

CORNELL UNIVERSITY

ACADEMIC INTEGRITY HANDBOOK

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PREFACE

The Academic Integrity Handbook is issued by the Office of the University Faculty and is intended primarily "...to provide the Faculty and others involved in the instructional program at Cornell University with an explanation of the workings of the academic integrity system."

Cornell's Code of Academic Integrity was constructed in the spirit that the Cornell University Faculty has a responsibility to develop clear and consistent standards for academic integrity as well as a responsibility to present these standards to the student body. Along with setting forth clear guidelines for the student on what constitutes a violation of the Code of Academic Integrity, the Code describes procedures which spell out how individuals who allegedly have violated Cornell standards for academic integrity are to be confronted and, if found to be in violation of those standards, disciplined.

This Handbook is designed to be used in conjunction with Cornell's Code of Academic Integrity. It gives examples of possible violations and suggestions for prevention, clarifies the procedures outlined in the Code, provides step-by-step instruction for handling perceived violations, and includes sample letters and forms used in the process.

It should be noted that while reference in this Academic Integrity Handbook is to the faculty member, this Handbook is intended for use by all members of the teaching staff irrespective of their title.

A proper academic integrity system helps create an environment in which academic integrity is valued and upheld. Such a system not only deals appropriately with those who violate the tenets of academic integrity, but it also does so in a manner that respects the basic precepts of due process and fairness. It is hoped that this guide will assist in accomplishing these goals.

Charles Walcott
Dean of the Faculty
September 2006

I. CODE OF ACADEMIC INTEGRITY

Principle

Absolute integrity is expected of every Cornell student in all academic undertakings. Integrity entails a firm adherence to a set of values, and the values most essential to an academic community are grounded on the concept of honesty with respect to the intellectual efforts of oneself and others. Academic integrity is expected not only in formal coursework situations, but in all University relationships and interactions connected to the educational process, including the use of University resources. While both students and faculty of Cornell assume the responsibility of maintaining and furthering these values, this document is concerned specifically with the conduct of students.

A Cornell student's submission of work for academic credit indicates that the work is the student's own. All outside assistance should be acknowledged, and the student's academic position truthfully reported at all times. In addition, Cornell students have a right to expect academic integrity from each of their peers.

I. GUIDELINES FOR STUDENTS

A. General Responsibilities

1. A student shall in no way misrepresent his or her work.
2. A student shall in no way fraudulently or unfairly advance his or her academic position.
3. A student shall refuse to be a party to another student's failure to maintain academic integrity.
4. A student shall not in any other manner violate the principle of academic integrity.

B. Examples of Violations

The following actions are examples of activities that violate the Code of Academic Integrity and subject their actors to proceedings under the Code. This is not a definitive list.

1. Knowingly representing the work of others as one's own.
2. Using, obtaining, or providing unauthorized assistance on examinations, papers, or any other academic work.
3. Fabricating data in support of laboratory or field work.
4. Forging a signature to certify completion of a course assignment or a recommendation to graduate school.
5. Unfairly advancing one's academic position by hoarding or damaging library materials.
6. Misrepresenting one's academic accomplishments.

C. Specific Guidelines for Courses

1. Examinations. During in-class examinations no student may use, give, or receive any assistance or information not given in the examination or by the proctor. No student may take an examination for another student. Between the time a take-home examination is distributed and the time it is submitted by the student for grading, the student may not consult with any persons other than the course professor and teaching assistants regarding the examination. The student is responsible for understanding the conditions under which the examination will be taken.

2. Course Assignments. Students are encouraged to discuss the content of a course among themselves and to help each other to master it, but no student should receive help in doing a course assignment that is meant to test what he or she can do without help from others. Representing another's work as one's own is plagiarism and a violation of this Code. If materials are taken from published sources the student must clearly and completely cite the source of such materials. Work submitted by a student and used by a faculty member in the determination of a grade in a course may not be submitted by that student in a second course, unless such submission is approved in advance by the faculty member in the second course. If a student is submitting all or part of the same work simultaneously for the determination of a grade in two or more different courses, all faculty members in the courses involved must approve such submissions.

3. Classroom Misconduct and Other Behavior Disruptive to the Educational Process.

A faculty member may impose a grade penalty for any misconduct. Students are not authorized to replicate, reproduce, copy, or transmit lectures and course materials presented, or "derivative" materials including class notes, for sale or general distribution to others without the written consent of the faculty or academic staff member or class participant who is the original source of such materials. Other examples of classroom misconduct include, but are not limited to, talking during an examination, bringing unauthorized materials into the examination room, using unauthorized electronic technology during an examination, and disruptive behavior in the classroom.

- a. The faculty member must promptly notify the student of the reason for the imposition of a penalty for classroom misconduct and the degree to which his or her grade will be affected.
- b. Classroom misconduct is not a violation of academic integrity. The student may, however, seek review by the Academic Integrity Hearing Board on the basis either that the finding of guilt is arbitrary and capricious or that the penalty for misconduct is excessive or inappropriate to the circumstances involved. ("Arbitrary and capricious" describes actions which have no sound basis in law, fact, or reason or are grounded solely in bad faith or personal desires. A determination is arbitrary and capricious only if it is one no reasonable mind could reach.)
- c. This section does not limit a faculty member's prerogative to remove a disruptive student from a classroom under appropriate circumstances.

4. Academic Misconduct. Academic misconduct related to integrity in the conduct of scholarly and scientific research and communication is addressed in Cornell University Policy 1.2 (<http://www.dfa.cornell.edu/dfa/treasurer/policyoffice/policies/volumes/academic/misconduct.cfm>). Policy 1.2 applies to faculty, staff, and students.

D. Principles for Computer Use and Network Systems

The use of computers and network systems in no way exempts students from the normal requirements of ethical behavior in the Cornell University community. Use of a computer and network system that is shared by many users imposes certain additional obligations. In particular, data, software and computer capacity have value and must be treated accordingly.

Although some rules are built into computer and network systems, such restrictions cannot limit completely what students can do. In any event students are responsible for their actions whether or not rules are built in, and whether or not they can circumvent them.

Standards of behavior include:

1. Respect for the privacy of other users' information, even when that information is not securely protected.
2. Respect for the ownership of proprietary software. For example, unauthorized copies of such software for one's own use, even when that software is not protected against copying is inappropriate.
3. Respect for the finite capacity of the system and limitation of use so as not to interfere unreasonably with the activity of other users.
4. Respect for the procedures established to manage the use of the system.

