Policy 304: Academic Integrity CodeCategory: Instruction and Student Affairs

Covered Individuals: Faculty and Students

Approved: 9/26/22 Formerly Approved: 5/24/22

**304.1 Policy**

**Academic Integrity** is a core principle of higher education and a fundamental obligation of all members of the **College Community**. All College of Eastern Idaho Community College (“College”) **Students** are expected to familiarize themselves with this **Academic Integrity Code** (“**Code**”), to understand their **Academic Integrity** obligations, and to conduct themselves honestly and honorably in their **Academic Work**.

The primary goal of all processes undertaken in accordance with this **Code** and any **Integrity Code Sanctions** issued to **Students** shall be educational and corrective, focused on fostering a greater understanding of and appreciation for one’s academic responsibilities to the College and to one’s own education. **Academic Integrity** proceedings shall only be conducted as **Disciplinary** matters when **Major Academic Violations** are at issue.

**304.2 Definitions**

**Academic Dean**: The College Employee with primary administrative authority over the academic and instructional operations of a specific academic unit, subject, or program of study at the College.

**Academic Discipline**: A specific punitive consequence to a Student as a result of a Major Academic Violation that could result in the issuance of the most serious Integrity Code Sanctions to the Student, including, but not limited to, Suspension or Expulsion from the College.

**Academic Integrity**: The adherence to intellectual honesty and authentic, responsible scholarship in one’s Academic Work at the College.

**Academic Integrity Meeting**: The meeting between the Respondent and the Code Decisions-Maker to discuss the Complaint and the Respondent’s alleged Academic Integrity violation, as well as any evidence in support of the alleged violation, at which the Respondent has an opportunity to respond to the allegations in the Complaint and the evidence in support of those allegations and to present additional evidence.

**Academic Work**: All work product submitted to the College by a Student for a grade, academic credit, or official evaluation by the College, including, but not limited to, class assignments, examination responses, essays, reports, projects, research results and/or analyses, presentations and/or presentation materials, and artistic works.

**Aggravating Factor**: Any evidence or information that might warrant addressing an alleged Academic Integrity Code violation as Major Academic Violation or justify imposing a harsher Integrity Code Sanction for a particular violation, including, but not limited to, a history of prior violations; whether the violation demonstrates callous disregard or disrespect for an Instructor, other Students, the principles of Academic Integrity, or the College; and whether the Student demonstrates a lack of remorse or refuses to accept personal responsibility for the violation.

**AP**: Administrative Procedure.

**Appeals Director**: Appropriate Division Dean if the initial Code Decision Maker was or had been the Department Chair. Vice President of Academic & Student Affairs if the initial Code Decision Maker was or had been an Appropriate Division Dean.

**Appeals Executive**:Vice President of Academic & Student Affairs if the Appeals Director was or had been the appropriate Division Dean, or President of the College if the Appeals Director was or had been the Vice President of Academic & Student Affairs.

**Appellant**: A Complainant or Respondent appealing a decision of and/or Responsive Action issued by a Code Decision**-**Maker in accordance with the Academic Integrity Code appeal procedures.

**Appellee:** A Code Decision-Maker, Responden**t**, and/or Complainant responding to an Appellant’s appeal of a decision made and/or Responsive Action issued by a Code Decision**-**Maker.

**Bribe**: Either 1) Anything of value offered, promised, or given to a College Employee with the intention of influencing that Employee’s official decisions or actions, including, but not limited to, money, tangible goods, services, or information, or 2) the act of offering, promising, or giving a College Employee anything of value with the intention of influencing that Employee’s official decisions or actions.

**Business Day**: The time ranging between 8:00 a.m. and 5:00 p.m. on a day when the College conducts Ordinary College Operations, excluding Saturdays and Sundays, any officially recognized College holidays, and any other day the College is officially closed for any reason.

**Clear and Convincing Evidence**: A decision-maker must have a firm belief that, based on the evidence available, it is highly probable a Student engaged in the conduct alleged in the Complaint in violation of the Academic Integrity Code. Clear and Convincing Evidence is a higher evidentiary standard than a Preponderance of the Evidence.

 **Clearly Erroneous**: Being or containing a finding of fact that is not supported by substantial or competent evidence or by reasonable inferences.

**Code Decision-Maker**: An Employee or third party retained by the College (*e.g.*, a consultant or attorney) and designated by the college (either by the Code or the Vice President of Academic & Student Affairs) empowered to enforce the Academic Integrity Code, to conduct Academic Integrity Meetings, to decide if Students have violated the Code, and, if so, to determine an appropriate Integrity Code Sanction.

**College Campus**: Each College Campu**s**, education center, adult learning center and any other facility where Students normally receive instruction from the College or where Ordinary College Operations are normally conducted.

**College IT Systems**: All College-owned or -controlled telephones, computers, software, network devices, servers, printers, and other College-owned or -controlled technology equipment, including both hardware and software, as well as the College’s website “cei.edu,” any email with a “cei.edu” domain name, and/or any information stored or transmitted on College servers.

**College Property**: Any College Campus, building, or grounds owned, leased, operated, or controlled by the College, as well as any structures, improvements, or equipment thereon.

**College Sponsored Activity**: Any event, activity, or endeavor officially approved by the College, on- or off-campus College Property, which is organized, initiated, aided, or supervised by the College’s administration or official organizations.

**Collusion**: Facilitating academic dishonesty and/or intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.

**Complainant**: An individual who brings a Complaint alleging to have been subjected to or injured by a Student’s violation of this Academic Integrity Code or who is responsible for a College Sponsored Activity during which a Student committed an alleged violation of this Academic Integrity Code.

**Complaint**: A formal, written allegation that a Student has violated the Academic Integrity Code.

**Confront**: To oppose directly and contemporaneously, generally in person and face to face, but, at a minimum, in a manner in which one can hear and view the testimony of others against oneself as it is being given.

**Corrective Academic Action**: means a non-punitive consequence of a Student’s Academic Integrity Code violation, focused on educational measures intended to help Students learn from the experience and better understand the importance of Academic Integrity and the College’s Academic Integrity expectations. Corrective Academic Action is not Disciplinary and will not result in the Student’s Suspension or Expulsion.

