

Utah Tech University Policy

555: Student Academic and Professional Misconduct



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I. Purpose

- 1.1 To define academic and professional misconduct and establish protocol and procedures for applying appropriate sanctions to academic and professional misconduct.
- 1.2 To establish procedures for students to appeal academic or professional misconduct sanctions and to petition for reinstatement.

II. Scope

- 2.1 Applies to all degree-seeking and non-degree seeking students enrolled in credit or non-credit courses that are delivered by any mode (face to face, online, remote) either on or off campus at Utah Tech University (“the University”).

III. Definitions

- 3.1 **Academic Misconduct:** All acts of dishonesty in any academic-related matter, exercise or activity, and any attempted or actual intentional assistance or conspiracy to assist another student to commit an act of academic-related dishonesty. Academic Misconduct includes, but is not limited to, any of the following acts in any type of academic-related matter, exercise or activity:
 - 3.1.1 Cheating, coercion, inappropriate collaboration or collusion, plagiarism, and self-plagiarism as defined in this policy, and the use of Generative Artificial Intelligence (AI) to complete assignments when the instructor indicates in writing that the use of Generative AI is prohibited for an assignment.

- 3.1.2 Unauthorized possession or disposition of academic materials such as examinations, class notes, term papers, or other academic work; stealing another student's work; or using information from or possessing an exam that an instructor did not authorize for release to students.
 - 3.1.3 Fabrication and/or distortion in any verbal or written form of one's academic work.
 - 3.1.4 Facilitation of any act of Academic Misconduct by knowingly assisting another to commit an act of Academic Misconduct.
- 3.2 **Academic Integrity and Professional Misconduct Committee:** Adjudicates Academic Misconduct in the case of repeat offenses, adjudicates Academic Misconduct appeals from respondent students, and adjudicates cases involving possible University-Level sanctions. The Academic Integrity and Professional Misconduct Committee ("The Committee") is comprised of at least seven (7) members, consisting of four (4) voting faculty members selected by the Faculty Senate President and the Provost and Vice President of Academic Affairs, and at least three (3) students selected by the Student Association President. When hearing Professional Misconduct cases, the committee shall also include a non-voting faculty member who is knowledgeable of the professional standards of the relevant discipline but not involved in the case. Members are selected for broad representation from colleges, divisions, departments, and programs. See policy 640d. 3.3.2 for procedures for electing the Chair. The Committee follows the procedures, hearing schedules, and hearing guidelines as outlined in Sections 6.1 and 6.2.
- 3.3 **Academic Sanction:** A penalty or restriction imposed based on a student's Academic Misconduct. The Academic Sanction may be
- 3.3.1 **Course-Level Academic Sanction:** A penalty or restriction imposed by the instructor of the course based on a student's Academic Misconduct.
 - 3.3.2 **University-Level Academic Sanction:** A Penalty or restriction imposed by the Academic Integrity and Professional Misconduct Committee based on a pattern of Academic Misconduct.
- 3.4 **Cheating:** Using or attempting to use unauthorized materials, information, technology, including Generative AI, or study aids in any academic exercise; failing to observe the expressed procedures or instructions of an academic exercise; substituting for or impersonating someone else during a test or exam or other fraud; or receiving the content of a test or exam

before it is administered.

