

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: June 14, 2019

REGULATION TITLE:
Student Academic Behavior Standards

REGULATION NO.:
UCF-5.015

SUMMARY OF PROPOSED REGULATION AMENDMENT: This regulation is amended to refine the language explaining what the steps are following an academic integrity formal hearing.

AUTHORITY: BOG Regulation 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:
Michael Gilmer, Director of Student Conduct

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
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Millican Hall, Suite 360
Orlando, FL 32816-0015
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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-5.015 Student Academic Behavior Standards

- (1) The Office of Undergraduate Studies, College of Graduate Studies, Registrar's Office, and the Office of Student Rights and Responsibilities will review this regulation periodically.
- (2) UCF is committed to a policy of honesty in academic affairs. Conduct that comprises a breach of this policy may result in academic action and/or disciplinary action. Academic action affects student assignments, examinations or grades. Disciplinary action could affect student enrollment status.
- (3) Academic misconduct includes but is not limited to cheating, plagiarism, assisting another in cheating or plagiarism, and commercial use of academic materials. Violations of academic

misconduct at the undergraduate and graduate level are listed and defined in the Rules of Conduct (UCF-5.008)

(4) Alleged violations of the UCF Rules of Conduct (Academic Misconduct) shall be reported in writing to the Director of the Office of Student Conduct (OSC) or designee. When an instructor becomes aware of an alleged violation of academic misconduct and before any action is taken, the instructor must document the alleged violation(s) through the Academic Misconduct Report Form (AMR), available at <http://osc.sdes.ucf.edu>. Upon receiving an alleged violation of academic misconduct, the Director of the OSC or designee may review relevant information and consult with relevant parties regarding the incident in question.

- (a) The Director of the OSC will refer all information warranting disciplinary action to the OSC. The OSC will send notification to the student indicating the nature of the activity in question and what university rules were allegedly violated.
- (b) Upon receipt of an AMR form the OSC has six months to charge a student with a violation of academic misconduct. The OSC may exercise discretion when applying the time provision to account for circumstances that warrant a waiver of the six month time limit from the date of discovery.
- (c) Students charged with alleged violations of academic misconduct will receive notice to attend a required preliminary conference with the OSC to discuss the charges. If the student fails to attend the conference, a hold will be placed on the student's record, preventing them from registering for future classes until the matter is resolved. Students who leave the university or withdraw from a class before a disciplinary matter is resolved may be prohibited from future enrollment until the matter is resolved. The student will receive information regarding the student conduct review process, including the student's rights during the process, an opportunity to inspect and/or review the information known at the time charges are prepared, and notice of how to contact the impartial advisor. At the conclusion of the meeting, the OSC will recommend an option for resolution of the academic misconduct charges. These options are case dismissal, informal hearing, or academic formal hearing

(5) Options for Resolution of Academic Misconduct

- (a) **Case Dismissal:** The Director of the OSC or designee may dismiss a case if: the reported case fails to have sufficient facts or information to substantiate the claim of academic misconduct; or the reported violation is not seen to warrant punitive disciplinary action; or the reported behavior reported as academic misconduct is not a violation of the Rules of Conduct. An informal conference may be held where the student may be instructed to complete an educational requirement to demonstrate what was learned from the reported behavior. Upon successful completion of the educational requirement, the reported incident will be dismissed.
- (b) **Informal Hearing:** At the discretion of the OSC, violations found not to warrant a formal hearing may be referred to an informal hearing. At the informal hearing, the charged student has the opportunity to meet with an OSC staff member or designee and accept responsibility for the charges of violation of academic misconduct. At the informal hearing level the matter will be settled by the following outcomes: punitive sanction (disciplinary warning or disciplinary probation) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal hearing process (decision of responsibility and recommended sanctions) are final and are not eligible for appeal.
- (c) **Formal Hearings:** If an alleged violation of academic misconduct is not dismissed or otherwise resolved, then the OSC shall present in writing formal charges to the student. The charged student's formal hearing shall be open only to the charged student/co-charged students involved in the same incident, selected advisor, witnesses (when called upon), and a representative from the OSC. Formal notification shall include:
1. The student's name and address.
 2. Date, time and location of the formal hearing.
 3. The rule(s) of conduct allegedly violated as known at the time formal charges were prepared.
 4. Names of potential witnesses known at the time formal charges were prepared.

5. A description of any physical or written documentation known at the time charges were prepared.
- (d) Academic Integrity Formal Hearings: Students going through the Academic Integrity formal hearing process may elect an Administrative Academic Integrity Formal Hearing or a Panel Academic Integrity Formal Hearing.
1. Administrative Academic Integrity Formal Hearing
 - a. Administrative Academic Integrity formal hearings shall be conducted by one faculty member from the Student Conduct Board. The charged student shall be informed of the hearing officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification. The student shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) business days, the assigned hearing officer shall remain as scheduled.
 - b. At hearings conducted by an administrative hearing officer, an OSC staff member shall act as an advisor to the administrative hearing officer. The Director of the OSC or designee shall receive the administrative hearing officer's proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider any punitive and or educational sanctions proposed by the administrative hearing officer.
 - c. The Director of the OSC or designee may accept the proposed finding(s) of "in violation" or "not in violation" or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of "in violation," they may approve, mitigate or increase the sanctions proposed by the administrative hearing officer.