**Dean of Student Affairs**: The College’s Dean of Student Affairs, individually and as an administrative office of the College, or the Dean’s designee.  In the event of a College administrative reorganization prior to a revision of this Code, “Dean of Student Affairs” shall include a College administrator with duties and responsibilities equivalent to those of theDean of Student Affairsas of the effective date this Code, or the Dean’s designee. *(This office may sometimes be referred to as the Dean of Students.)*

**Department Chair**: A full-time faculty member or other College Employee who serves as the academic leader of a specific academic department and the immediate supervisor of Instructors within that department under the authority of an academic Dean or a director of adult basic education.

**Discipline or Disciplinary or Disciplinary Sanction:** A punitive consequence to a Student as a result of the Student’s Major Misconduct that could result in the Student’s Suspension or Expulsion from the college.

**DRC**: The College’s Disability Resource Center.

**Employee**: Any person employed by the College on a full-time, part-time, temporary, or regular basis or directly engaged in the performance of work under the provision of a contract with the College.  This definition does not include unpaid Volunteers.

**Examination**: A test, quiz, or other official assessment, evaluation, or measurement in any format (e.g., in writing, verbally, on a computer), scored or unscored, of a Student’s individual knowledge, skill, aptitude, proficiency, preparedness, or appropriate academic placement.

**Expelled or Expulsion**: The complete and permanent separation of a Student from the College.  An Expelled Student is barred from all College Property and College Sponsored Activities, will be withdrawn from all classes, and will not receive credit for those classes or a refund of any tuition.  A Student who has been Expelled is ineligible to petition the College to be allowed to re-enroll at a later date.

**Fabrication**: Intentional and/or unauthorized falsification or invention of any information or the source of any information in an academic exercise. Fabrication includes, but is not limited to, citing a source that does not exist, creating fake information, words, or data and stating the fake information, words, or data is from an official author or source, stating that results come from an author or source when the original author or source did not claim those results, citing an author or source in a reference section or bibliography section when the author or source is not referenced in the assignment, purposely changing the meaning or application of data, words, or information from another source or author.

**Identity Misrepresentation**: The use of false, stolen, or borrowed identification materials (e.g., driver’s license, username/passwords) to obtain admission to CEI, access to student financial aid, access to CEI programs, assessments and other activities, unauthorized access to computer accounts, unauthorized access to a remotely proctored exam, or unauthorized access to the CEI learning management system.

**Innocent or Innocence**: The established facts clearly and convincingly prove with certainty that a Student did not violate the Academic Integrity Code.

**Instructor**: An adjunct or full-time faculty member at the College or an Employee providing educational services in continuing education, early college, workforce development, adult basic education, and developmental education classes.

**Integrity Code Sanction**: Any Corrective Academic Action or Academic Discipline imposed on a Student by the College as a result of the Student accepting responsibility or being found responsible for an Academic Integrity Code violation.

**Knowingly**: Done in a way that a Reasonable Person would believe shows forethought, deliberate action, or an intention for an outcome to occur.

**Legal Professional**: A non-Attorney who 1) holds a Juris Doctor (“JD”) or equivalent degree; 2) is licensed to practice law in a non-U.S. jurisdiction; or 3) is currently or formerly employed (including by retirement) as, or who has received education or training to become, a paralegal, judge, administrative law judge, magistrate, justice of the peace, or hearing officer.

**Lesser Academic Violation**: Any Academic Integrity Code violation that does not rise to the level of a Major Academic Violation and warrants a Corrective Academic Action, rather than Academic Discipline.

**Major Academic Violation**: A serious Academic Integrity Code violation that could result directly in a Student receiving Academic Discipline, up to and including Suspension or permanent Expulsion from the College, or the withholding or revocation of the Student’s degree or certificate.

**Material Error in Process**: A significant mistake or omission in administration of the Academic Integrity Code that a Reasonable Person could find affected, or likely could have affected, the final outcome of a complaint proceeding or otherwise made the proceeding fundamentally unfair.

**Mitigating Factor**: Any information or evidence presented to a Code Decision-Maker that might warrant addressing an alleged violation as Lesser Misconduct or justify a lesser Responsive Action, including, but not limited to, whether the Student admits to or accepts personal responsibility for the violation, lack of prior violations, personal circumstances that might explain but not excuse the violation (e.g., severe stress or provocation), and whether the Student demonstrates genuine regret or remorse.

**Ordinary College Operations**: All day-to-day business and other functions of the College, including, but not limited to, academic instruction, administrative services, student life, performance of employment responsibilities, facilities maintenance and grounds-keeping, creative activity, community events, campus safety and security, and the maintenance of a College-wide environment that is open, accessible, and welcoming to the Falcon Community.

**Plagiarism**: The use or representation of someone else’s work, words, or ideas in any form and from any source, with or without that person’s consent, as if they were one’s own Academic Work, including by incorporating them into one’s Academic Work without proper attribution, citation, or acknowledgement. Plagiarism includes, but is not limited to:

1. Direct Plagiarism: copying others’ ideas, words, or data without citing, quoting, or referencing the author or source;
2. Incidental (accidental) Plagiarism: this happens when a student uses another person’s words, ideas, or data, but does not cite, quote, or reference them appropriately;
3. Paraphrased Plagiarism: this happens when a student uses his or her own words to describe ideas, words, or data from another person or source without citing or referencing that person or source;
4. Plagiarism Mosaic: this happens when students borrow words, ideas, or data from another person or source. Then the student combines those words, ideas, or data into his or her own writing without citing or referencing the original author or source;
5. Insufficient Acknowledgment: partial or incomplete referencing of another person or source when borrowing words, ideas, or data from that person or source.
6. Self-Plagiarism: When a student reuses a work or assignment in its entirety that they have previously created, or reuses a portion of a work or an assignment they have previously created in the creation of a new work/assignment. If this is done, it must be done with permission from the instructor, and with proper attribution, citation, or acknowledgement.