- 3.5 **Coercion (with regard to grading or evaluating coursework):** Issuing a threat against or offering a favor or bribe to an instructor to influence the instructor to change a grade or otherwise evaluate the student's work by criteria not directly reflective of coursework.
- 3.6 **Generative Artificial Intelligence (AI):** A form of artificial intelligence capable of generating text, images and other media using large language models and other deep learning models that simulate human reasoning and thought. Examples include systems such as ChatGPT, Copilot, Bard, DALL-E, among many others.
- 3.7 **Inappropriate Collaboration or Collusion:** Includes, but is not limited to, unauthorized or inappropriate collaboration between students or between a student and any other person when individual work is required; or unauthorized or inappropriate use of Generative AI when it is prohibited for the assignment in question.
- 3.8 **Plagiarism:** Using or representing another's words, idea, works, data, figures, picture, computer program or output, or anything generated by someone else or through Generative AI, as one's own without appropriate attribution. This includes, but is not limited to, representing, either with the intent to deceive or by the omission of the true source, part of or an entire work produced by Generative AI or by someone else, obtained by purchase or otherwise, as one's own original work, or representing the identifiable but altered words, idea, works, data, figures, picture, computer program or output, or anything generated by Generative AI or someone else, as one's own original creation.
- 3.9 **Self-Plagiarism:** Resubmitting one's own, previously-submitted work, which was submitted for credit in a course to fulfill a requirement in a second or concurrent course without proper citation and without informed permission from the instructor to whom one's work is subsequently or concurrently submitted.
- 3.10 **Preponderance of Evidence:** The evidentiary standard used in the analysis to determine whether a student committed Academic or Professional Misconduct. This standard is met when, based on all of the information made available, it is more likely than not that the alleged misconduct occurred.
- 3.11 **Professional Misconduct Sanction:** A violation of the professional ethics, standards, or policies for an academic discipline or profession for which a student is preparing as recognized by the relevant academic program,

including a specific misconduct that exemplifies a student's unfitness for such a profession or academic discipline.

3.12 **Professional Misconduct Sanction:** A penalty or restriction imposed based on a student's Professional Misconduct.

3.12.1 **Course-Level Professional Misconduct Sanction:** A course penalty or restriction imposed by the instructor of the course based on a student's Professional Misconduct.

3.12.2 **Program-Level Professional Misconduct Sanction:** A program penalty or restriction imposed by a Program Director or Department Chair based on a Student's Professional Misconduct.

3.12.3 **University-Level Professional Misconduct Sanction:** A University penalty or restriction imposed by the Academic Integrity and Professional Misconduct Committee based on the egregious nature of the misconduct or an ongoing pattern of Professional Misconduct.

IV. Policy

4.1 Academic Misconduct

4.1.1 To ensure that the highest standards of academic conduct are promoted and supported at the University, students must adhere to generally-accepted standards of academic integrity and avoid engaging in any act of Academic Misconduct.

4.1.2 The University shall consistently hold students accountable for acts of Academic Misconduct, apply appropriate Academic Sanctions, and follow the established protocol and procedures as outlined in Section 6.1 below.

4.1.3 Nothing in this policy shall be construed as a binding contract between the University and any student or associated third party. Rather, this policy outlines the internal operating procedures for resolving student Academic or Professional Misconduct within the University Community.

4.2 Professional Misconduct

4.2.1 To ensure that the highest standards of professional and ethical conduct are promoted and supported at the University, students must adhere to the prescribed professional and ethical standards of the profession or discipline for which the student is preparing, as

adopted or recognized as authoritative by the relevant academic program.

4.2.2 The University shall consistently hold students accountable for acts of Professional Misconduct, apply appropriate sanctions, and follow the established protocol and procedures outlined in Section 6.2.

4.3 Student Rights in the Academic or the Professional Misconduct Process

4.3.1 A student is not required to make any statement or admission regarding the Academic or Professional Misconduct matter under investigation, including in a meeting with the instructor.

4.3.2 A student has a right to present any evidence, supporting witnesses, and other information to the instructor, the Committee, or University official as part of the Academic or Professional Misconduct process.

4.3.3 A student has a right to be advised and accompanied by any one person of the student's choice to any meeting or hearing in the Academic or Professional Misconduct process, but the student must inform the instructor or University official in advance as to who will accompany the student.

4.3.4 A student is entitled to request that a meeting or hearing be paused for one University business week for the student to take advantage of these rights.

V. References – N/A

VI. Procedures

6.1 Student Academic Misconduct Procedures

6.1.1 An instructor who believes a student has engaged in Academic Misconduct will notify the student in writing of a required meeting with the instructor. An instructor is encouraged to consult with their department chair and/or dean in advance of meeting with the student.

6.1.2 At the start of the meeting, the student will be informed by the instructor that an issue of possible Academic Misconduct exists.

6.1.3 The instructor will give the student a copy of University Policy 555, and the instructor will have the student sign an acknowledgement

(attached as an addendum to Policy 555) that the student received a copy of the Policy.