E. Variances

A faculty member is responsible for informing his or her students and teaching assistants of variances from this Code that apply to work in his or her course. These variances should be clearly stated in writing at the beginning of the course or activity to which they apply.

F. Jurisdiction and Penalties

The authority to determine whether a specific action shall be treated as a violation of the Code of Academic Integrity lies with the Academic Integrity Hearing Board. Those who violate the Code of Academic Integrity will be subject to penalties under this Code and may also be subject to penalties under state and federal laws.

II. ORGANIZATION AND PROCEDURE

A. Students and staff members discovering an apparent violation should report the matter to the faculty member in charge of the course or to the chairperson of the appropriate Hearing Board. The

chairperson is responsible for ensuring that all members of the school or college know to whom the report should be made.

B. Primary Hearing

1. Primary hearings are to be held by the faculty member unless the penalties available to him or her are inadequate, in which case, she or he may refer the case directly to the Hearing Board.

2. Notification. If, after investigation, possibly including discussion with the student, a faculty member believes that a student has violated the Code of Academic Integrity, the faculty member shall present the student with the charge. The charge shall include notification of a primary hearing to be held as soon as practical after the alleged infraction has come to the attention of the faculty member, but with at least one week's notice to the student. This notification period may be shortened by the agreement of both parties. The charge shall also include notice of the availability of the Judicial Codes Counselor.

3. Composition. At the primary hearing the following shall be present: the faculty member concerned, the student in question, and a third-party independent witness. The independent witness shall be a faculty member or a student appointed by the Hearing Board Chairperson or the chairperson of the faculty member's department. The student may also bring to the hearing an advisor and additional witnesses to testify to his or her innocence.

4. Procedure

a. At the primary hearing, the faculty member shall present evidence in support of the charge against the student. The student shall be given the opportunity to respond and, if he or she wishes, to present evidence refuting the charge.

b. The function of the independent witness is to observe the proceedings impartially, and in the event of an appeal from the judgment of the faculty member, be prepared to testify as to the procedures followed.

c. After hearing the student, the faculty member may either dismiss the charge or, if there is clear and convincing evidence that the student has violated this Code, find the student guilty. ("Clear and convincing" as a standard of proof refers to a quantum of evidence beyond a mere preponderance but below that characterized as "beyond a reasonable doubt" and such that it will produce in the mind of the trier of fact a firm belief as to the facts sought to be established.) If the student is found guilty, the faculty member may impose any suitable grade punishment including failure in the course.

d. A student wishing to seek review of the decision may bring the case before the Academic Integrity Hearing Board of the faculty member's college.

e. A faculty member who gives a penalty for a violation of academic integrity *shall immediately report this action and the nature of the violation in writing to the student and to the record keeper of the faculty member's Academic Integrity Hearing Board.* This record keeper shall then be responsible for its communication to the record keeper in the student's college.

f. If the student fails to attend the primary hearing without a compelling excuse, the hearing may proceed in his or her absence.

g. A student charged with violating the Code of Academic Integrity in a course may not drop that course without the consent of the instructor unless the student has subsequently been cleared of the charges.

C. College Academic Integrity Hearing Boards

1. Composition. Each college and school in the University, including the Graduate School and the School of Continuing Education and Summer Sessions, shall establish its own Academic Integrity Hearing Board. A model Hearing Board consists of the following:

- a. A chairperson who is a member of the faculty and, preferably, an experienced Board member, appointed by the dean of the college for a two-year term.
- b. Three faculty members elected for three-year terms by the faculty of the college, except that in the case of the School of Continuing Education and Summer Sessions, the faculty members shall be appointed by the dean.
- c. Three students elected by the student body of the college or appointed by the dean of the college for at least one year, and preferably two-year terms. When possible, student terms should be staggered.
- d. A nonvoting record keeper responsible for keeping clear and complete records of the proceedings.

2. Jurisdiction

- a. The student may seek review of the decision of the primary hearing if:
 - i. He or she believes the procedure was improper or unfair.
 - ii. She or he contests the finding of the faculty member.
 - iii. He or she believes the penalty was too strict considering the offense.
- b. After holding a primary hearing, the faculty member may bring the case to the Hearing Board if she or he believes a failing grade is too lenient considering the offense.
- c. A student found guilty of more than one violation of the Code may be summoned before the college Hearing Board by the dean of his or her college. The Hearing Board may impose an additional penalty for such repeated offenses.
- d. The dean of a student's college who receives a report that a student has committed a violation of academic integrity while attending another academic institution or while enrolled in a Cornell-sponsored off-campus program may, if she or he feels the situation warrants, summon the

student to appear before the College Hearing Board. The Hearing Board may impose any penalty, including an additional penalty, it feels appropriate for the violation involved.

- e. The Academic Integrity Hearing Board shall hear all cases that come before it *de novo*. While the Hearing Board may recommend an increase in any penalty imposed at the primary hearing, it should consider raising the penalty, if it is the student seeking review, only in the exceptional case.
- f. The individual seeking review shall notify the chairperson of the Hearing Board of the faculty member's college within ten working days of the primary hearing. An exception to this deadline may be granted at the discretion of the chairperson of the Hearing Board on a showing of good cause.

3. Procedures

- a. Each Board shall conform to procedures established by the Faculty Senate.* Any college or school wishing to adopt a Board or procedures varying from this model must receive prior approval from the Dean of the Faculty.
- b. The Academic Integrity Hearing Board shall convene as soon as practical after notification of a request for review, although seven days notice should be given to all parties if possible. If a grade for the student in the course must be submitted before a case can be decided, the faculty member shall record a grade of incomplete, pending a decision by the Hearing Board.
- c. Those present at the hearing shall be:
 - i. The student, who has the right to be accompanied by an advisor and/or relevant witnesses

*Reflects change in nomenclature from Faculty Council of Representatives to Faculty Senate.