**Preponderance of the Evidence**: The decision-maker must determine that, based on the available credible information, it is more likely than not (i.e., there is a greater than 50% chance) a Student engaged in the conduct alleged in a Complaint in violation of the Academic Integrity Code.

**Probation**: A Student has been formally warned that any violations of the Academic Integrity Code during a specified period of time will likely result in a Disciplinary Sanction.  A Probationary period may be for one or more semesters or may last indefinitely.  Probation itself is not a Disciplinary Sanction.

**Reasonable Person**: A hypothetical adult with average sensibilities and an ordinary degree of intelligence, common sense, emotional maturity, prudence, care, and foresight.

**Recklessly:** if the student intentionally violates the Academic Integrity Standards, knowing that this violation constitutes a gross deviation from the standards which a reasonable person would exercise in the situation.

**Reprimand:** A formal written notice to a Student that the Student engaged in unacceptable conduct in violation of the Code that must be corrected and/or not repeated.

**Respondent:** The Student who is alleged in a Complaint to have violated the Academic Integrity Code.

**Restorative Justice**: Any method of addressing and correcting Academic Integrity Code violations that provides an alternative to traditional punishments by focusing on accepting personal responsibility, making amends to individuals or institutions who have been harmed, and developing a stronger sense of one’s identity and role as a member of the Falcon Community.

**Retaliation:** Adverse action taken against any participant in the Academic Integrity Code process because of that person’s participation in the process.

**Student(s)**: Any person who is currently registered for or enrolled in any course(s) at the College on either a full-time, part-time, or clock-hour basis, as well as any person currently registered for or participating in continuing education, early college, workforce development, adult basic education, or developmental education classes through the College.

**Support Person**: A person assisting or supporting a Student during a Code Resolution Meeting or appeal meeting, including, but not limited to, an Employee; a parent, sibling, or other relative; or a religious or spiritual leader.  A Support Person may not speak or assist during Code-related proceedings but may be present as a silent advocate. A Support Person may speak with the party he or she is supporting during the Code Resolution Meeting, providing the consultation is not disruptive to the meeting. The Code Decision Maker may ask the Support Person and Respondent or Complainant to cease disruptive speech or behavior, and may take any measures deemed necessary to address that disruptive speech or behavior.

**Suspend or Suspended or Suspension**: The temporary complete separation of a Student from the College for any length of time.  A Suspended Student will be withdrawn from all classes and will not receive credit or a tuition refund for those classes (exceptions may be made by the College President or Vice President only) Once suspended, a Student may not enroll in any classes at the College, is barred from all College Property, and may not attend any College Sponsored Activity (unless specific arrangements have been made through the Office of the Dean of Student Affairs).  Students who complete all required conditions of their Suspensions may return to the College at the end of their Suspension period, although they may be required to comply with certain ongoing conditions after they return.

**Volunteers:** Any person who has officially filled out a volunteer form in the CEI Human Resources office and is officially volunteering in any capacity at the college.

**304.3 Procedures**

This **Code** applies to all **Students** who have applied for admission to or are currently enrolled in classes at the College, including online classes.

1. All **Academic Integrity** proceedings are confidential matters between the College and the **Students** alleged to have engaged in **Academic Integrity** violations. **Third-parties** have no right to participate in or receive information about such proceedings, even if they have reported alleged violations.
2. This **Code** is not intended and may not be used to address grade disputes or other differences of opinion about **Instructors**’ assessments of **Students**’ **Academic Work**.
3. Nothing in this **Code** shall limit the ability of **Instructors**, **Department Chairs**, or **Academic Deans** to include additional **Academic Integrity** obligations on syllabi for specific courses, provided the additional obligations are consistent with this **Code** and part of an approved syllabus.
4. Additional **Academic Integrity** **Code**s for Specific Academic Programs. Specific academic programs (*e.g.*, Nursing, General Education) may adopt additional **Academic Integrity Code**s tailored to a particular program’s needs, provided they are consistent with this **Code**, in writing, approved by the Vice President of Academic & Student Affairs or their designee, distributed to applicable **Students** or published where **Students** can easily find them, and subject to regular review and revision not less than every three (3) years.
5. **Chairs**, or **Academic Deans** have the rightto include additional **Academic Integrity** obligations on syllabi for specific courses, provided the additional obligations are consistent with this **Code** and part of an approved syllabus.

**304.4 Student Rights and Responsibilities**

1. All Students
2. **Students** have the right to be informed of and have easy access to this **Academic Integrity Code**. All **Students** are expected to familiarize themselves with the **Code**. Ignorance of the **Code** is not a defense to any **Academic Integrity** violation.
3. Although all members of the **College Community** are ultimately responsible for their own actions, **Students** have the right to expect that the College will endeavor to provide an educational environment that promotes **Academic Integrity**.
4. **Students** have the right to expect that the College will endeavor to assist them in developing good **Academic Integrity** practices and correcting those practices that do not comply with the College’s expectations.
5. All **Students** are required to participate in and answer questions truthfully during the **Code** process. **Code Decision-Makers** may infer from a **Student Respondent**’s refusal to participate or answer questions that the **Respondent** engaged in the violation as alleged in the **Complaint**.
6. **Students** have the right to be free from **Retaliation** in any form for participating in the **Code** process.
7. Students Alleged to Have Engaged in Academic Integrity Violations Have the Right:
8. To be treated with respect and dignity;
9. To have **Academic Integrity** proceedings administered by objective, neutral, and knowledgeable College **Employees**;
10. To an **Academic Integrity** process that causes as little disruption as practicable;
11. To defend oneself against allegations of **Academic Integrity** violations;
12. To be informed of and have an opportunity to respond to any evidence in support of allegations that one engaged in an **Academic Integrity** violation and to present evidence in one’s defense against those allegations;
13. To have one’s privacy and confidentiality respected to the extent possible under applicable law and College policy;
14. If alleged to have engaged in a **Major Academic Violation**, to **Confront** any witnesses who testify in support of those allegations;
15. To be treated neutrally and to have judgment on the **Complaint** withheld until a final decision is made;
16. To an opportunity to have a Support Person present during **Academic Integrity Meetings** and any subsequent appeal meetings regarding alleged **Major Academic Violations** for which **Academic Discipline** may be imposed;
17. To have a **Complaint** resolved in a timely manner;
18. To a decision that is free from prejudice and bias and based on credible, relevant evidence;
19. To receive timely written notice of the decision, including a summary of the facts on which the decision was based;
20. To an opportunity to make any available appeals.

