

Educational Policy: Academic Integrity	Effective date: October 25, 2010 Replaces: Previous AI Policy
Application: All enrolled students Access: Public	Position responsible for facilitating compliance: Vice President for Academic Affairs

**PREAMBLE:**

The Niagara University mission statement expresses the truth of Catholic and Vincentian traditions, and is given meaning via teaching and learning activities throughout the university which foster a passion for learning, allow students to experience the vision of gospel based education, inspire students to serve the poor and oppressed, and develop the whole person.

Academic honesty – being honest and truthful in academic settings, especially in the communication and presentation of ideas – is required to experience and fulfill this mission.

Academic dishonesty – being untruthful, deceptive, or dishonest in academic settings in any way– subverts the University mission, harms faculty and students, damages the reputation of the University, and diminishes public confidence in higher education.

*All members of the university community share the responsibility for creating conditions that support academic integrity. In particular:*

1. Students must abstain from any violations of academic integrity and set examples for each other by assuming full responsibility for their academic and personal development, including informing themselves about and following the university's academic policy;
2. Faculty members must foster a climate that is conducive to the development of student responsibility. They should provide guidance as to what constitutes violations of the Academic Integrity Policy and educate students about the ethical and educational implications of their actions. For instance, syllabi must call attention to the Academic Integrity Policy.
3. Faculty members, furthermore, have the authority and the responsibility to make the initial judgment regarding violations of academic integrity in the context of the courses that they teach. They may impose sanctions up to and including failure of a course at their own discretion in cases involving a violation of Academic Integrity policies. In cases such as alleged plagiarism, it is important that faculty members distinguish between an intentional violation of the Academic Integrity Policy and a technical error or careless work.

4. Deans of the various colleges, with the support of the Associate Vice President for Academic Affairs (AVPAA) or his/her designee and the chair of the Academic Integrity Board (AIB), are responsible for ensuring that their faculty, particularly new faculty and part-time faculty, are aware of the university's Academic Integrity Policy and of their responsibilities in this regard, to maintain the integrity of the academic review process.

These efforts are supported by detailed guidelines and procedures that are designed to deal with violations, to maintain the integrity of the institution and to ensure that university standards are upheld.

## POLICY

As a Catholic and Vincentian Institution, Niagara University is committed to ethics and social justice in all its endeavors. This includes a commitment to "Academic Integrity;" Niagara students are expected to be truthful, to obtain and portray their academic credentials honestly, to use and attribute sources of information properly, to conduct research in accordance with professional ethics, and to work to contribute to an environment conducive to this policy.

### 1. Violations

#### Violations of Academic Integrity

A violation of Academic Integrity can be anything that undermines the honor, veracity, and academic reputation of the University. Violations of academic integrity include but are not limited to the following categories: cheating; plagiarism; fabrication; falsification or sabotage of research data; destruction or misuse of the university's academic resources, alteration or falsification of academic records; academic misconduct; complicity; and copyright violation.

**Cheating:** Cheating is any action that violates university expectations or instructor's guidelines for the preparation and submission of assignments. This includes but is not limited to unauthorized access to examination materials prior to the examination itself, use or possession of unauthorized materials during the examination or quiz; having someone take an examination in one's place; copying from another student; unauthorized assistance to another student; or acceptance of such assistance.

**Plagiarism:** Plagiarism is a major form of academic dishonesty involving the presentation of the work of another as one's own. Plagiarism includes but is not limited to the following:

- a. The direct copying of any source, such as written and verbal material, computer files, audio disks, video programs or musical scores, whether published or unpublished, in whole or part, without proper acknowledgement that it is someone else's.
- b. Copying of any source in whole or part without proper acknowledgement.

- c. Submitting as one's own work a report, examination paper, computer file, lab report or other assignment that has been prepared by someone else. This includes research papers purchased from any other person or agency.
- d. The paraphrasing of another's work or ideas without proper acknowledgement.

**Fabrication, Falsification or Sabotage of Research Data:** Fabrication, falsification or sabotage of research data is any action that misrepresents, willfully distorts or alters the process and results of scholarly investigation. This includes but is not limited to making up or fabricating data as part of a laboratory, fieldwork or other scholarly investigation; knowingly distorting, altering or falsifying the data gained by such an investigation; stealing or using without the consent of the instructor data acquired by another student; representing the research conclusions of another as one's own; and undermining or sabotaging the research investigations of another person.