- ii. The faculty member, who has the right to bring relevant witnesses
 - iii. The third party independent witness, if a primary hearing was held
 - iv. Any other person called by the chairperson
- d. Should the student or faculty member fail to appear before the Hearing Board, the Board shall have full authority to proceed in his or her absence.
- e. The Board members shall hear all available parties to the dispute and examine all the evidence presented. The Board may solicit outside advice at the discretion of the chairperson. *The chairperson shall preside over the hearing to ensure that no party threatens, intimidates, or coerces any of the participants.*
- f. The student shall have the right to present her or his case and to challenge the charges or the evidence. The student's advisor may assist the student in the presentation and questioning.
- g. At least two-thirds of the voting Board members shall be present at every hearing, including two students and two faculty members. Both parties may agree in writing to waive this quorum. Of those present, a simple majority shall decide the issue. The chairperson shall vote only in the case of a tie vote. The Board shall find the student guilty only if there is clear and convincing (see the definition at section II.B.4.c.) evidence indicating that the student has violated this Code.
- h. The chairperson shall notify each party to the dispute, in writing, of the Board's decision and, if appropriate, the penalty imposed. If the judgment of the faculty member is affirmed by the Board, or if the Board decides a different penalty is warranted, the dean of the faculty member's college and the dean of the student's college shall also receive the report.
- i. If the student's college is different from the faculty member's, the chairperson shall alter the composition of the Board hearing the case by substituting or adding one faculty member and one student from the Hearing Board of the student's college.

4. The Board may act in one or more of the following ways:

- a. Find the student innocent of the charge
- b. Find the student guilty of the charge and
 - i. Recommend to the faculty member that he or she reduce the penalty given
 - ii. Affirm the faculty member's decision
 - iii. Recommend that the faculty member record a failing grade for the course, or for some portion of it
 - iv. Recommend to the dean of the student's college that the student be placed on probation (or the college's equivalent)

v. Recommend to the dean of the student's college that the student be suspended from the University for a period of time

- vi. Recommend to the dean of the student's college that the words "declared guilty of violation of the Code of Academic Integrity" be recorded on the student's transcript. The Hearing Board may set a date after which the student may petition the Board to have these words deleted from the transcript
 - vii. Recommend to the dean of the student's college that the student be expelled from the University
 - viii. Recommend to the dean of the student's college any other suitable action, including counseling, community service, or reprimand
- c. The dean of the student's college shall be notified of the decision of the college Hearing Board within 7 days. Unless an appeal is filed under the guidelines established below, the dean of the student's college shall ensure that the decision of the Hearing Board is carried out and shall notify all parties of the implementation and the decision.

5. Review of Decision. The student may appeal a decision of the Hearing Board. The appeal must be directed to the dean of the student's college, in writing, and shall be constructed according to one or both of the guidelines established below. The appeal shall normally be submitted within 4 weeks of notification of the Board's decision, but exceptions to this deadline may be granted by the dean on showing of good cause. If the Board's decision involves students from more than one college, the deans involved shall consult with each other.

a. Appeal of a finding of guilt. A student who has received a finding of guilt from the Board, or whose finding of guilt in a Primary Hearing was upheld by the Board, may appeal on one or both of the following grounds:

- i. Additional evidence which might have affected the outcome of the hearing became available following the hearing.
- ii. A violation of procedure by the Hearing Board that might have prejudiced the outcome of the hearing.

The dean may deny the appeal or send the case back to the Hearing Board for reconsideration.

b. Appeal of a penalty. The student may appeal the findings of the Hearing Board regarding penalties. The appeal shall specify the reasons why the student believes the penalty is inappropriate. After consultation with the Hearing Board, the dean may take one of the following actions:

- i. If a grade penalty has been exacted (II.C.4.b.i-iii), the dean may recommend to the faculty member that the grade penalty be reduced.
- ii. If another penalty has been exacted (II.C.4.b.iv-viii), the dean may modify or decline to carry out the recommended penalty.

In all but the most unusual circumstances, it is the expectation that the findings and recommendations of the Hearing Board will be upheld by the dean. The dean's decision cannot be appealed.

Annual Reports. Each college Academic Integrity Hearing Board shall submit a summary report of its proceedings (without identifying any particular student) to the Dean of the Faculty at the end of the academic year. The names of the members of the Board and any significant departures in procedure should be reported as well.

7. Honor Codes. The existing school honor codes as in the College of Veterinary Medicine and the Law School are not governed by the foregoing legislation, but current versions of these honor codes must be kept on file with the Office of the Dean of the Faculty. In the case of allegations against a student enrolled in a course subject to a school honor code but registered in another college, all actions beyond the primary hearing revert to the Hearing Board of the student's college.

8. Records of Action. If the student is found guilty, a record of the outcome of the case and the nature of the violation shall be kept by the Hearing Board, and copies shall be sent to the record keeper in the student's college, if different from the college in which the violation occurred. The record keeper shall disclose this record to Hearing Boards considering other charges against the same student, to deans or associate deans of colleges in furtherance of legitimate educational interests, to the Registrar for notation on the transcript when provided by the decision of the Hearing Board and the dean, but to no one else unless specifically directed by the student.

If the student is found not guilty by the Hearing Board, all records of the case, including the report of the primary hearing, shall be expunged from the files of the record keeper.

Adopted by the Faculty Council of Representatives, May 24, 1976, Appendix A; with subsequent amendments March 11, 1981, May 12, 1982, April 10, 1985, May 15, 1985, and May 9, 1990; amended by the Faculty Senate, February 12, 1997; December 8, 1999, Records, pp. 8873-79S; September 13, 2006.

II. EXAMPLES OF VIOLATIONS OF THE CODE OF ACADEMIC INTEGRITY

Many violations of academic integrity arise out of ignorance. Students at Cornell come from many countries and cultures where standards for academic work may differ widely from those set forth in the Code. Faculty are urged to introduce Cornell's academic standards to students at the beginning of each course (e.g. explain what plagiarism is, when student collaboration is appropriate and when not, what the consequences of violating the Code can be). The Code defines academic integrity at Cornell, provides guidelines for students, and gives examples of violations of the Code. The following, although not exhaustive, may serve as a guide to faculty members in determining whether a student's activity is within the scope of academic integrity violations.

In Exams

- Using "crib sheets" or other unauthorized materials during exams.
- Having other students "pinch hit" for the student—having someone other than the student take his or her exam.
- Looking at other students' exam papers to obtain answers.
- Collaborating with students or other unauthorized persons to obtain answers in take-home exams.
- Giving unauthorized assistance to another student taking an exam.

