

## **Faculty Discipline Procedures Concerning Allegations of Academic Offences**

as approved by the Senate on March 26, 2007, amended by Senate April 27, 2009, January 9, 2011, and June 13, 2016

### **Guideline for Evaluators**

An alleged first or later breach of any academic standard by a student should never be dealt with by an evaluator, but in all instances, should be referred to the Academic Integrity Officer in accordance with these procedures. Any attempt by any person or body other than the Senate, the Senate Discipline Committee, or the Academic Integrity Officers to impose a penalty for an alleged offence is null and void and leaves the student still liable to discipline for that offence. Further, a student remains liable to discipline for a suspected offence notwithstanding a failure on the part of an evaluator to report the allegation in accordance with these procedures.

Where an allegation of a breach of academic standards has been made or is pending, the evaluator should not reveal the mark or grade to anyone until the Vice Chair (Student Affairs) has confirmed the disposition of the matter by the Senate Discipline Committee or the Academic Integrity Officer.

The procedures that follow deal with allegations of academic offences and do not deal with violations of the Code of Student Conduct. The purpose of these procedures is to delegate assessment of certain allegations of academic offences to the Faculty level.

### **Academic Integrity Officers**

1. Academic Integrity Officers are associated with the Faculties of Dalhousie University.
2. The Academic Integrity Officer shall act between the student and instructor, and may appear at Hearing Panels of the Senate Discipline Committee or the Senate Appeals Committee to present the case against the student.
3. The Academic Integrity Officer is the Dean of the Faculty. The Dean may further delegate this role to one or more members of his/her academic staff except those who are Senate Officers, who are otherwise involved in the student discipline process, or who otherwise are in a potential conflict of interest relative to this role. Annually the name of the delegate(s) shall be communicated in writing to the Vice-Chair (Student Affairs) who shall report to Senate.
4. The Academic Integrity Officers shall meet as a group with the Senate Discipline Committee (SDC) at least once a year to discuss relevant policy issues and training requirements with a view to maximizing consistency and predictability in the administration of academic offences across the University. Such meetings will be convened and chaired by the Vice-Chair (Student Affairs) or delegate.

## Penalties

5. Penalties shall follow the guidelines contained within the University's Academic Regulations and Section 4 of the Senate Discipline Committee Jurisdiction and Procedures, which are reproduced below for convenience.

“In the case of Integrity Allegations, a Hearing Panel of the Senate Discipline Committee may:

- a. dismiss the allegation; or
- b. impose any of the following:
  - i. notation of the fact of discipline on the offender's transcript for a period of one (1) or more years, but not exceeding five (5) years;
  - ii. repeat of the assignment that triggered the discipline;
  - iii. a failing grade or mark or assessment in the piece of work triggering the discipline;
  - iv. an imposed limit on the grade that can be given for the assignment or class;
  - v. failure of the class;
  - vi. suspension for an academic term or year (to a maximum suspension of three (3) academic years);
  - vii. expulsion from the University;
  - viii. any other remedy of an academic nature that is within the power of Senate to grant.

## Faculty Procedures

6. When an academic offence is suspected, the instructor shall submit a signed statement outlining the basis for the allegation, together with all relevant supporting evidence, to the Academic Integrity Officer of the Faculty which is responsible for the delivery of the course at issue, or in the case of an allegation in relation to a graduate thesis or other non course graduate materials, to the Academic Integrity Officer of the Faculty of Graduate Studies, within 10 working days of becoming aware of the alleged offence, but in any event no later than the deadline for submission of final grades to the Registrar, except in extraordinary circumstances, as determined by the Academic Integrity Officer.
7. Upon receipt of the material from the instructor, the Academic Integrity Officer shall determine whether or not the material supports a *prima facie* case that the student has committed an academic offence. If no *prima facie* case is made out, no further steps are taken in relation to the allegation, and the instructor and student will be so advised in writing.
8. If a *prima facie* case is established, then the Academic Integrity Officer will take the following further steps:
  - a. Check the academic discipline database maintained by the University Secretariat to determine if the student(s) has a record of prior academic offence(s);

