all cases when a final finding of responsibility has been made, the finding will be included in the student's educational record. Students will not be permitted to withdraw from the course in question **during the Academic Integrity Hearing process nor after a finding of responsibility.**

7. **If a finding of "not responsible" has been made:** If a finding of "not responsible" has been made, the charge is dismissed and ~~no penalties or sanctions are~~ **shall not be** imposed.

8. **While a case is pending:** A case is considered pending until one of two events occurs:

1. The student accepts responsibility or

2. The hearing process is completed.

While a case is pending, the student has the right to attend and participate in the class.

If the case is pending at the end of the semester, the ~~instructor~~ **faculty member** ~~must~~ **shall** assign an Incomplete grade and submit a change of grade **consistent with the finding of responsible/not responsible** within five University business days of the completion of the process.

9. ~~Instructor~~ **Faculty member unavailable to assign grade:** Circumstances may arise ~~which may prevent an instructor from assigning~~ **wherein a faculty member cannot or does not assign** a grade in a timely manner. In such instances, the **faculty member's** academic unit chair/director ~~will~~ **shall** make reasonable efforts to contact and ask the ~~instructor~~ **faculty member** to supply a grade. If these efforts are unsuccessful, the ~~instructor~~ **faculty member's** academic unit chair/director ~~will~~ **shall** appoint another qualified faculty member to assign the grade.

## RELATED PROCEDURES AND GUIDELINES

Research Misconduct Policy

AAUP Collective Bargaining Agreement

PIO Collective Bargaining Agreement

TAU Collective Bargaining Agreement

## KEY DEFINITIONS/GLOSSARY

The following are suggested new items for the catalog glossary:

Academic Conduct Hearing Process: describes the steps involved when a student is charged with academic misconduct. This process is managed and facilitated by the Office of Student Conduct and is described in the student Code at <http://www.wmich.edu/conduct/code>.

Academic Misconduct: relates to violations of academic integrity, and the associated policies and procedures that are outlined in the Student Code.

Faculty Member: means any person hired by the University to conduct teaching activities, research, or who is otherwise considered by the University to be a member of its faculty. Synonymous with "instructor".

Instructor: Synonym for "faculty member".

Sanction: is the result of a finding of responsibility for a violation of the Student Code. Sanctions may be used in combination or separately. Sanction determination is based on the severity of the current offense, and/or previous offenses (if any), and/or the current conduct status of the student found responsible, and/or the threat to the health, safety, property of any person, and/or any other reasonable factor. Student Code sanctions are in addition to sanctions that can be imposed in other University forums such as, but not limited to, the Division of Intercollegiate Athletics or employment situations.

Responsible / Not Responsible: In the Academic Conduct Hearing Process, a finding of "responsible" occurs when a student accepts responsibility for a charge of academic misconduct, the faculty member so decides in an instructor hearing, or an Academic Integrity Hearing Panel so decides by majority vote. Decisions will be made on the basis of whether a reasonable person would conclude that it is more likely than not that the student has violated. Academic or conduct sanctions may be imposed upon a finding of responsible. A finding of "not responsible" means that a charge of academic misconduct is dismissed and no sanctions are imposed.

Research Misconduct: is fabrication, falsification, plagiarism, or other practices that seriously deviate from those commonly accepted within the academic community for proposing, performing, reviewing or in reporting research results.