On Papers

- Having someone other than the student write his or her paper.
- Plagiarizing, or representing someone else's written work as one's own without acknowledgment or with insufficient, or improper acknowledgment. Types of plagiarism include:

Word-for-word plagiarism—copying exactly from a text not one's own. The text can be a book written by a noted expert or another student's paper.

Section-by-section plagiarism—lifting phrases from a text not one's own.

Select-term plagiarism—lifting a special term from a text not one's own.

Paraphrasing—using someone else's ideas, albeit in one's own words, as if they were one's own thought.

(For more information on plagiarism, see Cornell University's *The Code of Academic Integrity and Acknowledging the Work of Others*, available from the Office of the Dean of Faculty.)

- Receiving unauthorized help in writing the paper, including deciding on paper topic, drawing conclusions, analyzing data, etc. or not giving credit to another for these contributions.

- Using the same paper for two courses without explicit permission having been given by faculty in both courses.
- Giving unauthorized assistance to another student writing a paper.

In Research

- Fabricating data in support of laboratory or field work.
- Sabotaging other students' research.
- Stealing other students' research ideas.
- Taking credit for work not done by oneself, or not giving credit to those who have assisted in one's work.
- Hoarding materials or equipment to advance one's own research at the expense of others.
- Using unauthorized materials or equipment.

In the Library

- Stealing materials from the library.
- Not returning materials promptly when asked to do so.
- Hoarding scarce copies of materials needed by others in order to advance one's own position.
- Deliberately damaging library materials, e.g. cutting pages out of books or magazines.
- Helping another student steal, hoard, and/or damage library materials.

In Academic Records

- Forging signatures on petitions to add/drop a course after the final date.
- Falsifying letters of recommendation to graduate schools.
- Forging signatures on certifications of completed course work.
- Misrepresenting one's academic accomplishments.

In Using Computers or Network Systems (for supporting voice or data communications systems)

- Accessing or attempting to access another individual's or entity's data or information without proper authorization regardless of the means by which this is accomplished. It is also a violation to give another individual the means with which to access such data or information.

- Supplying or attempting to supply false or misleading information or identification in order to access computers or network systems, or to access data or information stored in or transmitted across computers or network systems.

- Improperly obtaining another's password; or improperly obtaining or using another's password to access computers or network systems, or to access data or information stored in or transmitted across computers or network systems.
- Inspecting, modifying, distributing, or copying proprietary data or software without proper authorization. It is also a violation to give another individual the means by which to inspect, modify, distribute, or copy proprietary data or software.
- Subverting or obstructing, or attempting to subvert or obstruct, the operation of any computer or network system such as by introducing a virus, worm, or other rogue program into the system; or modifying, altering, or otherwise tampering with the system's hardware or software; or hoarding computer or network resources in ways that interfere with the operation of the system.
- Initiating or encouraging the promulgation of chain letters and other types of electronic broadcast messages.
- Tapping phone lines or other network cables; fraudulently or otherwise illegally obtaining phone services; altering wire, phone sets or associated equipment for any purpose; using campus phones or associated equipment for fraudulent or otherwise illegal purposes.

III. SUGGESTED PROCEDURES FOR HANDLING PERCEIVED VIOLATIONS

This section of the Handbook describes the procedures for handling perceived violations from the initial reporting of the incident to the possible hearing before a Hearing Board.

Deciding Whether or Not There is a Case

Faculty members may observe suspicious conduct themselves, they may have such cases reported to them by teaching assistants or other students, or they may receive anonymous reports of suspected violations.

"A careful distinction must be made between "simple negligence" and "intentional acts of fraud...not knowing what one has done (e.g. inadvertently omitting a footnote while typing) as distinguished from knowingly doing something while ignorant of a rule (e.g. citing long passages directly from a book without acknowledgement)".¹ A student who is careless may be penalized for that carelessness, but should not be charged with violating academic integrity. On the other hand, a student who does not understand that what he or she has done violates academic integrity is not excused if in fact a violation has occurred.

In order to determine whether a violation has occurred, the faculty member may hold an informal interview with the student. **Faculty members who choose to discuss the matter informally with the student must be aware that this informal discussion does not constitute a primary hearing.** Even if a student admits the offense, the faculty member cannot assign any penalty without a primary hearing.

Academic misconduct is an activity which disturbs the normal course of operations in the classroom or in an exam but does not amount to or cannot be established as a violation of academic integrity. The faculty member may impose a grade penalty but no preliminary hearing is held nor can the faculty member ask the Academic Integrity Hearing Board to review the case.

Primary Hearing

A primary hearing is held if the faculty member decides that a violation may have occurred. However, if a faculty member believes that the penalties available to him or her are inadequate (i.e. grade punishment or failure in the course), he or she may refer the case directly to the Hearing Board.

The chair of the department in which the course is offered or the Hearing Board Chair will appoint an independent witness to observe the hearing. This independent witness may be either a student or a faculty member, preferably unconnected to either party in the case, whose function is to observe the proceedings impartially and keep accurate procedural notes for use in the event of an appeal. The independent witness is not involved in the questioning or decision-making of the case, but is an observer only. His or her presence serves as a brake upon any improper behavior on the part of the faculty member or the student. A letter to the independent witness describing his/her responsibilities appears in Appendix 1, page 21.

¹ Donald Gehring, Elizabeth Nuss and Gary Pavela, *National Association of Student Personnel Administrators: Issues and Perspectives on Academic Integrity*, 1986, Columbus, Ohio, p. 15.

It is the faculty member's responsibility to notify the student (Appendix 2, page 22). This notification should include the following information:

- **The Charge.** The charge states the perceived violation, including the course, date and time in which the perceived violation occurred.
- **The Date for a Primary Hearing.** The primary hearing must be held at least one week after notification, unless both parties agree to an earlier time.
- **The Right to Introduce Witnesses and Evidence of Innocence.** The student is informed that he or she may introduce any witnesses, including character witnesses, and any other evidence at the primary hearing to establish the student's innocence.
- **The Availability of Procedural Advice.** The Judicial Codes Counselor is a law student employed by Cornell University who is familiar with the various University policies and procedures, and is available to help members of the Cornell community. The faculty member is required to inform the student of the existence of the Judicial Codes Counselor when notification of the charge is given.