**304.5 Distinguishing Between “Lesser” and “Major” Academic Integrity Violations**

**Students** accused of the most serious **Academic Integrity** violations are entitled to more formal **Disciplinary** proceedings than those accused of less serious violations, because the possible consequences to **Students** for the most serious violations are significantly greater. Accordingly, the College distinguishes between **Lesser Academic Violations** and **Major Academic Violations** when conducting **Academic Integrity** **Code** proceedings.

1. **Code Decision-Makers** have the discretion to decide whether to address alleged **Academic Integrity** violations as **Lesser Academic Violations** or **Major Academic Violations**. Such decisions shall be based on specific **Aggravating Factors**, **Mitigating Factors**, and other relevant circumstances, including, but not limited to, an accused **Student**’s history of prior **Code** violations, the severity or pervasiveness of the alleged violations and their impact on other members of the **College Community**, whether the **Student** is accused of engaging in the alleged violations **Knowingly** or **Negligently**, and whether the accused **Student** is alleged to have engaged in multiple **Academic Integrity** violations.
2. **Lesser Academic Violations** are appropriately addressed with **Corrective Academic Action** and do not warrant **Academic Discipline**. **Student**s alleged to have engaged in **Lesser Academic Violations** may not be accompanied by a **Support Person** during **Code** proceedings, and neither decisions that **Students** engaged in **Lesser Academic Violations** nor the **Corrective Academic Action** issued to those **Students** can be formally appealed, although **Students** may request review of **Corrective Academic Action** that directly affects a **Student**’s grade or course credit.
3. **Major Academic Violations** includes the most serious violations of the **Code** that could result in **Integrity Code Sanctions** up to and including **Suspension** or **Expulsion** from the Collegeor the withholding or revocation of a degree or certificate.
4. **Students** alleged to have engaged in **Major Academic Violations** may be accompanied by a **Support Person** of their choosing. **Students** may not be accompanied by a **Support Person** at any other time during the **Code** process.

**304.6 Required State of Mind for Academic Integrity Violations**

1. Unless specified otherwise, **Students** violate this **Code** if they engage in prohibited acts or omissions **Knowingly,** **Negligently, or Recklessly**.
2. Acts and omissions that a **Reasonable Person** would consider good-faith mistakes under the circumstances do not violate this **Code**.

**304.7 Specific Academic Integrity Violations**

**The following acts and omissions by Students constitute Academic Integrity violations under this Code and are prohibited:**

1. **Collusion** with or Copying another **Student**’s **Academic Work** or answers from another **Student**’s **Examination** or allowing one’s own **Academic Work** or answers to **Examination** questions to be copied by another **Student**;
2. Using materials during an **Examination** that were not explicitly authorized by one’s **Instructor**, the **Examination** proctor, Office of Disability Resources, or another authorized College Employee.
3. Collaborating with another person, including another **Student**, during an **Examination** or on other **Academic Work** without explicit authorization;
4. Soliciting, buying, or accepting the **Academic Work** of another, or offering, selling, or providing one’s own **Academic Work** to another **Student**, without explicit authorization from the College;
5. Using, soliciting, buying, selling, offering, providing, uploading/downloading to the Internet, or accepting the contents (i.e., questions and/or answers) of any College **Examination** or faculty member’s intellectual property not specifically released by an authorized College official;
6. Taking or offering to take an **Examination**, or contributing or offering to contribute to **Academic Work**, for another **Student** or permitting or soliciting anyone to take an **Examination** or contribute to **Academic Work** in one’s place;
7. Bribing or offering a **Bribe** to a College **Employee** in order to obtain a passing score or improved grade on an **Examination** or **Academic Work**, or for a course;
8. **Fabricating** or knowingly falsifying, misstating, creating fake information, words, and data, or misrepresenting, facts, events, or sources on **Academic Work**;
9. Engaging in **Plagiarism**;
10. Submitting the same or substantially similar **Academic Work** in a course that one previously submitted in a different course for a grade or for academic credit without receiving explicit permission to do so from one’s current **Instructor**;
11. **Identity Misrepresentation** by the use of false, stolen or borrowed identification materials (e.g., driver’s license, username/passwords).
12. Signing an attendance sheet for another **Student** or Knowingly allowing someone else to sign an attendance sheet for oneself, or otherwise participating in gaining credit for attendance for oneself or for another **Student** without actually attending;
13. Knowingly falsifying or misrepresenting reported hours, work, or activities as part of an internship, externship, field experience, clinical activity, independent study, or similar academic experience.

**304.8 Reporting Suspected Academic Integrity Violations**

1. Any member of the College Community may report a suspected violation of the **Academic Integrity** **Code**.
2. Persons may report suspected **Code** violations directly to the course **Instructor** of the **Student** suspected of the violation, if known. Reports may also be submitted to the **Department Chair** or **Academic Dean** with authority over the course or **Examination** (*e.g.*, a placement exam) in which the violation allegedly occurred.
3. If the **Student**’s **Instructor** or the applicable **Department Chair** or **Academic Dean** is unknown, suspected **Code** violations may be reported by submitting an Incident Report via the college self-reporting tool, Maxient. (<https://cm.maxient.com/cei>).Suspected **Academic Integrity** violations should not be reported to the **Dean of Students.**
4. The College expects a suspected **Academic Integrity** violation to be reported as soon as possible, preferably within ten (10) days. The longer one waits to report a violation, the more difficult it may be for the **College** to address it properly. Accordingly, the **College** may decline to pursue a suspected **Academic Integrity** violation if so much time has passed since the alleged conduct that the College can no longer investigate effectively.
5. Reporting suspected **Academic Integrity** violations will require the following information (if known):
6. The name and contact information of the person submitting the report;
7. The name(s) of the **Student**(s) and any other person(s) involved in the suspected violation;
8. The date of the suspected violation;
9. The course name, course number, and section number (if applicable) of the course in which the violation is suspected to have occurred;
10. A description of the suspected violation;
11. A list of any known documents or other evidence relating to the suspected violation (e.g., emails, text messages, **Academic Work**, etc.).
12. Confidentiality and Anonymity
13. Persons reporting suspected **Academic Integrity** violations may request that their reports remain confidential. The College will endeavor to honor requests for confidentiality, although doing so may seriously limit the College’s ability to investigate and respond appropriately.
14. Anonymous reporting is available through the Maxient reporting tool.