**Destruction or Misuse of the University's Academic Resources:** Destruction or misuse of the university's academic resources includes but is not limited to unauthorized access to or use of university resources including equipment and materials; stealing, destroying or deliberately damaging library materials; preventing, in an unauthorized manner, others' access to university equipment, materials or resources; using university equipment, materials or resources to destroy, damage or steal the work of other students or scholars. Given the importance of computers to the academic functioning of the university, computer usage is of particular concern under this general heading. Violations of this nature may also fall under the Code of Student Conduct and Judicial Proceedings.

**Alteration or Falsification of Academic Records:** Alteration or falsification of academic records includes any action that tampers with official university records or documents. This includes but is not limited to: any alteration through any means whatsoever of an academic transcript, a grade or grade change card; unauthorized use of university documents including letterhead; and misrepresentation of one's academic accomplishments, awards or credentials. Violations of this nature may also fall under the Code of Student Conduct and Judicial Proceedings.

**Academic Misconduct:** Academic misconduct is any action that deliberately undermines the free exchange of ideas in the learning environment, threatens the impartial evaluation of the students by the instructor or advisor, or violates standards for ethical or professional behavior established by a course or program. This includes but is not limited to attempts to bribe an instructor or advisor for academic advantage; persistent hostile treatment of, or any act or threat of violence against, an instructor, advisor or other students; and/or actions or behavior that violate standards for ethical or professional behavior established by a course or program in an off-campus setting and could damage the university's relationship with community partners and affiliated institutions. Violations of this nature may also fall under the Code of Student Conduct and Judicial Proceedings.

**Complicity:** Complicity is any intentional attempt to facilitate any of the violations described above. This includes but is not limited to allowing another student to copy from a paper or test document; providing any kind of material—including one’s research, data, or writing—to another student if one believes it might be misrepresented to a teacher or university official; providing information about or answers to test questions.

**Copyright Infringement:** Copyright infringement, which is the unprivileged use of another’s original work of authorship, is an offense distinct from plagiarism, although the two can overlap. Copyright infringement can occur when a large amount of a work is copied (with or without credit), if a film or song is duplicated (digitally or otherwise), or a translation or sequel is created. Students who must sample significant quantities of a work protected by Copyright should familiarize themselves with the academic “Fair Use” defense to infringement to ensure they are engaging in privileged activity. Examples of copyright infringement could include: unauthorized downloading of an entire movie from the internet, even for purposes of academic criticism; copying an entire poem into a thesis; use of a photograph without permission; translating a protected work and publishing it online.

## PROCEDURE

### 1. Faculty Guidelines

- a. Faculty are expected to be fully familiar with the Academic Integrity policy and the mechanism for reporting incidents of academic dishonesty.
- b. Faculty must include the Academic Integrity compliance requirement in their class syllabi. Suggested language: *As in all courses, students in this class are expected to abide by the Niagara University Academic Integrity Policy; if you need to familiarize yourself with this policy, you may find it at [www.niagara.edu/academic-integrity](http://www.niagara.edu/academic-integrity).*
- c. Faculty members should foster a climate that is conducive students complying with the Academic Integrity policy.
- d. Faculty members have the authority and responsibility to make the initial judgment regarding violations of academic integrity in the context of the courses they teach.
- e. The most severe sanction they can impose is an “F” in a course.
- f. Once they have made a determination that there has been a violation of Academic Integrity, Faculty members must report violations of Academic Integrity, and the sanction they are imposing, through the reporting system found on myNU, under Academic Integrity.
- g. The faculty member must fill in all the sections required by the reporting system, including the circumstances of the violation, the section of the policy violated, the sanction, and whether they will seek additional sanctions through the AIB.
- h. Faculty are encouraged to discuss the sanctions with the student after they have been reported.

- i. *NOTE: For purposes of this policy, returning a paper to be re-written for minor or technical violations of plagiarism guidelines shall not be considered a violation.*
- j. Faculty members who believe the violation warrants a sanction beyond that they can prescribe should send a request to the Chair, together with all the relevant materials and a list of witnesses; this is called an “Additional Sanctions Hearing” (see Section 8c).
- k. Materials supporting an “Additional Sanctions Hearing” should include the initial sanctions letter, the academic work involved, a copy of the course syllabus, and anything else appropriate; faculty members are encouraged to send these to the Chair within 3 academic days of the sanctions.
- l. Faculty members seeking guidance on matters of Academic Integrity are encouraged to contact the Chair of the AI Board, or the Associate VP for Academic Affairs (AVPAA).
- m. Faculty members are expected to cooperate with the Academic Integrity Board, both during the initial investigation, and whenever a report results in a hearing.

