

## 13.99.99.R0.10 Graduate Student Academic Dishonesty



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Revised April 14, 1998  
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### Procedure Statement

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Graduate students at Texas A&M University-Commerce are expected to maintain high standards of integrity and honesty in all of their scholastic work. Faculty and staff are expected to uphold and support student integrity and honesty by maintaining conditions that encourage and enforce academic honesty. Conduct that violates generally accepted standards of academic honesty is defined as academic dishonesty (see definitions). In addition, F-1 and J-1 international students must comply with the Student Exchange Visitor Program regulation related to their visa status.

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### Reason for Procedure

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This procedure outlines the process regarding academic dishonesty as it relates to graduate students.

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### Procedures and Responsibilities

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#### 1 RECORD KEEPING

The Graduate School will maintain the centralized database for tracking charges and adjudication of academic dishonesty pertaining to graduate students. All charges of academic dishonesty pertaining to graduate students should be reported to the Graduate School.

#### 2 CHARGE OF ACADEMIC DISHONESTY

2.1 If a graduate student is accused of academic dishonesty, the faculty or staff member making the allegation is responsible for conferring with the Academic Department Head/Director in which the alleged incident occurred and initiating disciplinary proceedings.

- 2.2 Once a charge of academic dishonesty has been made, the student may not drop the class until the academic dishonesty process has been completed. If a student withdraws from the University while a charge of academic dishonesty is pending, he/she will be blocked from re-enrolling until the matter is resolved using this procedure.
- 2.3 The faculty or staff member must complete the [Graduate Student Academic Dishonesty Form](#) and submit the form to the Dean of the Graduate School and provide a copy to the student, student's major Department Head/Director, and Academic Dean/Director of School, (as soon as is practicable), preferably within ten (10) university business days of discovery of the alleged incident. If the student is a nondegree student, then the Department Head/Director in which the incident occurred will be copied. All documentation, such as copies of exams, papers or other relevant evidence shall be included with this submission. The faculty or staff member should retain all originals.
- 2.4 If the Dean of the Graduate School determines that the student has a previous finding of academic dishonesty on file, the process will immediately be transferred to the jurisdiction of the Academic Dean/Director of School. (See section 2.8)
- 2.5 If the Dean of the Graduate School informs the faculty or staff member that the incident is a first offense, the student accepts responsibility for the charge, and the student and faculty or staff member agree on the penalty, assessment of the penalty concludes the disciplinary action. The student will indicate acceptance of the charge and penalty by completing the decision form provided by the Graduate School. The student will return the completed decision form within ten (10) business days to the faculty or staff member who filed the report. The faculty or staff member will submit the completed decision form to the Graduate School within five (5) business days of the agreement. If no response is received from the student within ten (10) business days, the adjudication will be closed and the report and penalty will be upheld. If the student disagrees, see section 2.6.2.
- 2.6 First Offenses
- 2.6.1 The most common penalty imposed by a faculty member for a first violation is an "F" in the course. Less severe penalties may be imposed if the circumstances warrant. Examples of lesser penalties include:
- 2.6.1.1 A grade reduction for the course;
  - 2.6.1.2 A zero on the assignment;
  - 2.6.1.3 A requirement to participate in extra requirements or training;
  - 2.6.1.4 Some combination of these.

2.6.2 If the student disagrees with the charge or any of the above penalties for a first offense, he/she is entitled to appeal in writing to the Department Head/Director, and then to the Academic Dean/Director of School. The student will indicate his/her disagreement with the charge or penalty by completing the decision form provided by the Graduate School. The decision of the Academic Dean/Director of School regarding the student's appeal of a first offense is final. The Academic Dean/Director of School must include the decision on the Student's Appeal of First Offense of Academic Dishonesty Form, and then submit the form and a copy of the records of the appeal for the first offense to the Dean of the Graduate School (as soon as practicable), preferably within five (5) university business days of the appeal decision.

2.6.3 If the faculty member believes the first infraction is serious enough to warrant a more severe penalty than those listed in section 2.6.1, the faculty or staff member must include the infraction information on the Graduate Student Academic Dishonesty Violation Form submitted to the Dean of the Graduate School. The student will be notified in writing of the charges by the Dean of the Graduate School, and the case will be referred to the Academic Dean/Director of School for further adjudication through the hearing process (see section 3). More severe penalties, including separation (suspension or expulsion) from the University may be imposed by the Academic Dean/Director of School if the facts and circumstances, as determined by the Academic Dean/Director of School via the hearing process (see section 3), warrant such penalties.

