



ACADEMIC HONESTY & COPYRIGHT POLICY

The principles of truth and honesty are expected to be followed in all academic endeavors. This assumes that all work will be done by the person who purports to do the work without unauthorized aid and in an ethical and legal manner. Students are expected to be well-motivated and constructive in their pursuit of learning in the instructional situation.

College attendance is a privilege, not a right; students, by the act of registration, accede to the College the right to require the withdrawal of any student at any time when it is necessary to safeguard the College's ideals of scholarship and character and to secure compliance with its regulations.

Academic dishonesty and copyright infringement are academic misconducts. All students should be familiar with the College's policy on Academic Honesty & Copyright. Copies are available on the College website and in the Office of the Senior Vice President of Academic Affairs / Provost (Berks Hall, Room 315).

Faculty should acknowledge the College Policy on Academic Honesty & Copyright as a component of the course syllabus. In the event of an alleged violation of this Policy, individual instructors are responsible for completing the "Violation of Academic Honesty & Copyright Policy Incident Report" form and forwarding copies to the student, the Instructor's Division Dean, and the Senior Vice President of Academic Affairs / Provost. The Senior Vice President of Academic Affairs / Provost will maintain a central file and monitor all policy violations.

Academic dishonesty shall include, but not be limited to, the following:

I. Plagiarism

Plagiarism is the inclusion of someone else's words, ideas, or data as one's own work without proper attribution of the original source/author of the information. When a student submits work for credit that includes the words, ideas, or data of others, the source of that information must be acknowledged through complete, accurate, and specific references, and, if verbatim statements are included, through the use of quotation marks as well. By placing his/her name on work submitted for credit, the student certifies the originality of all work not otherwise identified by appropriate acknowledgements. Plagiarism covers unpublished as well as published sources. Examples of plagiarism include but are not limited to:

A. Quoting another person's actual words, complete sentences, or paragraphs, or entire piece of written work without acknowledgment of the source.

B. Using another person's ideas, opinions or theories, even if it is completely paraphrased in one's own words without acknowledgment of the source.

- C. Borrowing facts, statistics, or other illustrative materials that are not clearly common knowledge without acknowledgement of the source.
- D. Copying another student's essay test answers.
- E. Copying another student's written work and submitting it, in part or in its entirety, as one's own.
- F. Copying or allowing another student to copy a computer file that contains another student's assignment and submitting it, in part or in its entirety, as one's own.
- G. Working together on an assignment, sharing the computer files and programs involved, and then submitting individual copies of the assignment as one's own individual work when such collaboration has not been expressly permitted.

II. Fabrication

Fabrication is the intentional use of invented information or the falsification of research or other findings with the intent to deceive. Examples include, but are not limited to, the following:

- A. Citation of information not taken from the source indicated. This may include the incorrect documentation of secondary source materials.
- B. Listing sources in a bibliography not directly used in the academic exercises.
- C. Submitting in paper, thesis, lab report, or other academic exercise, falsified, invented, or fictitious data or evidence, or deliberate and knowing concealment or distortion of the true nature, origin, or function of such data or evidence.
- D. Submitting as one's own any academic exercises (e.g., written work, printing, sculpture, etc.) prepared totally or in part by another.

III. Cheating

Cheating is an act, or an attempted act, of deception by which a student seeks to misrepresent that he/she has mastered information on an academic exercise that he/she has not mastered. Examples may include:

- A. Copying from another student's test paper.
- B. Allowing another student to copy from a test paper.
- C. Using the course textbook or other material, such as a notebook brought to a class meeting, not authorized for use during a test.
- D. Collaborating during a test with any other person by receiving information without authority, or collaborating with others on projects where such collaboration is expressly forbidden.

E. Using or possessing specifically prepared materials during a test, e.g., notes, formula lists, notes written on the student's clothing, etc., that are not authorized.

F. Taking a test for someone else or permitting someone else to take a test for you.

G. Using electronic devices for any purpose during a test without permission of the instructor.

IV. Unauthorized Distribution of Copyrighted Material

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

In order to avoid a copyright violation, the student must not only note and acknowledge the author and source of material, but also obtain written permission to use the material from the original author or the person authorized to provide such permission. A copyright to material attaches the moment the document is created and remains in effect for at least 75 years after the author dies. Generally, documents created by the Federal Government fall into a "Fair Use" category and do not need copyright permission, but the works still need appropriate source identification.