- 6.1.4 The instructor will provide the student with any evidence of possible Academic Misconduct and inform the student of possible Course-Level Sanctions.
- 6.1.5 If evidence is presented by the student that leads the instructor to conclude that a preponderance of evidence does not exist that the student engaged in an act of Academic Misconduct, then the instructor will not proceed further with the allegations.
- 6.1.6 Course-Level Academic Sanctions
 - 6.1.6.1 If the instructor concludes based on a voluntary written admission or based on a preponderance of evidence that supports the finding that the student engaged in an act of Academic Misconduct, the instructor may impose one of the following Course-Level Academic Sanctions that reflects how knowing, intentional, and serious the instructor judges the Academic Misconduct to be:
 - 6.1.6.1.1 Require that the work be redone, an exam retaken, or an alternate assignment substituted.
 - 6.1.6.1.2 Reduce the grade for the assignment, or other academic activity.
 - 6.1.6.1.3 Reduce the grade for the course.
 - 6.1.6.1.4 Issue a grade of “F” for the paper, project, test, exam, or other academic activity in which the misconduct occurred.
 - 6.1.6.1.5 Issue a failing grade for the course.
- 6.1.7 The instructor shall report the case as described in Section 6.1.10 regardless of the sanction imposed.
- 6.1.8 If the student does not respond to the meeting request, the instructor shall request that the Registrar place a registration hold on the student preventing the student from withdrawing from the course until the Academic Misconduct process is completed. If the process is completed after the last date to withdraw and the student is determined not to have engaged in Academic Misconduct, the student may withdraw from the course. The student may not

withdraw from the course if found responsible for Academic Misconduct.

- 6.1.9 If an Academic Misconduct case is underway during a student's final semester, the awarding of the degree may be dependent upon the resolution of the Academic Misconduct case.
- 6.1.10 If the instructor imposes any Course-Level Academic Sanction for Academic Misconduct, the instructor shall notify the student, in writing, of the sanction imposed and shall report the case and all documented evidence, within ten (10) University business days of imposing the Academic Sanction to the Associate Provost for Academic Success, using the online Academic Integrity and Professional Misconduct reporting form.
- 6.1.11 The Associate Provost for Academic Success is responsible for keeping a permanent record of all cases of Academic and Professional Misconduct in the online case management system.
- 6.1.12 If no previous reports of Academic or Professional Misconduct exist, no further action beyond the Course-Level Academic Sanction is taken.
- 6.1.13 If the same student has been found responsible for previous Academic Misconduct or Professional Misconduct, the Associate Provost for Academic Success will notify the Chair of the Academic Integrity and Professional Misconduct Committee. Cases of Academic or Professional Misconduct that are referred to the Academic Integrity and Professional Misconduct Committee shall be set for a hearing consistent with the process outlined in Section 6.3.

6.2 Professional Misconduct Procedures

- 6.2.1 All academic programs with professional standards that when violated may result in sanctions shall provide all students with a written copy of those standards, along with the possible consequences of being found in violation of the professional standards, and the procedure the program shall follow to ensure the student's rights to due process are protected.
- 6.2.2 If an instructor believes Professional Misconduct has occurred within a course or clinical/practical experience, the instructor will notify the student in writing of a required meeting. The instructor is encouraged to consult with the Program Director and/or Department Chair.

- 6.2.2.1 At the start of the meeting, the student will be informed by the instructor that an issue of possible Professional Misconduct exists.
- 6.2.2.2 The instructor will give the student a copy of University Policy 555 along with all program standards and policies that apply, and will have the student sign an acknowledgement (attached as an addendum to Policy 555) that the student received a copy of Policy 555.
- 6.2.3 If evidence is presented by the student that leads the instructor to conclude that the student did not engage in Professional Misconduct, then the instructor will not proceed further.
- 6.2.4 Course-Level Professional Misconduct Sanctions
 - 6.2.4.1 If the instructor determines, either through a preponderance of evidence or the written admission of the student, that the student engaged in Professional Misconduct, the instructor may impose Course-Level Professional Misconduct Sanctions, such as:
 - 6.2.4.1.1 A verbal warning.
 - 6.2.4.1.2 A remediation plan.
 - 6.2.4.1.3 Reducing the student's grade in the course, or in some part of the course.
 - 6.2.4.1.4 Failure in the course.
- 6.2.5 The instructor shall report any Course-Level Professional Misconduct Sanction imposed to the Program Director and Department Chair of the student's program. If the instructor of the course is also the Program Director, the Program Director will report the case to the Department Chair and the Academic Dean.
- 6.2.6 The Program Director and/or Department Chair, when notified of any case of Professional Misconduct, whether by the instructor or by another knowing individual, shall review the case to determine if the Professional Misconduct is serious enough to warrant Program-Level Professional Misconduct Sanctions and shall document the case in the student's program file.
- 6.2.7 If the Program Director or Department Chair determines that a Course-Level Professional Misconduct Sanction is sufficient to