## 2. Student Guidelines

- a. Students are expected to be fully familiar with the Academic Integrity policy and should report violations they observe to the Chair of the Academic Integrity Board.
- b. Even if the instructor fails to include a reference to the Academic Integrity policy on the syllabus, or the academic work is not conducted on campus or taught by university faculty, this policy still applies.
- c. Students should contribute to a climate that is conducive to their complying with the Academic Integrity policy, asking questions as necessary.
- d. Students who are reported as having violated the Academic Integrity Policy have a right to appeal the determination to the Academic Integrity Board.
- e. To ensure an understanding of the underlying concern, students are encouraged to discuss the sanctions with the faculty member.
- f. **STUDENTS MUST RESPOND TO ANY NOTICE FROM THE ACADEMIC INTEGRITY BOARD WITHIN 3 ACADEMIC DAYS OF RECEIPT; FAILURE TO DO SO CAN RESULT IN SUSPENSION AT THE DISCRETION OF THE AVPAA.**
- g. Students who use this Policy to appeal an initial sanction by a faculty member shall not face additional penalties, unless there has been a request for additional sanctions, or the hearing is mandatory.
- h. Students who wish to appeal must file an appeal and supporting materials to the Chair of the AIB within 10 academic days of being notified of the violation; materials supporting a student appeal should include the initial sanctions letter, the academic work involved, a copy of the course syllabus, and anything else appropriate.

- i. Students who have previously been determined to violate Academic Integrity must attend a mandatory hearing before the Academic Integrity Board for all subsequent violations.
- j. Students who are sanctioned under this Policy will be assigned an ombudsperson in their sanctions letter. A list of ombudspersons is maintained on [www.niagara.edu/academic-integrity](http://www.niagara.edu/academic-integrity).
- k. Students seeking further guidance on matters of Academic Integrity are encouraged to contact the Chair of the AI Board, or an AI ombudsperson.
- l. Students are expected to cooperate with the Academic Integrity Board; failure to cooperate with the Board, or to attend a hearing can result in a suspension or a bar to further enrollment, at the discretion of the AVPAA.
- m. As in other areas of academic life at Niagara University, students are expected to check and exclusively use their University-issued e-mail for this process.
- n. Barring circumstances set forth below, students awaiting an appeal or hearing are entitled to continue all classes until the sanctions are formally sent by the AVPAA.

### 3. Academic Integrity Board

- a. The Academic Integrity Board (AIB) shall be composed of no more than nine (9) faculty members, and four (4) student members, with 4 student alternates.
- b. Faculty members shall be appointed by the University Senate to staggered terms of 3 years.
- c. Two of the Faculty members shall be elected to staggered three-year terms as Chair, who shall be placed in charge of each case as they decide is appropriate.
- d. Student members and alternates shall serve at the discretion of the Chairs with no term limit.
- e. The Academic Integrity Board shall hold an annual training session in September to train new and current members, alternates, and ombudspersons.
- f. In general the goal of AIB sanctions are twofold: protect the honor, veracity, and academic reputation of the University while at the same time helping students to grow and learn.
- g. Whenever possible the AIB will seek to take actions that are both corrective and educational. If these two goals are in conflict, then the AIB shall act in ways that protect the University's reputation and the integrity of the education and degrees that held by its students and alumni. The AIB may select any sanction that it feels best accomplishes these goals.
- h. Listed below are a range of typical sanctions that the AIB may impose. In addition, the AIB may combine some of these sanctions (e.g. a suspension until a student has completed one or more educational remedies). Sanctions include, but are not limited to, the following:
  - Educational remedies will typically be the first choice of the AIB and are designed to assist the student in better understanding the overall impact of his/her academic infraction(s). Such assigned projects might include research projects, the creation of educational materials, completion of a training module on AI

policies, or the planning and/or presentation of educational programs related to the policy infraction. Assigned projects may not include physical labor unless they are directly related to the violation(s) and may not be intended to cause humiliation or degradation to the student.