If a student is found to have infringed copyrighted materials, he/she may be subject to the College's sanctions and/or disciplinary procedures. In addition, the student may be subject to penalties for copyright infringement, including civil and criminal penalties if challenged by the original author of a work. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement (that is, deliberately using someone else's material and declaring it's your work) a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

V. Other Misconduct

Other misconduct shall include, but not be limited to the intentional violation of College policies, by tampering with grades, or taking part in obtaining or distributing any part of a test without instructor permission. Examples include but are not limited to:

A. Stealing, buying, or otherwise obtaining all or part of any test without permission of the instructor.

B. Selling or giving away all or part of any test including answers to any test.

C. Bribing any other person to obtain any test, including answers to any test.

D. Entering a building or office for the purpose of changing the documentation of a grade on a test or on other work for which a grade is given.

E. Changing, altering, or being an accessory to the changing and/or altering of a grade on a test, a “change of grade” form, or other official academic records of the College which relate to grades.

F. Entering a building or office for the purpose of obtaining any test in advance of when the test is to be administered for the purpose of securing answers or providing advance preparation to specific test questions.

G. Continuing to work on an examination or project after the allotted time has elapsed without permission of the instructor.

VI. Enforcement, Administration, and Penalties

Notwithstanding any other provisions of the Student Bill of Rights and Responsibilities, the procedures in this section apply to cases involving academic dishonesty and/or infringement of copyrighted materials:

A. Upon reasonable belief of a situation of academic dishonesty, the instructor confers with the student or students suspected of academic dishonesty and/or infringement of copyrighted materials. The student is advised of the suspected infraction and the reasons why academic dishonesty and/or infringement of copyrighted materials are suspected. The student is given an opportunity to admit or deny the academic dishonesty and/or infringement of copyrighted materials. If the academic dishonesty and/or infringement of copyrighted materials are not admitted the instructor may make a finding, based on a preponderance of evidence (more likely than not), as to whether or not the student committed academic dishonesty and/or infringement of copyrighted materials.

B. In making such a finding, the instructor considers all credible evidence including, but not limited to, the instructor’s own observations, and those of others, any materials which the student may have been using or attempting to use, and any documents or assignments submitted by the student. The instructor shall give the student an opportunity to be heard, to furnish evidence in rebuttal, and to explain any actions.

C. If academic dishonesty and/or infringement of copyrighted materials is not admitted and/or the evidence is insufficient for the instructor to find that a student committed academic dishonesty and/or infringement of copyrighted materials, the instructor has the right to give a student a substitute assignment if the instructor believes that the grade on the original assignment is not truly representative of the student’s work.

D. If academic dishonesty and/or infringement of copyrighted materials are admitted or if the instructor determines that a student has committed academic dishonesty and/or infringement of copyrighted materials, the instructor may take one of the following actions pending appeals in accordance with this policy:

1. assign a grade of zero (0) for the assignment;
2. assign a grade of "F" for the assignment;
3. give the student a substitute assignment;
4. make a proportional reduction of grade for the assignment;
5. assign a grade of "F" for the course;
6. in instances of a more serious nature, assign responsibility for the appropriate sanction(s) to the Senior Vice President of Academic Affairs / Provost.

E. In addition to the actions taken under section VI, D, 1-5, the instructor may refer the matter to the Senior Vice President of Academic Affairs / Provost:

1. for further disciplinary proceedings by a committee composed of the Senior Vice President of Academic Affairs / Provost, a faculty member appointed by the Academic Affairs Committee of the Governance System, and a student appointed by the Student Government Association; or
2. directly to the Senior Vice President of Academic Affairs / Provost for other appropriate action.

F. If the instructor imposes sanctions (VI, D, 1-5) he/she must notify the student in writing of any findings made and of the action taken within three (3) regular class days (exclusive of Saturdays and Sundays). This notification shall be accomplished by completing the "Violation of Academic Honesty & Copyright Policy Incident Report." This notice contains a brief statement of the reasons for the decision. The notice may be delivered in person, or may be sent by certified mail to the student's last known address, which appears in the files of the Student Records Office. A copy of this notice is sent to the Senior Vice President of Academic Affairs / Provost to be retained for reference purposes.

