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Academic Misconduct

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I. REASON FOR THIS POLICY

This policy provides guidance about the procedures to be followed by faculty when dealing with cases of academic misconduct.

II. STATEMENT OF POLICY

At its February 5, 2014, meeting, the University Senate modified its academic dishonesty statement to read as follows:

No credit can be given for a dishonest assignment. A student found to have engaged in any form of academic dishonesty may, at the discretion of the instructor, be:

- A. Given a zero for that assignment.
- B. Allowed to rewrite and resubmit the assignment for credit.
- C. Assigned a reduced grad for the course.
- D. Dropped from the course.
- E. Failed in the course.

The Faculty Handbook requires, at a minimum, that this language be included in every syllabus.

When academic misconduct in any form is confirmed, it must be documented with the Office of Student Rights & Responsibilities.

III. DEFINITIONS

Informal Disposition – Determination whether academic misconduct has occurred or not by mutual consent of the parties involved.

Formal Disposition - Determination whether academic misconduct has occurred or not using the hearing process defined by South Dakota.

IV. PROCEDURES

When academic misconduct in any form is suspected, the first step is to determine with defensible certainty whether or not academic misconduct has in fact occurred. In making that determination, faculty are encouraged to discuss the situation with the student and arrive at an informal disposition, but they can also ask the Director of Student Rights & Responsibilities in the Dean of Students office to do so on their behalf using the informal disposition hearing process outlined in Section 3 (page 13) of [Board of Regents Policy 3.4.1 - Student code of Conduct](#). Informal disposition is final and there shall be no subsequent disciplinary proceedings. If a student refuses to meet with a faculty member, then the case should be referred to the Director of Student Rights & Responsibilities, who will then oversee the informal disposition process.

Until a determination of academic misconduct has been made either as the result of the instructor's conversation with the student or through the hearing process overseen by the Office of Student Rights & Responsibilities, no academic consequence can be assessed against the student. If a determination cannot be made before grades are due at the end of a term, the instructor should assign an "Incomplete" grade to the student.

All interactions or attempted interactions must be documented using the Academic Misconduct Informal Disposition form, available on the Registrar Office's portal page, with copies provided to the instructor, the student, and the Office of Student Rights & Responsibilities. In cases involving graduate or professional students, a copy of the Academic Misconduct Informal Disposition form must also go to the Graduate School, the Sanford School of Medicine, or the School of Law.

If a faculty-student discussion does not lead to an admission of academic misconduct, and the faculty member still believes that misconduct occurred, he/she must assemble any relevant evidence and a description linking that evidence to the alleged act of academic misconduct and send both to the Office of Student Rights & Responsibilities along with the Academic Misconduct Informal Disposition form. The Office of Student Rights & Responsibilities will use the formal disposition hearing process outlined in [BOR Policy 3.4.1](#) to determine whether academic misconduct has occurred. The hearing officers for that process will be faculty members or academic administrators who have been trained by the Office of Student Rights & Responsibilities. If the formal disposition hearing process determines that academic misconduct has occurred, then the faculty member can impose an appropriate academic consequence. If no determination of misconduct is made, then officially no misconduct has occurred.

When the formal disposition hearing process determines that academic misconduct has occurred, the Director of Student Rights & Responsibilities will initiate a separate conduct sanction proceeding under [BOR Policy 3.4.1](#). As a result of this second process, students may face additional sanctions beyond any academic consequences already imposed. The hearing that takes place under this second process will not include any students as members of the student conduct body that considers the case.

Once a determination of academic misconduct has been made and an academic consequence has been imposed, a student may have the right to appeal that consequence under [Board of Regents Policy 2.9.1 – Student Appeals for Academic Affairs](#) if it affects a final course grade or has similar finality. Notification of an appealable academic consequence should be accompanied by an Academic Appeals by Students form that explains the timing and process associated with any academic appeal initiated by the student.

V. RELATED DOCUMENTS, FORMS AND TOOLS

[Academic Misconduct Informal Disposition Form](#)

[Academic Appeals by Students Form](#)

[Board of Regents Policy 2.9.1 – Student Appeals for Academic Affairs](#)

[Board of Regents Policy 3.4.1 – Student Conduct Code](#)