remediate the Professional Misconduct, no further action is taken.

6.2.8 Program-Level Professional Misconduct Sanctions

6.2.8.1 If the Program Director or Department Chair determines Program-Level Professional Misconduct Sanctions are warranted, the student will be given written notice of the Sanction by the Program Director or Department Chair within ten (10) University business days. The student shall be provided with program policies and procedures related to the student's due process rights. Program-Level Professional Misconduct Sanctions may be imposed for repeated incidents of Professional Misconduct or if the Misconduct demonstrates the student's unfitness for the profession/discipline. Program-Level Professional Misconduct Sanctions may include:

6.2.8.1.1 Written warning.

6.2.8.1.2 Imposition of a probationary period.

6.2.8.1.3 Written reprimand.

6.2.8.1.4 Suspension from the program.

6.2.8.1.5 Dismissal from the program.

6.2.9 If the allegations of Professional Misconduct are so serious as to be a threat to the health and well-being of others, or an egregious threat to professional standards, the Academic Dean, or Designee, may take interim measures while the case is investigated. Such measures may include, but are not limited to, the following:

6.2.9.1 Temporarily removing the student from clinical or practical experiences.

6.2.9.2 Temporarily suspending the student from class(es).

6.2.9.3 Temporarily suspending the student from the program.

6.2.10 If the student wishes to discuss and/or appeal the appropriateness of any interim measure(s) imposed, the student may request a meeting with the Academic Dean within three (3) University Business Days of receiving the interim measures notification. If appealing any interim measure imposed, the student must also submit to the Academic Dean prior to, or at the time of, the meeting

a written statement describing the reason(s) why the imposed interim measure(s) is not appropriate. The Academic Dean will review and consider the written statement submitted and the student's statements in the meeting, and subsequently notify the student of the decision as to whether to continue or adjust the interim measure(s) within forty-eight (48) hours of the meeting or receipt of the written appeal, whichever is later.

- 6.2.11 If the Academic Dean imposes interim measures, they must notify the Dean of Students and Associate Provost for Academic Success.
- 6.2.12 Any Program-Level Professional Misconduct Sanction imposed must be reported to the Associate Provost for Academic Success through the online reporting form with copy to the Academic Dean within ten (10) University business days of receiving the case.
- 6.2.13 If the student does not respond to meeting requests of the instructor, Program Director or Department Chair, the instructor and/or Program Director/Chair shall request that the Registrar place a registration hold on the student to prevent the student from withdrawing from the course until the Professional Misconduct process is completed.
- 6.2.14 If a Professional Misconduct case is underway during a student's final semester, the awarding of the degree may be dependent upon the resolution of the Professional Misconduct case.
- 6.2.15 If the Associate Provost for Academic Success determines that the student has been found responsible for previous Academic or Professional Misconduct, the Associate Provost will notify the Program Director and the Academic Dean.
- 6.2.16 The Program Director and Academic Dean may consider previous Academic or Professional Misconduct findings in determining any Program-Level Professional Misconduct Sanctions.
- 6.2.17 If in the judgment of the Academic Dean, the Professional Misconduct is exceptionally egregious and/or constitutes a pattern of ongoing unethical behavior, and if the Program Director or Department Chair has dismissed the student from the Program, the Academic Dean may refer the Professional Misconduct case to the Academic Integrity and Professional Misconduct Committee for a hearing to determine if University-Level Academic Sanctions are warranted.