**304.9 Who May Be a Complainant**

1. Violations of the **Academic Integrity** **Code** are offenses against the entire **College Community**, rather than against any one specific person. Regardless of who reports a suspected **Academic Integrity** violation, the **Complainant** in a **Code** proceeding will generally be a College Employee, bringing the **Complaint** on behalf of the College (e.g., “**Complainant**: [**Employee**’s name], [**Employee**’s title], on behalf of the College of Eastern Idaho.
2. **Instructors** have the responsibility to respond appropriately to **Academic Integrity** violations that occur during or as part of their classes, as well as violations **Instructors** identify themselves. Accordingly, a **Student Respondent**’s **Instructor** will generally be the **Complainant** in a **Code** proceeding.

**304.10 Conducting Academic Integrity Code Proceedings**

1. Selecting the **Code Decision-Maker**
2. For most **Complaints** alleging **Lesser Academic Violations**, the **Student Respondent**’s **Instructor** shall be the **Code Decision-Maker**, as well as the **Complainant**. If an Instructor is unable to be the **Code Decision-Maker**, the **Appropriate Academic Dean** of the applicable **Academic Discipline** shall designate another **Instructor** to conduct the **Code** proceeding.
3. For most **Complaints** alleging **Major Academic Violations**, the **Code Decision-Maker** shall be the **Appropriate** **Academic Dean** or their designeeof the academic unit or subject from which the **Complaint** arises. If the **Appropriate Academic Dean** determines that the violation alleged in the **Complaint** should not be addressed as a **Major Academic Violation**, the Dean may return it to the **Instructor** to be addressed as **Lesser Academic Misconduct**. If the **Appropriate Academic Dean** is unable to serve as the **Code Decision-Maker**, such as in the case of a conflict of interest, the **Vice President of Academic & Student Affairs** shall designate another **Dean** to be the **Code Decision-Maker**.
4. Notice of **Complaint**s and Delivery of **Complaint**-Related Information
5. The **Code Decision-Maker** shall provide written notice of the **Complaint** to the **Student Respondent** within five (5) **Business Days**. The notice shall include the following:
6. An explicit statement that the **Student** is a **Respondent** to an **Academic Integrity** **Code** **Complaint**;
7. A summary of the allegations against the **Student**, including any known evidence in support of those allegations;
8. The specific **Code** section(s) the **Student** is alleged to have violated;
9. Whether the **Student** is accused of a Lesser Academic Violation, the **Code Decision-Maker**’s basis for making that decision (i.e., “lesser” versus “major”), and if Academic Discipline (e.g., Suspension) could be imposed;
10. If the **Student** is accused of a **Major Academic Violation**, the **Student** has the right to be accompanied to the **Academic Integrity Meeting** and any subsequent appeal meeting by a **Support Person.**
11. The date, time, and location of the **Academic Integrity Meeting** and the conditions under which that meeting could be rescheduled.
12. That an administrative hold may be placed on the **Student’s** records and/or account with the College, pending resolution of the **Complaint**.
13. Unless approved in writing by the **Code Decision-Maker**, all **Academic Integrity** Code notices and **Complaint**-related information shall be sent to **Students**’ official CEI email account.
14. Notice will be considered effective and all information will be considered received on the date email is sent to **Students**’ CEI email account.
15. Academic Integrity Meetings
	1. Lesser Academic Violation Meetings
16. After a **Student Respondent** has received notice of the **Complaint**, the **Code Decision-Maker** shall conduct an **Academic Integrity Meeting** with the **Respondent** in a private setting and discuss the **Lesser Academic Violation** the **Respondent** is alleged to have committed and the specific evidence supporting those allegations. At the discretion of the **Code** **Decision**-**Maker**, there may be a neutral third-party present to witness the proceedings.
17. **Respondents** may not be accompanied by **Support Person**.
18. **Respondents** shall have a full and fair opportunity to review and respond to the allegations in the **Complaint** and the supporting evidence, including statements from the individuals who reported the alleged **Academic Integrity** violation, as well as any witnesses. **Respondents** shall also have an opportunity to present their side of the story and to offer any additional evidence they believe is relevant, including any **Mitigating Factors**. Witnesses may have their personal identifiable information redacted in order to protect their anonymity.
19. Witnesses are not required, or generally permitted, to provide live testimony, but it may be allowed at the discretion of the **Code Decision-Maker**.
20. Before a decision is reached, if the **Code Decision-Maker** comes to believe that the **Respondent**’s violation is more serious than previously known and may warrant **Academic Discipline**, the **Code Decision-Maker** shall inform the **Respondent** of that fact, **Suspend** the **Academic Integrity Meeting**, refer the **Complaint** to the applicable **Appropriate** **Academic Dean** for further proceedings, who will issue the **Respondent** a revised notice of the **Complaint**.
	1. Major Academic Violation Meetings
21. After the **Student Respondent** has received notice of the **Complaint**, the **Code Decision-Maker** shall conduct an **Academic Integrity Meeting** with the **Respondent** in a private setting and discuss the **Major Academic Violation** the **Respondent** is alleged to have engaged in and the specific evidence supporting the allegation(s). **Respondents** shall have a full and fair opportunity to review and respond to the allegations in the **Complaint** and to offer any additional evidence they believe is relevant, including any **Mitigating Factors**.
22. **Support Persons**
23. **Respondents** may be accompanied by one (1) **Support Person** of their choice during **Academic Integrity Meetings** involving **Complaints** of **Major Academic Violations**. **Respondent** may confer with **Support Persons** during the meeting. The **Code Decision**-**Maker** may at any time require the conversation between the **Responden**t and the **Support Person** to cease and/or dismiss the **Support Person if the Support Person** is being disruptive to the proceeding. **Students** must inform the **Code Decision-Maker** at least three (3) **Business Days** prior to the **Academic Integrity Meeting** if they will be accompanied by a **Support Person** and define the **Support Person**’s relationship to the **Student**. The **College** reserves the right to have **College** legal counsel present at any time.