## 2.7 Repeat Offenses

When an alleged violation is reported to the Dean of the Graduate School and it is determined that the student has a previous violation on record, the case must be referred to the Academic Dean/Director of School for further adjudication. A second offense may result in separation (suspension or expulsion) from the University. The Academic Dean/Director of School adjudicates all such cases via the hearing process in section 3 and may impose less severe sanctions if the circumstances warrant.

## 2.8 Notification of Charges

The student will be notified in writing of the charges by the Dean of the Graduate School and made aware of the online version of this procedure. A copy of the notification will be sent to the Department Head/Director, Academic Dean/Director of School, and faculty or staff member.

# 3 HEARING BY THE ACADEMIC DEAN

3.1 The Academic Dean/Director of School will schedule a hearing. Advance notice of the time, place, and date of the hearing will be provided to all parties (student accused of academic dishonesty and faculty or staff member making the allegation).

- 3.2 The Academic Dean/Director of School will convene an Academic Dishonesty Hearing Panel consisting of three graduate faculty members and two graduate students from the college/school. The Academic Dean/Director of School will facilitate the hearing, but will not participate in the decision of the Hearing Panel. The Dean of the Graduate School will select one graduate faculty member from the Graduate Council who is also outside of the college to serve on the panel. The Academic Dean/Director of School will select two graduate faculty members with at least one outside the department and two currently enrolled graduate students of the college/school to serve on the panel. The Academic Dean/Director of School will be the hearing officer.
- 3.3 At least three (3) university business days prior to the hearing, all parties must notify the Academic Dean/Director of School in writing of the names of their witnesses, if any, and the subject of their testimony. All Parties must submit to the Academic Dean/Director of School a copy of all documents he/she intends to present at the hearing at least three (3) university business days prior to the hearing. Upon request, the Academic Dean/Director of School will make the information and documents available to the parties.
- 3.4 The University will create a single verbatim audio recording of all academic honesty hearings. Deliberations will not be recorded. The audio recording will be the property of the University.
- 3.5 The student will be afforded an opportunity to state informally or present information in support of his/her case including mitigating circumstances.
- 3.6 The student has the right to hear evidence and ask questions of witnesses either directly or through the hearing officer.
- 3.7 All hearings will be closed to the public.
- 3.8 If an accused student was notified of the hearing and does not appear at the Academic Dishonesty hearing, the information in support of the charges will be presented, considered, and a decision may be made. The Academic Dishonesty Panel may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the hearing. There is no entitlement to these accommodations and they will be determined by the Academic Dean/Director of School. The Academic Dean/Director of School will also make reasonable accommodations to provide access for students with disabilities.
- 3.9 During deliberations, the Academic Dishonesty Hearing Panel members will first identify whether the student is or is not responsible for a charge of academic dishonesty. If the student is found to be responsible for a violation, the Hearing Panel deliberates and decides upon appropriate sanctions. A majority vote by the committee members is necessary for a decision.

- 3.10 The Dean of the Graduate School must be informed in writing of the action taken by the Academic Dishonesty Hearing Panel by submitting the Hearing Adjudication of Graduate Student Academic Dishonesty Form (as soon as practicable), preferably within five (5) university business days. In addition, all documents presented in the hearing and the tape or digital recording will be sent to the Dean of the Graduate School.
- 3.11 The Dean of the Graduate School will notify the student in writing of the Academic Dishonesty Panel decision (as soon as practicable), preferably within five (5) university business days. A copy of the notification will be sent to the Department Head/Director, Academic Dean/Director of School, and faculty or staff member.