6.3 Academic Integrity and Professional Misconduct Committee Hearing Process

- 6.3.1 The Academic Integrity and Professional Misconduct Committee shall provide at least five (5) University business days' notice to the respondent student of the date, time, and location of the hearing.
- 6.3.2 If the case involves Professional Misconduct, the committee will include a non-voting member of the faculty who is knowledgeable of the professional standards of the discipline and can advise the Committee on the discipline's professional standards.
- 6.3.3 All hearings are closed to the public.
- 6.3.4 The respondent student shall be permitted to attend the hearing.
- 6.3.5 In cases involving more than one student, the Committee may hear the case as one, but will make independent determinations for each student involved.
- 6.3.6 Both the instructor and/or Program Director (or the complainant) and the student will be allowed to present relevant information to the panel.
- 6.3.7 In situations where the student or the instructor does not attend the hearing, the proceedings will continue as planned using available information.
- 6.3.8 The student may have an advisor present throughout the proceedings. The role of the advisor is limited to "advising" and as such is limited to conferring with the student only.
- 6.3.9 Witness statements may be considered and should be submitted three (3) days prior to the scheduled hearing to be considered by the panel members.
- 6.3.10 Questioning witnesses will be limited to Committee members only.
- 6.3.11 In closed session, the Committee will deliberate the facts of the case and/or determine the outcome of the hearing and/or if University-Level Sanctions are warranted, and if so, what additional sanctions shall be imposed.
- 6.3.12 The student will be notified of the Committee's decision within five (5) business days after the date of the hearing.

- 6.3.13 At least five (5) voting members of the Committee must be present at any hearing, with representation from both students and faculty required at all hearings.
- 6.3.14 If any member of the Committee has a conflict of interest in a particular hearing, either self-disclosed or determined by the Committee Chair, that Committee member will be excused and an alternate from the same category may be appointed by the relevant Vice President or Student Association President.
- 6.3.15 Committee decisions are based on a majority vote of those in attendance at the hearing.
- 6.3.16 University-Level Academic Sanctions that can be imposed by the Academic Integrity and Professional Misconduct Committee include, but are not limited to, the following:
 - 6.3.16.1 A notation on the student's academic transcript that the F grade in a specific course was issued for Academic or Professional Misconduct.
 - 6.3.16.2 Academic or Professional Misconduct probation that imposes conditions on the student's continued enrollment at the institution for a specific period of time.
 - 6.3.16.3 Academic or Professional Misconduct suspension or dismissal from the University for a minimum of one semester following the semester the student is found responsible for Academic or Professional Misconduct. Dismissal from the University shall be reserved for the most serious or egregious repeat instances of Academic or Professional Misconduct.
 - 6.3.16.4 Denial of a degree or certificate for which requirements have been completed or revocation of an awarded student's degree or certificate. Revocation or denial of a degree or certificate is reserved for the most flagrant instances of Academic or Professional Misconduct, including but not limited to, significant plagiarism or large-scale cheating serious enough to negate the legitimate completion of one or more substantive requirements of that degree or certificate or Professional Misconduct serious enough to result in the revocation of a professional license.
- 6.3.17 Decisions to revoke a degree or certificate are final.

- 6.3.18 Permanent records concerning the revocation of a degree or certificate shall be kept in the Registrar's Office and shall be noted on the student's transcript.
- 6.3.19 Relevant external licensing and accrediting agencies shall be notified by the student's Academic Dean or Program Director of a degree or certificate revocation.

6.4 Student Appeal Process for Academic Misconduct

6.4.1 Within ten (10) University Business Days of being notified in writing by an instructor of sanctions imposed for Academic Misconduct, a student may submit a written Notice of Appeal to the Academic Integrity and Professional Misconduct Committee, which has ten (10) University business days to schedule a hearing of the case and shall follow the procedures outlined in Section 6.3.

6.4.2 If the appeal is denied by the Academic and Professional Misconduct Committee, the student has ten (10) University business days to submit a written Notice of Appeal to the Associate Provost for Academic Success, who has ten (10) University business days to take one of the following actions:

6.4.2.1 Accept the decision of the Academic Integrity and Professional Misconduct Committee.

6.4.2.2 Request that the Committee reconsider or clarify specific matters, materials, or issues with a second report regarding the decision relating to the specific matters under reconsideration due not later than ten (10) University business days after the request.