Since the primary hearing is designed to be informal, it is often held in the faculty member's office. If the faculty member's office is thought to be unsuitable, any other room conducive to informal, private conversation would suffice.

The individuals present at the primary hearing include: the faculty member, the student, the independent witness, a student advisor (if the student wishes one) and any relevant witnesses to testify to the alleged violation or to the student's innocence. **Again, the primary hearing is intended to be informal, therefore, witnesses should be present only if their presence will clarify the situation, not merely simulate a legal setting.**

If the student fails to be present at the meeting without prior notification, the faculty member may proceed in the student's absence with the steps that follow.

Procedure

The faculty member presents the evidence in support of the charge against the student. This may include statements from witnesses of the alleged violation, or any other evidence.

The student is given the opportunity to respond to the evidence presented and may present evidence refuting the charge. Evidence in support of the student may include statements from witnesses who were at the scene of the alleged violation, character witnesses or any other evidence.

Both the student and the faculty member will be given an opportunity to pose questions to the witnesses of the other party.

Decision

After hearing the student's response, the faculty member must determine whether the evidence is *clear and convincing* that the student has violated the Code. (*Clear and convincing* as stated in the Code falls somewhere between a "preponderance of evidence" and "beyond a reasonable doubt". The evidence should produce a "firm belief" in the faculty member's mind that the student did in fact violate the Code.) If the faculty member decides that there is *clear and convincing* evidence to support the charge, the

student is found guilty. If, on the other hand, the faculty member decides that the evidence does not support the charge, the student is found innocent and the charge is dismissed.

If the student is found guilty of violating the Code, the faculty member may impose any suitable grade punishment, including failure in the course or part of the course. Non-grade related penalties are not within the jurisdiction of the faculty member to give. The faculty member may bring the case to the Hearing Board if he or she feels that grade reduction is not an appropriate penalty.

The faculty member may feel at the end of the hearing that deliberation on the decision is necessary. The faculty member may postpone a decision to provide for adequate time to deliberate, but the decision should be made as soon as possible after the hearing.

Follow-up

- **Submit Decision and Penalty, if any, in Writing to the Student.** After the primary hearing and after the decision has been made, it is the faculty member's responsibility to inform the student in writing of the decision and the penalty, if any. An example of a written statement to a student found guilty appears in Appendix 3, page 23.

If the faculty member finds the student innocent, the student is informed in writing of this decision (See Appendix 4, page 24) and notifies all persons originally consulted of the decision. The case ends here. No records of the incident are kept.²

- **Submit Decision and Penalty, if any, in Writing to the Record Keeper of the Academic Integrity Hearing Board in the College Where the Course is Offered.** If the faculty member finds the student guilty of a violation of the Code, the faculty member reports the outcome of the primary hearing immediately to the record keeper of the Academic Integrity Hearing Board in the college in which the course is taught. This report may be in the form of a copy of the letter sent to the student (see Appendix 3, page 23) or a formal report containing a brief description of the charge, hearing, decision and penalty, if any. This formal report includes the names of all participants—the faculty member, the student, the independent witness, and any other people testifying in the hearing. An example of this report appears in Appendix 5, page 25. The Hearing Board record keeper then submits the letter or report to the record keeper of the student's college.

In certain cases, it may be advisable for the Hearing Board Chairperson to write a letter to the student. An example of such a letter appears in Appendix 6, page 26.

Appeal of the Decision

A student wishing to seek review of the decision of a primary hearing may bring the case before the Academic Integrity Hearing Board of the faculty member's college.

A student may seek review by the Hearing Board of a grade penalty for academic misconduct if he or she feels that the finding of guilt by the faculty member is arbitrary and capricious or that the penalty imposed is excessive or inappropriate to the circumstances involved. The term "arbitrary and capricious" fundamentally describes a decision which has no sound basis in fact or reason. A decision is

² NOTE: It is especially important at this point to guard against bias in assigning a grade to the previously suspect paper or project. One possibility is to give an unmarked copy of the material to a teaching assistant or colleague for informal reaction or grading.

arbitrary and capricious only if it is one no reasonable person could reach. A decision is not arbitrary and capricious if it is one about which reasonable persons could disagree.

Academic Integrity Board Hearing

If the case is to go directly to a Hearing Board without a primary hearing, the Hearing Board chair of the college in which the course is offered notifies the student of the charge and summons the student to the hearing. An example of this notification appears in Appendix 7, page 27. Cases heard by a College Academic Integrity Hearing Board also include the following:

- If the student believes that the procedure followed in the primary hearing was improper or unfair, the student may seek review of the decision of the primary hearing.
- If the student contests the finding of the faculty member, the student may appeal to the Academic Integrity Hearing Board.
- If the student believes the penalty was too strict considering the offense, he or she may seek review of the decision of the primary hearing.
- If the student believes the finding of guilt by the faculty member in an academic misconduct case is arbitrary and capricious or that the penalty imposed was excessive or inappropriate, she or he may seek review by the Academic Integrity Hearing Board.
- If the faculty member feels that in addition to the grade penalty another penalty should be imposed or that counseling should be recommended, he or she may refer the case to the Academic Integrity Hearing Board.
- If, after the primary hearing but before a decision is reached, the faculty member believes a grade penalty is inappropriate for the offense, he or she may refer the case to the Hearing Board. The chairperson of the Hearing Board notifies the student of the faculty member's action and summons the student to appear before the Academic Integrity Hearing Board. An example of such a letter of notification appears in Appendix 8, page 28.
- If, after receiving word that a student has committed multiple violations (in his or her own college, in another college and/or in another institution), the dean of the student's college may ask the student to appear before the College Hearing Board. Both the dean of the student's college and the chairperson of the Hearing Board notify the student of this decision and summon the student to an Academic Integrity Board Hearing. An example of such a letter of notification appears in Appendix 9, page 29.
- If the dean of the student's college is informed that the student violated academic integrity while attending another institution, the dean may ask that the student come before an Academic Integrity Hearing Board. An example of such a summons appears in Appendix 10, page 30.

Anyone wishing a review of the decision of the primary hearing must notify the Hearing Board Chair **within ten working days** of the primary hearing decision. An exception to this deadline may be granted at the discretion of the Chairperson of the Hearing Board on a showing of good cause.