#### 4 APPEAL OF DISCIPLINARY ACTION

- 4.1 Within five (5) university business days of notification of the Academic Dishonesty Hearing Panel's decision, the student may file a written appeal for review with the Dean of the Graduate School. The appeal must be in writing and specifically address the issues to be reviewed.
- 4.2 There are three (3) bases for appeal. At least one of the below must be the basis for an appeal:
  - 4.2.1 Substantial new evidence was not available at the time of the original hearing: To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts could not have been known to the student appealing at the time of the original hearing.
  - 4.2.2 A violation of due process rights: To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the accused student a reasonable opportunity to prepare and present rebuttal of allegations.
  - 4.2.3 The finding of responsibility is inconsistent with the facts presented in the hearing: To determine whether the decision reached regarding the accused student was based on a preponderance of the evidence, that is, whether the facts in the case were sufficient to establish that an academic dishonesty occurred.
- 4.3 The Dean of the Graduate School will review the appeal. If either party has requested an appearance or is requested to appear by the Dean, then both parties must be informed. Because the case was heard by a peer group, the intent of the Dean's review is neither to modify the sanction nor to substitute the judgment of the Dean for that of the Academic Dishonesty Hearing Panel, which heard the case, or hear new or additional facts on the case. The intent of this review is to ensure that the college hearing and judgment were not arbitrary, capricious, or discriminatory, did not violate the due process of the accused, and did not violate the concepts of fair play to both parties. The Dean of the Graduate School must notify all parties of the decision.

#### 4.4 Actions which the Dean of the Graduate School may take:

- 4.4.1 The Dean may conclude that one or more of the basic concepts involved in a fair hearing at the college level were violated and return the case to the college/school for another hearing with a different panel; or
- 4.4.2 If, in a rare case, the Dean feels that another hearing in the same college/school would not result in a fair hearing, the Dean may send the case to another college/school with the disciplinary expertise to hold a fair hearing in accordance with the above hearing process and resubmission for Graduate Dean's procedural review; or
- 4.4.3 The Dean may approve the actions and conclusions of the college hearing panel and see that the judgment is enforced. The Graduate Dean's procedural review is the final institutional step in matters of academic dishonesty.
- 4.4.4 The Dean will inform the student in writing of the appeal decision. A copy of the notification will be sent to the Department Head/Director, Academic Dean/Director of School, and faculty or staff member.

4.5 Final jurisdiction of graduate student appeals is with the Dean of the Graduate School.

#### 5 DISCIPLINARY ACTION PENDING APPEAL

Following the notification of intent to appeal and pending the appeal results, any disciplinary action taken by the instructor or Academic Dean will be postponed until the appeal process is complete unless the University has determined in a case involving suspension or expulsion that the continued presence on-campus of the charged student poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process.

#### 6 LIMITS PER CASE

Students are limited to one appeal per case filed against him/her.

#### 7 ADMINISTRATIVE TITLES

Each administrative title used in this document should be read to include "or designee" after the title.

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### **Related Statutes, Policies, or Requirements**

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System Policy [\*07.01 Ethics\*](#)

System Policy [\*15.99.03 Ethics in Research, Scholarship and Creative Work\*](#)

## **Definitions**

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Academic dishonesty includes the commission of any of the following acts. This listing is not, however, exclusive of any other acts that may reasonably be called academic dishonesty.

Clarification is provided for each definition by listing some prohibited behaviors.

**CHEATING:** Intentionally using or attempting to use unauthorized materials, information, notes, study aids or other devices or materials in any academic exercise. Unauthorized materials may include anything or anyone that gives a student assistance, and has not been specifically approved in advance by the instructor.

**COMPLICITY:** Intentionally or knowingly helping, or attempting to help, another to commit an act of academic dishonesty.

**EXAMPLES: ABUSE AND MISUSE OF ACCESS AND UNAUTHORIZED ACCESS:** Students may not abuse or misuse computer access or gain unauthorized access to information in any academic exercise.

**FABRICATION:** Making up data or results, and recording or reporting them; submitting fabricated documents.

**FALSIFICATION:** Manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

**FORGERY:** Making a fictitious document, or altering an existing document, with the intent to deceive or gain advantage.

**MULTIPLE SUBMISSIONS:** Submitting substantial portions of the same work (including oral reports) for credit more than once without authorization from the instructor of the class for which the student submits the work.

**PLAGIARISM:** The appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

**SPECIAL NOTE REGARDING GROUP PROJECTS:** If someone in a group commits academic misconduct, the entire group could be held responsible for it as well. It is important to document clearly who contributes what parts to the joint project, to know what group members are doing, and how they are acquiring the material they provide.

UNIVERSITY RULES ON RESEARCH: Students involved in conducting research and/or scholarly activities at Texas A&M University-Commerce must also adhere to standards set forth in 15.99.03.R1 *Ethics in Research and Scholarship*.

VIOLATION OF DEPARTMENTAL OR COLLEGE RULES: Students may not violate any departmental or college rule relating to academic matters.

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## **Contact Office**

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The Graduate School  
903.886.5163