24. **Witnesses**
25. **Respondents** may request with three (3) **Business Days** advanced notice, to have witnesses testify in person or in writing during **Academic Integrity Meetings** involving alleged **Major Academic Violations**.
26. The **Code Decision-Maker** shall ask witnesses questions and/or permit them to make statements. **Respondents** shall have a full and fair opportunity to present additional questions or topics of questions for the **Code Decision-Maker** to ask each witness. The **Code Decision-Maker** may decline to ask witnesses any questions the **Code Decision-Maker** believes are irrelevant, repetitive, harassing, or unnecessarily embarrassing. **Respondents** may not object during witness testimony, but may have the opportunity to directly ask the witness questions as long as they are not irrelevant, repetitive, harassing, or unnecessarily embarrassing. The Code Decision Maker (CDM) has full discretion to limit or stop witness questioning if the CDM determines that the questioning is irrelevant, repetitive, harassing, or unnecessarily embarrassing. This paragraph also applies to questions asked of the Complainant.
27. Technical rules of evidence, such as would be used in a court of law, do not apply during **Academic Integrity Meetings**, although **Complainants** and **Respondents** may submit arguments about why certain evidence should or should not affect **Code Decision-Makers**’ decisions, but these arguments must be submitted three (3) days prior to the **Academic Integrity Meeting.**
28. **Academic Integrity** **Code** **Decisions**
29. Decisions on **Complaints** will be made by applying the **Preponderance of the Evidence** standard unless specified otherwise. **Code Decision-Makers** shall determine if, based on the evidence, it is more likely than not the **Respondent** engaged in the violation alleged in the **Complaint**.
30. **Code Decision-Makers** may infer from a **Respondent**’s refusal to participate or answer questions that the **Respondent** engaged in the violation as alleged in the **Complaint**.
31. If the **Code Decision-Maker** decides that the evidence does not support a conclusion that the **Respondent** engaged in the alleged violation, the matter shall be concluded and the **Complaint** closed.
32. If the **Code Decision-Maker** finds that the **Respondent** more likely than not engaged in the violation alleged in the **Complaint**, the **Code Decision-Maker** shall determine an appropriate **Integrity Code Sanction**.
33. **Integrity Code Sanctions by the** **Code Decision-Maker**
34. If **Respondents** admit to violating or are found to have violated the **Academic Integrity** **Code**, **Code Decision-Makers** have the discretion to issue or not issue one or more **Integrity Code Sanctions**.
35. All **Integrity Code Sanctions** shall be issued in writing, via official CEI email, along with an explanation of the facts the **Code Decision-Maker** took into consideration, including any **Aggravating Factors** or **Mitigating Factors**.
36. **Integrity Code Sanctions** may include, but are not limited to, one or more of the following:
	1. Corrective Academic Action (for both findings of Lesser Academic Violations and Major Academic Violations)
37. Educational assignments designed to improve Respondents’ understanding of the importance of Academic Integrity, their Academic Integrity responsibilities, and the consequences of not adhering to those responsibilities
	* 1. Restorative Justice requirements;
		2. A written Reprimand;
		3. Probation;
		4. A lowered or failing grade in, or zero credit for, a particular Academic Work or Examination;
		5. A lowered or failing grade in, or zero credit for, the course in which the Academic Integrity violation occurred.
38. Academic Discipline (for findings of Major Academic Violations only)
39. Temporary or permanent removal from a specific College academic or certificate program;
40. Restriction on enrollment (*e.g.*, permitted to take only or barred from taking online classes);
41. **Suspension** from the College for any length of time;
42. Withholding or revoking of a degree or certificate.
43. Notice of Decisions, **Integrity Code Sanctions**, and Right to Appeal
44. **Code Decision-Makers** shall provide **Respondents** and **Complainants** (if different from the **Code Decision-Maker**) with timely written decisions stating explicitly what, if any, **Academic Integrity** violations a **Respondent** was found to have engaged in, explaining the specific factual basis for that decision, and stating the specific **Integrity Code Sanction** issued by the **Code Decision-Maker**, including an explanation of any **Aggravating Factors** or **Mitigating Factors** taken into consideration. This notice will be issued via official CEI email.
45. **Code Decision-Makers** shall inform **Respondents** in writing of any right they may have to request review of or to appeal a decision or **Integrity Code Sanction**, including the deadline to submit a request for review or an appeal and the College office to which or **Employee** to whom the request for review or appeal should be submitted. This notice will be issued via official CEI email.
46. Converting **Suspensions** to **Expulsions**
47. If a **Student** violates the conditions of a **Suspension**, including by engaging in additional **Code** violations during the term of a **Suspension**, the **Code Decision-Maker** may convert the **Student**’s **Suspension** to an **Expulsion** without conducting an additional **Academic Integrity Meeting**.
48. **Code Decision-Makers** must provide **Students** with written notice that their **Suspension** was converted to an **Expulsion**, including an explanation of how the **Students** violated their **Suspension** and the facts and evidence on which that decision was based. This notice will be issued via official CEI email.
49. **Students** whose **Suspensions** are converted to an **Expulsion** shall have the same right to appeal as any **Student** who receives **Expulsion** as **Academic Discipline**, including, but not limited to, a full and fair opportunity to respond to the decision to increase their **Suspension** to an **Expulsion** and to submit any additional evidence they believe demonstrates that decision was incorrect. This should be included in the **Students** official appeal.