(NOTE: Article II Section C.2.e. of the Code of Academic Integrity, page 5, recommends that only in exceptional cases should the Hearing Board raise the penalty given in the primary hearing. Students seeking to appeal the decision of the primary hearing should, however, be made aware that the possibility of their receiving an increased penalty on appeal does exist.)

The Academic Integrity Hearing Board convenes as soon as practical after receiving notification of a request for review. Seven days notice should be given to all parties in the case, if possible. If the end of the term or a vacation is approaching, the notice time can be shortened, provided a mutually convenient time can be agreed upon.

If the faculty member must submit a grade for the student before the hearing, an "Incomplete" should be recorded pending the Hearing Board's decision.

The Academic Integrity Board hearing is not a legal proceeding and as such, may be held in any convenient location. A classroom or lounge may be reserved for the purpose. Ten to fifteen people might be expected to participate in the hearing, so a room of suitable size should be selected.

Individuals present at the hearing include: the student, an advisor (if the student wishes to have an advisor present), any relevant witnesses to testify in behalf of the student, the faculty member, any relevant witnesses to testify to the alleged violation, the independent witness from the primary hearing (if a primary hearing was held), any other person called by the chairperson of the Hearing Board, and at least two-thirds of the voting members of the Hearing Board including two students and two faculty members.

If either the student or the faculty member fail to appear before the Hearing Board, the Board may proceed in his or her absence.

If less than two-thirds of the voting Board members are present at the hearing, both parties may agree in writing to waive the quorum. If they do not agree, a new date for the hearing must be decided upon.

Procedure

Again, the hearing is not a legal proceeding so formal rules of evidence do not apply. The Board hears all parties to the dispute and examines all evidence presented. If it is deemed necessary, the chairperson may solicit outside advice. The chairperson presides over the hearing, insuring that no one is threatened, intimidated or coerced by any of the participants or otherwise behaves inappropriately.

The faculty member presents the case against the student, calling on any relevant witnesses.

The student presents his or her case, calling on any relevant witnesses. The student may challenge the charges or the evidence. The student's advisor may **assist** the student in the presentation and questioning.

As in the primary hearing, both the student and the faculty member will be given an opportunity to pose questions to the witnesses of the other party.

Decision

After all the evidence has been heard, the parties are dismissed while the Board deliberates. The Board must decide whether or not the evidence presented is *clear and convincing* that the student did in fact violate the Code. (*Clear and convincing* as stated in the Code falls somewhere between a "preponderance of evidence" and "beyond a reasonable doubt". The evidence should produce a "firm belief" in the faculty member's mind that the student did in fact violate the Code.) A simple majority of those voting members present decides the issue, the chairperson voting only in the case of a tie vote.

If the student has been convicted of a previous violation, this information is not made known to the Board until a determination of guilt or innocence is reached. Only after a student has been found guilty

of violating the Code may the Chair reveal the student's prior record of conviction to the Board for their consideration in determining an appropriate penalty.

If the Board finds that the evidence does not support the charge, the student is found innocent, and the charge is dropped. If the student is found not guilty by the Hearing Board, all records of the case, including the report of the primary hearing, are destroyed.

If the student is found guilty of the charge, he or she will be subject to penalties under the Code and also subject to penalties under state and federal laws.

Follow-up

- **Submit Decision and Penalty, if any, in Writing to the Student, the Faculty Member and the Deans of the Student and Faculty Member's Colleges.** After the Board has made its decision and determined the penalty, if any, the chairperson within 7 days notifies the faculty member, the student, the dean of the faculty member's college and the dean of the student's college in writing of that decision and penalty imposed. An example of such notification appears in Appendix 11, page 31.
- **Expunge Records.** If the student is found innocent, all records of the case, including the report of the primary hearing, are expunged from the files of the record keeper.
- **Establish Record of Action.** If the student is found guilty, a record of the outcome of the case and the nature of the violation is kept by the Hearing Board, and copies sent to the record keeper in the student's college, if different from the college in which the violation occurred. These records are kept indefinitely.

The record keeper may only disclose this record to Hearing Boards considering other charges against the same student, to deans or associate deans of colleges in furtherance of legitimate educational interests, to the Registrar for notation on the transcript³, when provided by the decision of the Hearing Board and the dean, but to no one else unless specifically directed by the student.

- **Execution of Board's Decision.** The dean of the student's college ensures that the Hearing Board's decision is carried out, including the expunging of the records in case of innocence, and notifies all parties of the implementation and the decision, unless an appeal is filed.

Appeal of the Decision of the Hearing Board

The faculty member is bound by the Board's decision and may not appeal.

The student may appeal a decision of the Hearing Board by directing it to the dean of his or her college **within four weeks after notification of the Board's decision**. Exceptions to the deadline may be granted by the dean if good reason is shown. If the Hearing Board's decision involves students from more than one college, the deans involved shall consult with each other.

³ An official notation inserted on a student's transcript should explain the reason for the action. For example, in computer-related violations, the official notation should distinguish between actions taken to fraudulently advance the student's status and those affecting the use of computers.

- **Grounds for Appeal of a Finding of Guilt:** A student who has received a finding of guilt from the Board, or whose finding of guilt in a Primary Hearing was upheld by the Board, may appeal on one or both of the following grounds.

1. Additional evidence which might have affected the outcome became available after the hearing.
2. The Hearing Board violated a procedure that might have prejudiced the outcome.

The dean may deny the appeal or send the case back to the Hearing Board for reconsideration.

- **Appeal of a Penalty:** The student may appeal the findings of the Hearing Board regarding penalties. The appeal must specify reasons why the penalty is inappropriate. The dean, following consultation with the Hearing Board, may take one of the following actions:

1. If a grading penalty has been imposed, the dean may recommend to the faculty member that it be reduced.
2. If another penalty has been imposed, the dean may modify or decline to carry it out.

In all but the most unusual circumstances, it is the expectation that the findings and recommendations of the Hearing Board will be upheld by the dean. The dean's decision cannot be appealed.

IV. SUGGESTED METHODS FOR PREVENTING VIOLATIONS

Research indicates that class size, teaching practices and evaluation methods can affect the level of academic integrity in a course. The following suggestions from Cornell Faculty, a student task force on Academic Integrity from the College of Agriculture and Life Sciences, and *National Association of Student Personnel Administrators: Issues and Perspectives on Academic Integrity*, provide useful advice to faculty on how to reduce the opportunity for violating the Code in exams, papers and by student teaching assistants.