6.4.2.3 Reject all or parts of the Committee's decision, stating reasons and actions to be taken.

6.4.3 Written notification of the Associate Provost for Academic Success's decision and the basis for that decision shall be communicated to the parties concerned within ten (10) University business days after receipt of the appeal.

6.4.3.1 If the appeal is for a Course-Level Academic Sanction, the decision of the Associate Provost for Academic Success is final.

6.4.3.2 If the appeal is for a University-Level Academic Sanction, the student may appeal the decision to the Provost and Vice

President of Academic Affairs, whose decision is final.

6.5 Student Appeal Process for Professional Misconduct

6.5.1 For Course-Level Professional Misconduct Sanctions, the student may make a written Notice of Appeal within ten (10) University business days of being notified to the Program Director, if the Program Director is not the instructor of the course.

6.5.1.1 The Program Director, if not the instructor of the course, shall review the case and all evidence in the case. The Director may choose to meet with the parties involved and any witnesses of to seek clarification or ask for additional documentation or evidence. The Program Director shall provide written notification of the decision and the basis for that decision to the student and all relevant parties within ten (10) University business days after the receipt of the appeal.

6.5.1.2 If the Program Director imposed the sanction or upheld the sanction as imposed by the instructor, the student may make a written Notice of Appeal to the Department Chair who shall investigate the case and all evidence submitted. The Department Chair may choose to meet with the parties involved and any witnesses to seek clarification or ask for additional documentation or evidence. For Course-Level Professional Misconduct Sanctions, the decision of the Program Director or Department Chair is final.

6.5.1.3 The Director or Department Chair shall provide written notification to the student and all relevant parties of the decision and the basis for that decision within ten (10) University business days after receipt of the appeal.

6.5.2 For Program-Level Professional Misconduct Sanctions, the student may appeal to the Academic Dean.

6.5.2.1 The Dean shall investigate the case and may choose to meet with the parties involved, either separately or together, to request clarification, ask questions, or to request additional information or documentation. After investigating the case, the Dean shall provide written notification to the student and all relevant parties of the decision and the basis for that decision within ten (10) business days after receipt of the appeal.

Professional Misconduct Committee no less than thirty (30) University Business Days before the beginning of the next semester. The Committee may:

- 6.6.3.1 Reinstatement the student unconditionally.
 - 6.6.3.2 Reinstatement the student under specific conditions to improve the student's academic conduct.
 - 6.6.3.3 Decline to reinstate the student.
- 6.6.4 The student may appeal the decision of the Committee following the process outlined in Section 6.4.2-6.4.3.
- 6.6.5 If a student is suspended or dismissed from a program for Professional Misconduct, and has not been dismissed or suspended from the University or has been approved for reinstatement to the University, the student may submit a letter of petition to the appropriate Program Director for reinstatement into the program no less than thirty (30) University Business Days before the beginning of the next semester.
- 6.6.6 While reinstatement after dismissal is rare, the Program Director in consultation with the Department Chair may:
- 6.6.6.1 Reinstatement the student unconditionally.
 - 6.6.6.2 Reinstatement the student under specific conditions designed to improve the student's professional conduct.
 - 6.6.6.3 Decline to reinstate the student.
- 6.6.7 Written notice of the Program Director's decision shall be given to the student within ten (10) University Business Days after the receipt of the petition.
- 6.6.8 The student may submit a written Notice of Appeal to the Academic Dean within ten (10) University business days of notification.
- 6.6.9 The Academic Dean shall consider the appeal and issue a decision regarding the student's appeal within ten (10) University Business Days of receipt of the appeal.
- 6.6.10 The Academic Dean may:
- 6.6.10.1 Reinstatement the student unconditionally.

6.6.10.2 Reinstatement of the student under specific conditions designed to improve the student's professional conduct.

6.6.10.3 Decline to reinstate the student.

6.6.11 The Academic Dean's decision is final.

VII. Addenda

7.1 Policy Addendum 555 A: Acknowledgement of Receipt of University Policy 555

Policy Owner: Provost and Vice President of Academic Affairs

Policy Steward: Associate Provost for Academic Success

History:

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