- d. Any decision by the Director of the OSC or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
2. Academic Integrity Panel Hearings.
 - a. A panel to consider an individual case shall be randomly selected by the OSC from the Student Conduct Board and shall consist of at least one (1) faculty member, one (1) additional faculty or administrative staff member, and two (2) student members. One panel member shall be selected by the OSC to chair the hearing and report the finding(s) and recommended sanctions, if any, to the Director of the OSC or designee.
 - b. For panel hearings, an OSC staff member shall act as an advisor to the panel. The Director of the OSC or designee shall receive the panel's proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider any punitive or educational sanctions proposed by the panel.
 - c. The Director of the OSC or designee may accept the proposed finding(s) of "in violation" or "not in violation" or remand the case for rehearing. If the Director of the OSC or designee accepts the proposed finding(s) of "in violation," they may approve, mitigate or increase the sanctions proposed by the panel.
 - d. Any decision by the Director of the OSC or designee to alter proposed sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
 - (e) Following the Academic Integrity Formal Hearing:
 1. Undergraduate students found "in violation" will be prescribed punitive and educational conduct sanctions appropriate to the findings and recommendations ~~of the academic integrity formal hearing~~. The OSC will report the ~~hearing~~ outcome from the academic integrity hearing back to the instructor of record and department chair. In consultation with the college dean or designee, the instructor and the department chair will determine if

further course or academic action should be imposed. If the undergraduate program recommends further course or program action, the undergraduate program must notify the OSC and Academic Services. Final results of the academic integrity ~~formal~~ hearing and/or course or program action must be made available to the student in writing within fourteen (14) business days following the date of the ~~formal~~ hearing.

2. Undergraduate students found “not in violation” will be notified within fourteen (14) business days. The OSC will report the findings back to the instructor, department chair, and college dean or designee. Students may have proposed course or academic action removed and the instructor may determine a new grade since no violation was found.
3. For graduate students found “in violation”, the OSC notifies the instructor, Associate Dean of Graduate Studies, and the Dean or designee of the Academic College in which the graduate student resides. The college dean or designee will in turn notify the graduate program that a student ~~is in~~~~was found in~~ violation and ask if the program wishes to invoke any program-level academic action(s). The student’s graduate program will determine if program action is necessary. If deemed necessary, recommendation of program action will be made using the *Probation/Dismissal Form* and/or *Conditional Retention Plan*. This information will be forwarded to the College of Graduate Studies. The OSC will be notified if the graduate program recommends additional program action. The results of any ~~formal~~ hearing and/or program action should be available for the student within fourteen (14) business days.
4. For graduate students found “not in violation” of academic misconduct, OSC notifies the instructor, Associate Dean of Graduate Studies and the Dean or designee of the Academic College in which the graduate student resides. The graduate student may have their proposed course or program action removed and the instructor may determine a new grade since no violation was found.

(f) Appeals:

1. Undergraduate or graduate students found “in violation” as the result of an academic integrity formal hearing may appeal the finding(s) and sanction(s) imposed by the Director of the OSC. The appeal must be made in writing to the appellate officer (Provost or designee) within seven (7) business days after the date the student was notified of the decision by the Director of the OSC. Students may appeal the finding and sanction(s) imposed on the basis of one or more of the following:
 - a. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing.
 - b. Discovery of new and significant information that could have affected the outcome of the hearing and which was not known or could not reasonably have been discovered and/or presented at the time of the hearing.
 - c. The sanction(s) are extraordinarily disproportionate to the violation(s).
2. Any decision by an appellate officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
3. The appellate officer should issue a written decision to the student’s appeal within twenty (20) business days of receipt of the appeal. Should the appellate officer require additional time for review beyond the 20 business days, the appellate officer will notify the charged student in writing of the need for additional time. Decisions of the Provost or designee reflect final agency action.
4. Any decision by the Provost or designee to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.
5. Undergraduate students may appeal program sanctions provided by the student’s undergraduate program, per UCF-5.016. Graduate Students may appeal program sanctions provided by the student’s graduate program, per UCF-5.017. Students found “in violation” for academic misconduct are not

eligible for academic appeal regarding the final grade issued by the course of the reported violation.

(6) Z Designation for Undergraduate Student Academic Misconduct

- (a) A Z designation denotes a student was found “in violation” of academic misconduct while enrolled in a course. A Z designation does not affect a student’s grade point average.
- (b) Z designations will remain on a student’s transcript if:
 - 1. The student is found “in violation” of academic misconduct and the punitive sanction is disciplinary suspension for one or more semesters, disciplinary dismissal, or expulsion; or
 - 2. The student is found “in violation” of academic misconduct twice during their UCF academic career.
 - a. The punitive sanction received in either academic misconduct case has no bearing on the Z designation being permanently placed on the student’s transcript.
 - b. A Z designation will be placed in association with both courses in which the student was found “in violation” of academic misconduct.
- (c) If a student is found “in violation” of academic misconduct a Z designation will be placed on their transcript in association with the final course letter grade recorded (ex. ZA, ZB, ZC, ZD, ZF).
- (d) A Z designation will be denoted on the student’s transcript as a ZW if a student withdrew from the course prior to the conclusion of the conduct process and was subsequently found “in violation” of academic misconduct.
- (e) OSC will communicate with the Registrar’s Office to have Z designations placed on student’s transcript following the conclusion of the Conduct Review Process.
- (f) Students have the opportunity to improve the letter grade recorded in association with a course in which they were found “in violation” of academic misconduct through the use of grade forgiveness. The Z designation however will still remain on the student’s transcript.

- (g) A student can attempt to have a Z designation permanently removed through participating in the Community ReEngagement and Educational Development (CREED) Program.
- (h) A Z designation will remove a student from consideration for academic awards and honors (e.g. President's List and Dean's List) for the academic semester in which the violation occurred.

Authority: BOG Regulation 1.001. History – Formerly 6C7-5.0042, Amended 8-10-09, 9-4-12, 10-29-15, 7-28-16, 7-20-17, 1-18-18, 7-19-18, _____-19.