**304.11 Requests for Review of Corrective Academic Action Affecting Grades or Credit**

1. Findings of **Lesser Academic Violations** and/or the imposition of **Corrective Academic Action** may not be formally appealed. However, **Respondents** may request that a **Code Decision-Maker**’s immediate supervisor (“Immediate Supervisor”) (e.g., **Department Chair**) review a **Corrective Academic Action** that results directly in the **Respondent** receiving a lowered or failing grade in, or zero credit for, an **Academic Work**, **Examination**, or course. A **Code Decision-Maker**’s finding that the **Respondent** violated the **Code** may not be reviewed. No other **Corrective Academic Actions** (e.g., **Reprimands**, **Probation**) will be reviewed.
2. A request for review must be submitted in writing to the **Code Decision-Maker** and the Immediate Supervisor within five (5) **Business Days** of the **Respondent** receiving the decision and must contain 1) a copy of the decision, 2) a copy of any **Academic Work** or **Examination** for which the **Respondent** received a lowered or failing grade or zero credit (if the **Respondent** does not have a copy, one should be provided by the **Code Decision-Maker**), and 3) a statement explaining why the **Respondent** believes the **Corrective Academic Action** was inappropriate. **Respondent**’s request for review must be submitted by filling out a “Request for Review/Appeal to **Code** **Decision**-**Maker** form,” which can be downloaded from the CEI webpage.
	1. If a student does not appeal within the time allowed, the most recent decision of record shall become final.
3. The **Code Decision-Maker** may, but is not required to, submit a written response to the **Respondent**’s request for review to the Immediate Supervisor within five (5) **Business Days** of receiving it, with the Immediate Supervisor providing a copy of the response to the **Respondent** within three (3) days.
4. The Immediate Superior’s review shall be limited to deciding whether the **Corrective Academic Action** issued to the **Respondent** was unjustifiably disproportionate to the seriousness of the **Respondent**’s violation. The Immediate Supervisor’s review will list one of the following findings:
	1. That the conclusion of a violation is not supported by the evidence, then he/she shall render a finding of no violation and that the sanction(s) imposed be overturned.
	2. That the conclusion of a violation is supported by the evidence and the sanction imposed is appropriate, then he/she shall uphold the faculty member's decision and sanction(s).
	3. That the conclusion of a violation is supported by the evidence, and the sanction(s) imposed are inadequate or excessive, then he/she shall modify the sanction(s) as appropriate.
5. The Immediate Supervisor shall issue a written decision within ten (10) **Business Days** of receiving the **Respondent**’s request for review, indicating whether the **Respondent**’s **Corrective Academic Action** is affirmed, reversed, or reduced.
6. The determination of the Immediate Supervisor is final and may not be reviewed further or appealed.

**304.12 Appeals**

**Who may Appeal:**

**Respondents** determined to have violated the Academic Integrity **Code** may appeal a **Code Decision-Maker**’s decision and/or an Integrity **Code** Sanction only when a) the **Respondent** was found to have committed a **Major Academic Violation**, and b) the **Respondent** received **Academic Discipline**. If the incident involves multiple **students**, each **student** will individually go through the appeal process, and another CEI **student** involved cannot be a support person for the **student** undergoing the appeal.

1. An **Appellant**’s request for appeal shall only be considered if it is based on one or more of the following arguments:
2. The **Code Decision-Maker**’s decision was **Clearly Erroneous**;
3. **The Code Decision-Maker’s decision was** tainted by clear bias;
4. The severity of the **Academic Discipline** was unjustifiably disproportionate to the **Respondent**’s violation;
5. A **Material Error in Process** occurred that affected or reasonably could have affected the **Code** **Decision-Maker**’s decision or the **Integrity Code Sanction**s issued to the **Respondent**;
6. The discovery of new information that was not known and could not reasonably have been discovered at the time of the **Academic Integrity Meeting** that is substantially likely to have affected the outcome of the **Complaint** had it been presented at the **Academic Integrity Meeting**.
7. Requesting an Appeal

If the **Code Decision Maker** was a **department chair or Program Manager**, the Request for an appeal will be addressed to the **appropriate Division Dean**. If the initial **Code Decision Maker** was the **Division Dean**, the appeal will be addressed to the Vice President of Academic and Student Affairs. Whoever the appeal is correctly addressed to will hereafter be called the Appeal Director.

1. An **Appellant**’s written request for appeal must be submitted to the **Code Decision-Maker** (the “**Appellee**”) and the **Appeals Director** no more than five (5) **Business Days** after the **Appellant** received notice of the **Code Decision-Maker**’s decision.
2. Review of the **Appellant**’s appeal decision will be based on a “preponderance of the evidence standard.”
3. The written request for appeal must contain the following items:
	1. copy of the Code Decision-Maker’s decisions
	2. the Appellant’s basis for bringing the appeal,
	3. a statement explaining why the decision or Integrity Code Sanction should be changed, and
	4. if the appeal is based on new evidence, a copy or written summary of the new evidence and a statement identifying the source of the new information and explaining why it was not available at the time of the Academic Integrity Meeting.
4. Upon receipt of a timely appeal, the Appeal Director will determine, in his or her full discretion, whether an appeal is warranted based on if appellant has raised an Acceptable Basis for Appeal. If the Appellant has not raised an Acceptable Basis for an Appeal, the Appeal Director will send the Appellant a written denial of the appeal, explaining the basis for the denial.
5. Appellee Responses to Appeals

Within five (5) **Business Days** after receiving notice of an **Appellant**’s appeal, the **Appellee** may, but is not required to, submit a written response in opposition to the appeal to the **Appellant** and **Appeals Director.**