Exams

- Develop course objectives and tie all tests to those objectives. Unrealistic, trite or irrelevant examination questions provide students with a rationale to be dishonest.
- Test frequently to learn the kind of work students are capable of performing. Students who know that faculty members are aware of their abilities are less inclined to substitute the work of others as their own.
- Avoid “all or nothing” grading – giving only one examination. This puts excessive pressure on students to perform and may stimulate academic dishonesty.
- Develop a pool of test questions so that tests can be changed each term.
- Vary prelims and grading format so that students who are not good test takers have other opportunities to demonstrate their abilities.
- Put copies of old exams on reserve so that students know what to expect.
- Assign “take home” exams only if student collaboration is desired.
- Avoid using standard examinations contained in teacher’s manuals, since resourceful students are often able to obtain such publications.
- Do not give the same exam on different days or at different times.
- Supply official examination booklets at examinations.
- Require students to place all material other than writing utensils outside the class or at the front of the room in closed-book exams.
- Check student identification against the class list in large classes.
- State the regulations involving examinations found in the Code at the beginning of the exam.
- Collect examination booklets by row, so seat location can be determined.
- Assign an adequate number of proctors to carefully and diligently proctor the exam.

- Alternate seating, providing enough seats between students to discourage cheating.

Papers

- Require outlines, bibliographies, summaries of research, or rough drafts to be handed in at various points throughout the writing. These items need not be graded, but they can be used to check against the final paper.
- Change paper topics from year to year. When students choose their own topics, require that they discuss their plans.
- Schedule due dates as early in the semester as is academically appropriate to the assignment to reduce time pressure.
- Ask students assigned to write substantial papers to give an oral presentation either to the class or to the professor and to respond to questions OR to meet at least once with faculty member to review the topic and discuss the ongoing research which the student has undertaken.
- Suggest a time sequence for research, outline, first draft, etc. to students inexperienced at writing papers; recommend campus writing assistance programs such as "Writing Workshop" for students having trouble writing.
- Give a pop quiz on the paper topics immediately before the papers are due to test student knowledge of the information.
- Mention the availability of *The Code of Academic Integrity and Acknowledging the Work of Others* in the Office of the Dean of the Faculty, and put several copies on reserve. Make it required reading for the course.

Teaching Assistants

- Avoid asking teaching assistants to compose exams, as this puts them in an awkward position when they are helping students review.
- Explain clearly the teaching assistant's role as examination proctor, noting that proctoring time should be spent in carefully keeping an eye out for students with questions and watching for violations of the Code.
- Do not give a solutions manual for the entire course to teaching assistants.

Computers

- Assign new problems and papers from year to year, requesting that early drafts be handed in periodically before final draft is due.
- Require students to show how they obtained their answers.
- For courses in which all students are required to use the same computer program, the professor may decide to monitor individual files. Students should be informed of this decision.
- Advise students to protect their computer files and destroy discarded drafts of printed materials.

APPENDIX 1

Letter from Hearing Board or Department Chair to Independent Witness

Date

Dear :

Thank you for accepting the appointment as Independent Witness for the upcoming primary hearing. (Faculty member) will be getting in touch with you regarding the date and location of the hearing.

I am writing to give you a more complete idea of what your responsibilities include. In the Code of Academic Integrity it states, "The function of the independent witness is to observe the proceedings impartially, and in the event of an appeal from the judgment of the faculty member, be prepared to testify as to the procedures followed." (Code II.B.4.b.)

Basically, this means that you will be an observer, not a participant in the discussion. Your presence will hopefully serve to ensure that neither party is threatened, intimidated or coerced by the other.

If the case is settled at the primary hearing, your job is over. If, however, the case progresses to an Academic Integrity Board hearing, you may be asked to testify as to what went on at the primary hearing. Some experienced independent witnesses recommend bringing a tape recorder to the primary hearing, but this should be discussed with all parties involved. If no tape recorder is used, you may have to take detailed notes as to the charge presented and the student's response.

Once again, thank you for your participation in this important University function.

Sincerely,

Chair of Hearing Board
OR
Chair of Department

APPENDIX 2

Letter from Faculty Member Notifying Student of Primary Hearing

Date

Dear :

I have received information that leads me to believe that you have violated the University Code of Academic Integrity.

Date of violation:

Brief description of charge:

I request your presence at a primary hearing to discuss this matter on (date) at (time) in my office, (office address).

The purpose of this hearing is to resolve the case with a minimum of formal procedure. An independent witness appointed by my department or the Chairperson of the Hearing Board will also be present. At the hearing I will present my evidence, and you will be given the opportunity to respond. You may bring an advisor and any evidence of your innocence, including character witnesses, if you wish. The Judicial Codes Counselor (name, office address, telephone), is available to assist members of the Cornell community. After the hearing I will either dismiss the charge or find it supported on the basis of the evidence and assign an appropriate grade penalty. You have the right to appeal my decision to the Academic Integrity Hearing Board.

I have enclosed a copy of the University Code of Academic Integrity for your reference.

If you are unable to attend the hearing at the scheduled time or have any other questions about the process, please contact me.

Sincerely,

(faculty member)

encl.

APPENDIX 3

Letter from Faculty Member to Student Convicted in Primary Hearing

Date

Dear :

This letter is to notify you of my decision finding you guilty of a violation of the University's Code of Academic Integrity.

(Date) (Description of violation and course.)

(This paragraph should state any grade penalty you have decided to impose and whether you have decided to refer the matter to the Academic Integrity Board for further action.)

You have the right to appeal my decision to the Academic Integrity Hearing Board of my college. If you choose to appeal, you should contact (name of Chair or Secretary of Hearing Board in your college who handles scheduling of hearings) within ten working days.

The University Code of Academic Integrity spells out your rights and the appeals procedures in more detail. I have enclosed a copy for your reference. If you have any questions please contact the Chairperson of the Academic Integrity Hearing Board or the Judicial Codes Counselor.

Sincerely,

(faculty member)

encl.

**Copies of this letter should be sent to the Hearing Board's record keeper and to the Judicial Codes Counselor if he/she was involved in the primary hearing.