- b. With the exception of cases involving 2 or more students facing allegations arising from the same fact situation (“common allegation”) which shall proceed in accordance with paragraph 9, if the student(s) has a record of prior academic offence(s), forward the allegation to the Senate Discipline Committee;
  - c. If the student(s) has a record of prior academic offence(s) but the Academic Integrity Officer is of the view that the Senate Discipline Committee would likely order a penalty that would fall within the range of penalties the Academic Integrity Officer is permitted to recommend (as per paragraphs 12 and 14, below), the Academic Integrity Officer may request of the Senate Vice-Chair (Student Affairs), in writing, that the case be handled by the Academic Integrity Officer rather than be referred to the Senate Discipline Committee. The Senate Vice-Chair (Student Affairs) shall have the discretion to grant such a request;
  - d. If the allegation appears to be a first offence, and in all cases of 2 or more students facing a common allegation, inform the student(s) in writing of the nature of the allegation, the instructor’s statement, the evidence, the procedures to be followed, the possible penalties, and possible sources of advice and support (will be a standard document);
  - e. Convene a meeting with the student(s), the student(s)’s advisor, if any, and the instructor within 5 working days upon receipt of the allegation by the student, which time may be extended at the request of the student, instructor, or Academic Integrity Officer, in appropriate circumstances.
  - f. If the meeting does not take place within the time set out above, the Academic Integrity Officer has the discretion to convene another meeting with the student(s), the student(s)’s advisor, if any, and the instructor. The Academic Integrity Officer also has the discretion to convene additional meetings as may be reasonably required. In the event an initial meeting does not occur within a reasonable time after a *prima facie* case is established, the Academic Integrity Officer shall refer the allegation to the Senate Discipline Committee.
9. Notwithstanding paragraph 8b, in the case of 2 or more students facing allegations arising from the same fact situation (“common allegation”), the Academic Integrity Officer has the authority to convene a meeting with all such students in accordance with paragraphs 8d and 8e and to make findings for all such students under these Procedures, regardless of the fact that one or more of such students may have a record of prior academic offence(s). If the Academic Integrity Officer’s assessment is that there is sufficient evidence to support a finding that a student facing a common allegation has committed an academic offence, for any such student who has no record of prior academic offence(s), subject to paragraph 14, the Academic Integrity Officer shall assess an appropriate penalty for the student in accordance with these Procedures; and for any such student who has a record of prior academic offence(s), the Academic Integrity Officer shall forward the matter to the Senate Discipline Committee for assessment of an appropriate penalty. In such cases, however, the Academic Integrity Officer may seek approval from the Senate Vice-Chair (Student Affairs), to recommend a penalty to students with prior offence(s), in accordance with paragraph 8(c).