- A reprimand without transcript notation is an official written censure of the student for violating Academic Integrity policies that will not result in a note on the student's transcript.
  - A suspension establishes a fixed period of time during which the student may not participate in any academic or extracurricular activities of the university. The suspension may or may not be accompanied by other requirements such as educational remediation or other activities. At the end of the suspension period, the student may be restored to good standing, provided that the student has met any and all requirements that have been established by the AIB. The can choose to end a suspension or to extend a suspension.
  - A dismissal permanently denies the student the right to participate in any academic or extracurricular activities of the university. A sanction of dismissal will be noted on the transcript as "academic dismissal".
  - Degree revocation may occur for a graduated student who has violated the Academic Integrity Policy. This sanction will be noted on the transcript as "degree revocation".
    - i. In the event a recommended sanction will not be implemented by the AVPAA, the AIB must work with the AVPAA to determine what adjustments are necessary to effect a resolution to a case; in any event, a resolution shall be effected within 30 days of the hearing, with the Academic Vice President serving as the final authority to resolve any dispute between the AIB and AVPAA.
    - j. The AIB may not issue a recommendation that will overrule a related determination of a Dean (or a Department, approved by the Dean) as to the professional suitability of an individual for a professional license as defined by the laws of New York State, the province of Ontario, or any other controlling law. It is expected that the Chair and the AVPAA shall consider this prior to a case going forward.
4. Chair of the AIB
- a. The Co-Chairs (Individually, "Chair") shall manage their respective cases as this Procedure requires, but may be delegate the responsibilities set forth in this section.
  - b. The Chair shall ensure that the AI Policy is adhered to during any adjudicatory proceeding; to effect this, the Chair may consult the AVPAA and University General Counsel as needed.

- c. Saving the formal notices that must be sent by the AVPAA, the Chair shall schedule and send the appropriate notices to all AIB members, witnesses, and other participants, necessary to organize the proceedings.
  - d. Prior to a matter being adjudicated by the AIB, the Chair is responsible for resolving any jurisdictional concerns with the AVPAA and other appropriate university officials. In the event an agreement cannot be reached, a decision in the best interest of the student shall be made by the Executive Vice President.
  
5. Associate Vice President for Academic Affairs (AVPAA)
  - a. The AVPAA is responsible for ensuring that the various responsibilities in this Policy are discharged properly and in a timely manner. As needed, the AVPAA may designate another member of the Office of Academic Affairs to discharge these responsibilities.
  - b. To ensure administrative coordination, the AVPAA must send to the students the notification of a hearing, and the final determination of responsibility and any further sanctions.
  - c. The AVPAA will oversee the annual training of the AIB.
  - d. The AVPAA is responsible for ensuring that the final sanctions are carried out, and shall take the appropriate steps, up to and including expulsion, for failure to comply with a sanction.
  - e. Typically, students awaiting a hearing or appeal are entitled to continue all classes until the sanctions are formally sent by the AVPAA. However, if it is determined that the circumstances warrant it, the AVPAA may at any time suspend a student pending a hearing. *NOTE: If eventually determined to have not violated the policy, a student so suspended shall be entitled to a pro-rated refund of tuition paid, and be credited the tuition paid towards the completion of all incomplete classes from the affected semester.*
  
6. Ombudspersons
  - a. The Academic Senate shall appoint a faculty member from each college to serve as an ombudsperson, in staggered terms.
  - b. The ombudspersons shall be trained together with the AIB at the annual September training.
  - c. Ombudspersons shall be available to students to provide clarity about the Academic Integrity Policy, including the hearing process.
  - d. Ombudspersons shall be assigned to a student in their formal notification of a hearing from the AVPAA.
  
7. Reporting a violation

There are several ways to bring a violation to the attention of the AIB. However, the preference is always for the course instructor to be the first person to be informed and to be the person who deals directly with the violation in his or her class. The sections below discuss the two most common types of reports (Instructor Reports and Observer Reports). Other ways in which the AIB may become involved (e.g., appeals) are discussed elsewhere in this policy.

It is important to note that a violation of academic integrity may be reported to the AIB by anyone, however, as set forth below; there are implications for each type of report.