APPENDIX 4

Letter from Faculty Member to Student Found Innocent in Primary Hearing

Date

Dear :

On (date) you met with me in the presence of (name of independent witness) to discuss your alleged violation of the Code of Academic Integrity. This letter is to notify you of my decision that you are innocent of the charge. No record of the incident will be kept. If you have any questions, you may contact the Chair of the Academic Integrity Hearing Board (name, office address, phone) or the Judicial Codes Counselor (name, office address, phone).

Sincerely,

(faculty member)

**Anyone involved in the primary hearing should be informed of this decision and all records must be destroyed.

APPENDIX 5

Faculty Member's Report to the Academic Integrity File on Primary Hearing Conviction

Date

TO: (Name of the Secretary or Chair of the Academic Integrity
Hearing Board of college in which course is taught.)

FROM:

(Name), a student in the College of (name of student's college), has violated the Cornell University Code of Academic Integrity as described below:

Course:

Semester:

Violation:

Penalty imposed:

Independent witness:

Date of Primary Hearing:

APPENDIX 6

Letter from Academic Integrity Chair to Student Convicted in Primary Hearing

Date

Dear :

As Chair of the Academic Integrity Board, I have been made aware of your violation of the Code of Academic Integrity in connection with your work in (name of course and professor).

Unless there are further violations on your part, that incident is now closed. At the risk of repeating what you have already heard from others, I would like to stress the seriousness of an academic integrity violation. Such a violation undermines the basic function of a university community—the pursuit of knowledge in an atmosphere of mutual trust and respect. The student learns nothing of a subject when he or she cheats. Researchers contribute nothing to scholarship and human knowledge, and may well cause great damage, when they fake their data. Faculty cannot function effectively if they are reduced to the status of police.

I urge you to study the Code of Academic Integrity, and in particular, the section on penalties. Repeated violations are regarded as very grave, and the more severe penalties such as expulsion and suspension are regularly invoked.

If you have any questions, please do not hesitate to get in touch with me at any time (phone number).

Sincerely,

Chair, Academic Integrity
Hearing Board

APPENDIX 7

**Letter from Academic Integrity Chair
Notifying Student of Academic Integrity
Board Hearing (Without Primary Hearing)**

Date

Dear :

I have received a complaint from (Name of faculty member) alleging that you violated the Code of Academic Integrity. (Faculty member) states that you (describe alleged violation)

Because of the seriousness of the alleged offense, (Faculty member) has chosen to forgo the primary hearing and request a Board Hearing. The Academic Integrity Board will meet at (time) on (date) in room (number) to hear this case.

You may appear with any witnesses or evidence on your own behalf, and you will be entitled to question any witnesses who appear against you. You are also entitled to bring an advisor of your choice to the hearing. Although you may choose to act as your own counsel, you may find it helpful to consult your faculty advisor or the Judicial Codes Counselor. The Judicial Codes Counselor is available to assist members of the Cornell Community who are accused of violating University rules and regulations. (Judicial Codes Counselor's name, office address, phone.)

You should be aware that failure to appear before the Hearing Board without being excused for good cause shown may result in the Hearing Board proceeding in your absence; therefore, if you cannot attend at the time set, be sure to contact me well in advance. I will attempt to reschedule the hearing, or if that is impossible, you may submit written evidence for a hearing in absentia.

Enclosed is a copy of the University Code of Academic Integrity for your reference.

If you have any questions, please contact me or the Judicial Codes Counselor.

Sincerely,

Chair, Academic Integrity
Hearing Board

encl.

APPENDIX 8

**Letter from Academic Integrity Chair
Notifying Student of Academic Integrity
Board Hearing (Following Primary Hearing)**

Date

Dear :

I have been notified by (Name of faculty member) that he or she has met with you at a primary hearing concerning an alleged violation of the University Code of Academic Integrity. At the primary hearing, (Name of faculty member) decided that you (description of violation.) As a penalty, (faculty member) assigned you a (failing or other grade) in (course or project).

(In this section, describe the events that led to the Board Hearing, either the faculty member's choice because he or she felt the penalty inadequate, or the student's appeal from the primary decision.)

The Academic Integrity Hearing Board will meet on (date) at (time) in room (number) to hear your case.

You may appear with any witnesses or evidence on your behalf, and you will be entitled to question any witnesses who appear against you...

(Continue as in Appendix 7.)

APPENDIX 9

**Letter from Dean of College
Notifying Student of Academic Integrity Board
Hearing (After Multiple Convictions)**

Date

Dear :

You have been convicted of two violations of the University's Code of Academic Integrity:

(Date of first conviction) (Description of violation, course in which violation occurred, college or program)

(Date of second conviction) (Same as above)

This letter is to notify you of my intention to convene the Academic Integrity Hearing Board as soon as possible. The Chair of the Board, (Name of Chair), will contact you about the time and place of the hearing.

I am enclosing a copy of the University Code of Academic Integrity. You may wish to consult the Judicial Codes Counselor, (name, office address, phone number), who provides free assistance to students accused of violating University rules and regulations.

Sincerely,

Dean of College

encl.

c: Chair of Hearing Board

APPENDIX 10

**Letter from Dean of College
Notifying Student of Academic Integrity Board Hearing
(After Conviction at Another Institution)**

Date

Dear :

It has come to my attention that while attending (name of program and academic institution) you committed a violation of academic integrity. Cornell University considers this a very serious violation, and as such I have asked that you appear before the Academic Integrity Hearing Board on (date) at (time) to have your case heard.

The chairperson of the College Academic Integrity Hearing Board will contact you directly to inform you in detail of the procedures. In the meantime, I urge you to study the University Code of Academic Integrity. A copy is enclosed for your reference.

If you have any questions, please do not hesitate to get in touch with me at any time (phone number).

Sincerely,

Dean of the College

encl.

APPENDIX 11

Decision Letter from Academic Integrity Chair or Secretary to Student Following Academic Integrity Board Hearing

Date

Dear :

The Academic Integrity Hearing Board in its meeting of (date, time, and place) has found you (guilty or innocent) of (describe violation)

The University Code of Academic Integrity allows you to appeal this matter to the Dean of your college or school within four weeks of the dispatch of this letter. The grounds for appealing are listed in II.C.5. of the Code.

Sincerely,

Secretary or Chair
Academic Integrity
Hearing Board

c: Faculty member
Dean of faculty member's college
Dean of student's college