10. Following the meeting convened in accordance with paragraph 8, the Academic Integrity Officer shall make a preliminary assessment of whether there is sufficient evidence to support a finding that the student has committed an academic offence, and if there is sufficient evidence, make a preliminary assessment of what penalty would be appropriate in the circumstances. In making the latter assessment, the Academic Integrity Officer shall exercise broad discretion in considering possible mitigating circumstances including but not limited to extraordinary personal circumstances and lack of educational experience. In cases where paragraph 8(c) applies, the Academic Integrity Officer may also consider prior offence(s) when assessing the appropriate penalty.
11. If the Academic Integrity Officer's assessment is that there is insufficient evidence to support a finding that the student has committed an academic offence, s/he shall inform the student in writing with a copy to the Instructor within 5 working days of the meeting. This does not preclude an Academic Integrity Officer from proceeding with the allegation at a later date, should new evidence become available.
12. If the Academic Integrity Officer's assessment is that there is sufficient evidence to support a finding that the student has committed an academic offence, AND that the appropriate penalty for the student's conduct is any of the penalties described in paragraph 5, above, except those listed in subparagraphs vi to viii the Academic Integrity Officer shall provide the student with the option of accepting the finding and the proposed penalty, or of proceeding to the Senate Discipline Committee for a full hearing. The option shall be presented to the student within 5 working days of the meeting, and the student shall have 2 working days to respond. In the event that the student elects to accept the finding and proposed penalty, the Academic Integrity Officer shall so advise the Vice-Chair (Student Affairs).
13. Within 14 calendar days of the Vice-Chair (Student Affairs) being advised of the finding and agreed penalty under paragraph 12, the Vice-Chair (Student Affairs), or in his or her absence, the Chair or Vice-Chair (Academic Programs), and a student Senator appointed by the Dalhousie Student Union shall jointly review the finding and agreed penalty to determine whether the process is consistent with the Faculty Discipline Procedures Concerning Allegations of Academic Offences. If so, they shall ratify the matter on behalf of Senate and the Vice-Chair shall notify the student and the Academic Integrity Officer of such ratification. For ratification to occur, the decision must be unanimous. The finding and agreed penalty shall stand, despite possible insubstantial procedural errors. The Vice-Chair (Student Affairs) shall ensure that the offence is recorded on the Senate Discipline database and that the Registrar and any others are notified of the finding and penalty for immediate implementation. If the Vice-Chair (Student Affairs) and/or the student Senator have any material concerns about the process, the Vice-Chair (Student Affairs) shall consult with the Academic Integrity Officer to determine whether the concerns can be resolved. If the Vice-Chair (Student Affairs) and the Academic Integrity Officer are unable to resolve any concerns, the matter shall be referred back to the Academic Integrity Officer for further consideration under these Procedures, after which the Vice-Chair (Student Affairs) and a student Senator shall jointly re-consider

ratification. Should ratification still not occur, the matter shall be referred to the Senate Discipline Committee for a hearing.

14. If the Academic Integrity Officer's assessment is that there is sufficient evidence to support a finding that the student has committed an academic offence, but that the appropriate penalty for the student's conduct is one of those listed in subparagraphs vi to viii of paragraph 5 of these Procedures, the Academic Integrity Officer shall, within 5 working days of the meeting, notify the student in writing, with a copy to the instructor, that the matter will be forwarded to the Senate Discipline Committee for a full hearing.
15. Should a student request that an allegation be referred back to the Academic Integrity Officer after it has been forwarded to the Senate Discipline Committee, the Academic Integrity Officer has the discretion to grant such a request. A student's request shall be in writing, and delivered to the Vice-Chair (Student Affairs) within 5 working days of the date the allegation letter is sent to the student by the Vice-Chair (Student Affairs).
16. Prior to a hearing by the Senate Discipline Committee of an allegation against a student, the Academic Integrity Officer shall provide a written allegation to the Senate office identifying the evidence initially presented by the instructor pursuant to paragraph 6 and any additional evidence obtained by the instructor in the course of the assessment of the matter. The written allegation shall not include reference to whether or not any meeting(s) did occur pursuant to paragraph 8d or 8e, any statements that may have been made by the student at such meeting(s), or any alternate versions of the facts and circumstances that may have been presented by one or more students at such meeting(s). The student shall have the opportunity to provide a written submission in response prior to the hearing by the Senate Discipline Committee. Notwithstanding the foregoing, in the event of a statement made by a student at a hearing of the Senate Discipline Committee that is inconsistent with a statement previously made by that student in the meeting(s) with the Academic Integrity Officer, then the Academic Integrity Officer may refer to statements that may have been made by the student at such meeting(s).
17. Confidentiality must be maintained by those involved in each case when an academic offence is suspected and the instructor submits an allegation to the Academic Integrity Officer, except as is reasonably necessary to implement the finding and agreed penalty or as required in subsequent disciplinary proceedings related to the same matter.