1. Instructor Reports:
  - a. Definition: Instructor reports are those reports to the AIB of a violation of AIB Policy made by the professor/instructor of a course in which the violation occurred;
  - b. Upon observing a violation in their own course, an instructor or faculty member must report the violation through the reporting utility on myNU.
    - i. As always, professors/instructor makes the initial determination of sanctions based on their class/syllabus Academic Integrity Policy.
2. Observer Reports:
  - a. Definition: These are reports of AIB violations that are made by someone other than the professor/instructor of the class where the violation is alleged to have occurred.
  - b. Anyone, including a faculty member, upon observing a violation in a class they do not teach, needs to report the observation.
  - c. The preference is always for the report to be first made to the professor/instructor, providing the instructor the opportunity to address the matter themselves.
  - d. If the observer is uncomfortable or unsure about what they have observed, they may contact one of the Co-Chairs of the AIB and have the opportunity to discuss, in confidence, their observations. It will then be up to the discretion of the AIB Co-Chair to determine next steps.
    - i. The Co-Chair who receives the observer report in these circumstances should consult with the other Co-Chair before taking further actions.
  - e. Anyone who has made an Observer Report to an instructor and feels the situation/violation was not adequately addressed may also contact one of the AIB Co-Chairs, in confidence;
    - i. The Co-Chair who receives the observer report in these circumstances should consult with the other Co-Chair and determine whether further actions are warranted.
      1. The Co-Chairs may also involve the AVPAA in their deliberations.
    - ii. The AIB Co-Chairs will investigate as they deem appropriate, and determine if there should be a Chair-Initiated Hearing based on the information circumstances uncovered.
3. Reports shall be logged by the Academic Integrity Reporting utility on myNU, which is designed to send copies to the student, the AVPAA, the Chair of the AIB, the reporting instructor, and the Dean of the student's home College, as well as to create a permanent log of the report.
  - a. The log of the report shall be maintained in the system, at the direction of the AVPAA, for at least 7 years after the report.

## 8. Types of Hearings

- a. A hearing may be initiated by a student hoping to overturn the sanction of a faculty member; this is a “Student-Initiated Hearing.”
- b. Once a student has had an initial violation of the Academic Integrity Policy, a hearing must be initiated for all future violations; this is a “Mandatory Hearing.”
- c. A faculty member or instructor who determines a violation, and believe sanctions beyond their authority are warranted, may ask the Board to convene to consider additional sanctions; this shall be called an “Additional Sanctions Hearing.”
- d. Upon receiving a report from a third party, the Chair may investigate a matter and determine if it warrants a hearing; this shall be called a “Chair-Initiated Hearing.”
- e. Students and witnesses are expected to participate in any hearing, regardless of the type.

## 9. Hearing Procedure

- a. Once jurisdiction is established and formal notice is sent by the AVPAA, the hearing, regardless of what type, shall take place according to this procedure.
- b. All parties shall keep in mind that the AIB is not a court of law, and the purpose of the proceedings is to determine if a violation of the Policy occurred and the appropriate sanction for same.
- c. The Chair shall coordinate the proceedings, keeping in mind the below rules, of which the Chair is in charge of interpreting.
- d. Witnesses must have been disclosed to all parties at least 5 academic days before the Hearing.
- e. Both the student, and the person originating the charge, have the right to an opening statement of reasonable length without questions.
- f. All questions must go through the Chair. Witnesses may not be directly confronted, and must be accorded the highest respect by all present.
- g. The student may bring an Advisor who is either a currently enrolled student, or current employee (including full or part-time faculty) of the university. The Advisor may not advocate for the student, but rather, assist with the organization of materials and the quiet administration or advice. No statement of the Advisor may be on the record.
- h. The giving of false testimony may be regarded as potential academic misconduct, a violation of student disciplinary rules, or employment terms.
- i. In all types of Hearings, the student has the right to a final statement of reasonable length, without questions or interruptions.

## 10. Deadlines

- a. **An “Academic Day” is any day, including weekends, between the first day of the Fall semester, and the last day of the Spring semester, discounting holidays on the Niagara University Academic Calendar.**
- b. Notice of a violation must be sent within 30 (thirty) Academic Days of it being discovered; the sole exception to this deadline is for violations in summer courses, wherein notice of a violation must be sent within 30 (thirty) business days if the

- violation is discovered prior to the start of the Fall semester; all other deadlines relating to violations during summer courses are unchanged.
- c. A student appeal must be sent within 10 (ten) academic days of receiving the report.
  - d. Notice of hearing must be sent by the AVPAA at least 7 (seven) academic days prior to the proceeding.
  - e. A student must respond to any communication from the AIB within 3 (three) academic days.
  - f. Unless there is a determination of special circumstances by the AVPAA, the AIB shall use its best effort to ensure that a hearing takes place within 90 (ninety) days of the initial notice of sanction.
  - g. To ensure time to address all concerns, there is no deadline for notice of final sanctions to be sent by the AVPAA; students waiting for a final determination may attend classes as normal until there is a formal notification otherwise.