1. **Procedures for Academic Integrity Appeals**
2. Appeal decisions will generally be based on written submissions from the Appellant and Appellee. The Appeal Director can decide an appeal without an Appeal Meeting based on written submissions only, if, in his or her full discretion, the Appeal Director decides that an Appeal Meeting is clearly not warranted. This decision will be made within ten (10) business days following the initial receipt of the appeal.
3. If the Appeal Director determines that an appropriate decision cannot be made based on written submissions alone, the Appeal Director shall hold an Appeal Meeting. If there is to be an Appeal Meeting, the Appeal Director shall schedule the meeting to take place within the following five (5) days of the decision to hold the Appeal Meeting, or within ten (10) business days of receipt of the request for an appeal, whichever is later.
4. If an Appeal Meeting is scheduled, the appellants and appellees shall be notified of the date of the Appeal Meeting at least three (3) business days prior to the meeting.
5. **Procedures** for **Academic Integrity Appeal Meeting**
6. Attendance at meetings shall be limited to only necessary persons, including the Appeal Director, Appellant, Appellees, and one support person for each Appellant and Appellee, Additionally, one (1) consultant to assist the Appeal Director with procedural and technical questions about the **Academic Integrity** **Code** and **College** policy (*e.g.*, a representative from the **College**’s General Counsel’s Office, **Disability Resources Coordinator**, or Human Resources office) may attend.
	1. **Appellees** may, but are not required to, attend Appeal Meetings. **Appellants and Appellees** may each be accompanied to Appeal Meetings by one (1) **Support Person**
	2. **The** **Support Person** will be a silent participant and may not speak for the **Appellant** or **Appellee**. The Appeal Director has full discretion to warn or remind the **Support Person** who violates this section of the rules of the meeting, to ask them to leave the meeting, or to take other appropriate action. Upon taking such action, the **Appeal Director** may, in circumstances where the violation is severe, decide whether to continue the meeting, postpone the meeting, or deny the appeal. An Appeal Meeting is not a new **Academic Integrity Meeting**, and further witness testimony or other additional evidence will generally not be heard or considered. Additional evidence may be considered only when necessary, as determined by the Appeal Director, to demonstrate the existence of new evidence that
		1. could not have been discovered at the time of the **Academic Integrity Meeting** and
		2. is substantially likely to have affected the **Code Decision-Maker**’s decision.
	3. **Academic Integrity Appeal Meetings** shall offer **Appellants** and **Appellees** an equal opportunity to be heard. **Appellants** shall address the Appeal Director first and explain why an appeal should be granted. **Appellees** (if attending) then may, but are not required to, address the **Appeal Director,** and explain why the appeal should be denied. The Appeal Director may ask questions, but **Appellants** and **Appellees** may not object, ask each other or the Appeal Director questions (except to seek clarification of a question from the Appeal Director that the Appellant or Appellee does not understand), or otherwise interrupt each other’s arguments. The **Academic Integrity Appeal Director** may offer each party an equal opportunity to make a rebuttal argument.
7. Decisions of **Academic Integrity** **Appeal Director**
	1. Academic Integrity Appeal Directors should give substantial deference to Code Decision-Makers’ decisions and only change or overturn a decision and/or its Sanction if they are firmly convinced the decision was in error, even if the Appeals Director them self might have reached a different conclusion if they had been the Code Decision-Maker.
	2. When deciding appeals, Appeal Directors may:
		1. Deny the appeal and affirm the **Code Decision-Maker**’s decision and/or **Academic Discipline**,
		2. Affirm the decision that a **Code** violation occurred but reduce or increase the Integrity **Code** Sanction,
		3. Grant the appeal (entirely or in part) and remand the **Complaint** to the **Code Decision-Maker** for further proceedings and a new decision, or,
		4. Overturn a decision entirely and vacate all **Integrity Code Sanctions** if, and only if, the Appeal Director is firmly convinced that the **Respondent** is actually innocent.
	3. The Appeal Director will send their written decision within five (5) **Business Days** to the **Appellants**, **Appellees**, and the **Department Chair** and/or **Appropriate Division Dean**.
8. The decision of an Appeal Director is final, and no further appeal or review of an Academic Integrity Code decision or Integrity Code Sanction is available unless the Academic Integrity Appeal Director’s decision would result in an Expulsion or the withholding or revocation of a degree or certificate.
9. Automatic Review of Expulsions and Decisions to Withhold or Revoke Degrees or Certificates
10. All **Academic Integrity Appeal** decisions that would result in an **Expulsion** or the withholding or revocation of a degree or certificate shall be reviewed and approved by the **Appeals Executive**. This will be done by reviewing documentation provided from the Academic Integrity Appeal, not from new submissions of material or evidence by either party. This review will not constitute a new meeting, but only a review of the material from the Academic Integrity Appeal that resulted in withholding or revocation of a degree or certificate. The **Appeals Executive** review shall be limited to confirming that
	1. proper procedures were followed,
	2. the **Academic Integrity Appeal** decision was not **Clearly Erroneous, and**
	3. **The Academic Integrity Appeal decision was not** tainted by clear bias.
11. If the **Appeals Executive** determines proper procedures were not followed or that the Appeal Director’s decision was **Clearly Erroneous** or tainted by clear bias, the **Appeals Executive** shall either
	1. direct the Appeal Director to reconvene in accordance with the correct procedure and/or issue a revised decision, or
	2. designate an entirely new Appeal Director to reconsider the appeal.
12. The **Appeals Executive** shall continue to review the **Academic Integrity Appeal** decisions until the **Appeals Executive** is satisfied that proper procedures were followed, and that the **Academic Integrity Appeal** decision was reasonable in light of the facts.
13. Appellants, Appellees, or their **Support** **Persons**, are not permitted to contact the **Appeals Executive** directly or indirectly regarding the **Appeals Executive**’s review of **Academic Integrity Appeal** decisions.

**304.13 Eligibility for Readmission to the College**

**Students who are Suspended from the College for violating this Academic Integrity Code may be required to satisfy specific conditions, provided to the Students in writing via official CEI email at the time of their Suspension, in order to be eligible for readmission to the College after the term of their Suspension has ended.**

* + - 1. Students who have been Expelled from the College for violating this Academic Integrity Code are permanently ineligible for readmission at any time. Any request for readmission after Expulsion shall be denied automatically with no opportunity for appeal.