G. The student is entitled to appeal the instructor's findings, and/or the action(s) taken by the instructor. This appeal must be submitted in writing to the instructor. This appeal must be made no later than three (3) regular class days (exclusive of Saturdays and Sundays) after the instructor gives notice to the student in person or sends such notice by certified mail. A copy of the letter should be given by the student to the appropriate Division Dean. If the student appeals the finding(s)/action(s), then the instructor has three (3) regular class days, (exclusive of Saturdays and Sundays) in which to make a decision on the student appeal. The instructor must notify the student in writing of any findings made and of action taken. The notice may be delivered in person or may be sent by certified mail to the student's last known address which appears in the files of the student Records Office. A copy of this notice is sent to the Senior Vice President of Academic Affairs / Provost to be retained for reference purposes.

H. In the event that the instructor denies the appeal of his or her decision, the student has the right to appeal to a committee composed of the Senior Vice President of Academic Affairs / Provost, a faculty member appointed by the Academic Affairs Committee of the Governance System, and a student appointed by the Student Government Association. This written appeal to the Senior Vice President of Academic Affairs / Provost must be received in the Office of the Senior Vice President of Academic Affairs / Provost no later than three (3) regular class days (exclusive of Saturdays and Sundays) in which to render a decision. The Senior Vice President of Academic Affairs / Provost will notify the student in writing of the Committee's decision. The notice will be delivered in person or may be sent by certified mail to the student's last known

address, which appears in the files of the student Records Office. A copy of this notice will be retained by the Senior Vice President of Academic Affairs / Provost. A copy of this decision will be sent to the instructor. The decision of the Committee is final.

Sanctions

Students who have a prior record of offenses regarding academic dishonesty will be subject to disciplinary procedures as well as instructional sanctions. The committee described in section H above shall have the discretion to impose the following types of discipline:

Probation: Exclusion from participation in privileges or extracurricular College activities as set forth in the notice of probation for a specified period of time. If a student, while on probation, violates any of the terms set forth in the notice of probation or violates the Code of Conduct, as determined after the opportunity for a hearing, he/she shall be subject to further discipline in the form of suspension, dismissal or expulsion;

Suspension: Exclusion from classes and exclusion from other privileges or activities or from the campus as set forth in the notice of suspension, for a definite period of time, with reinstatement thereafter dependent on a showing of observance during the period of suspension of the terms set forth in the notice of suspension. If a student, while on suspension, violates any of the terms set forth in the notice of suspension or violates the Code of Conduct while on the campus of the College or in relation to a College-sponsored activity, as determined after the opportunity for a hearing, he/she shall be subject to further discipline in the form of dismissal or expulsion;

Dismissal: Termination of student status for an indefinite period. The student may be readmitted to the College only with the specific approval of the sub-committee on reinstatement (Academic Affairs Committee) and the College President. If a dismissed student violates the Code of Conduct while on College property in relation to a College-sponsored activity, he/she shall be subject to further discipline in the form of expulsion;

Expulsion: Permanent termination of student status without possibility of readmission to any campus of the College.

Disciplinary Procedures

The procedures are designed to assure procedural fairness in student conduct cases, and offer procedures appropriate to the nature of the case and the severity of the potential discipline.

Note:

1. Any incident pertaining to cheating or plagiarism and/or infringement of copyrighted materials shall be documented by the instructor in writing and recorded in the Office of the Senior Vice President of Academic Affairs / Provost.
2. No information pertaining to the offenses or sanctions imposed by the instructor shall be disclosed to any external agencies.
3. Any member of the College community may charge any other member with academic dishonesty and/or infringement of copyrighted materials. However, the charge must be filed in writing in the Office of the Senior Vice President of Academic Affairs / Provost within three (3) regular class days (exclusive of Saturdays and Sundays) of the date that the alleged violation was discovered.

4. Students are permitted to continue to attend class until all internal appeals have been exhausted.

Approved by the President May 2, 2018

Approved by the Senior Vice President of Academic Affairs/Provost May 2, 2018

Approved by the Academic Affairs Committee April 27, 2018