

  <h1 style="text-align: center;">PROCEDURES</h1>	<b>Motion No:</b> SCAA/SCSDA201909.03 (S-202001.05)	<b>Approval Date:</b> September 20, 2019
	<b>Approving Authority:</b> Senate and the Board of Governors	
<b>Responsible Executive:</b> Provost and Vice-President, Academic		
<b>Title:</b> <p style="text-align: center;"><b>Academic and Non-Academic Misconduct</b></p>		

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## 1. PURPOSE

These procedures establish the process followed to resolve, informally or formally, student academic or non-academic conduct complaint or allegation.

## 2. SCOPE

These procedures apply to all UNBC students as defined in Section 4.3.9 of the *Academic and Non-Academic Conduct Student Policy*.

## 3. PRINCIPLES

- 3.1 Students must be treated fairly before being penalized for misconduct. They are entitled to information about the alleged wrongdoing and to provide a response.
- 3.2 When the University imposes a penalty on a Student for misconduct, the Student may appeal to the Senate Committee on Student Appeals (SCA). SCA is the standing committee of final appeal for students in matters of all misconduct.
- 3.3 A support person may accompany a Student to any meeting concerning disciplinary matters.
- 3.4 The University may proceed with a case even if it is also being dealt with in proceedings external to the University.
- 3.5 Where University policies set out procedures that are invoked in particular contexts (e.g., *Sexual Violence and Misconduct Policy and Response Procedures*), those procedures must be followed before any disciplinary action is taken under the *Academic and Non-Academic Conduct Student Policy*.
- 3.6 In deciding upon the appropriate penalty to be imposed for an act of student academic or non-academic misconduct, consideration must be given to the following factors:
  - 3.6.1 the extent of the misconduct;
  - 3.6.2 the impact that the misconduct has had on members of the University community;
  - 3.6.3 the impact that the misconduct has on the public image of the University;
  - 3.6.4 the inadvertent or the deliberate nature of the misconduct;
  - 3.6.5 the importance of the work in question as a component of the course or program;

**3.6.6** whether the act in question is an isolated incident or part of repeated acts of misconduct; and

**3.6.7** any other mitigating or aggravating circumstances.

#### **4. PROCEDURES – ACADEMIC MISCONDUCT**

##### **4.1 Allegations**

**4.1.1** An Instructor who suspects a Student has engaged in academic misconduct as outlined in section 5.2 of the *Academic and Non-Academic Conduct Student Policy*, and has evidence to support the allegation, should contact the Student normally within 10 business days of the incident. The Student is informed of the allegation and offered the opportunity to respond, which normally results in a meeting between the Instructor and Student.

**4.1.2** If the Student refuses to provide a response to the allegation or to participate in the process, the Instructor can proceed to make a determination of the incident.

##### **4.2 Determining the Nature of the Allegation**

**4.2.1** If the Instructor determines there is not enough compelling information to support the allegation, the investigation ends and the Student is informed of the determination.

**4.2.2** If the Instructor determines there is enough compelling information to support the allegation, the process proceeds as outlined in section 4.3.

##### **4.3 Determining the Nature of the Allegation and Appropriate Penalties**

**4.1.3** If there is compelling information to support the allegation of an offence, the Instructor completes the *UNBC Academic Misconduct Form*, and may impose a penalty as outlined in section 7.1.1 of the Policy.

**4.1.4** For minor or first offences, the Instructor meets with the Student to report their findings and inform the Student of the penalty.

- i.** If the Student agrees with the allegation, resolution and penalty, they complete and sign the student section of the *UNBC Academic Misconduct Form*. The Instructor submits the completed form and any supporting documentation to the Office of the Registrar, the Office of the Registrar places the form and documentation in the Student's file, and the matter is considered resolved.
- ii.** If the Student does not agree with the accusation, resolution or penalty, the Student may complete the comment section but does not sign the student section of the *UNBC Academic Misconduct Form*. The matter is

considered unresolved, and the Instructor forwards the form and any supporting documentation onto the Program Chair, Director or Associate Dean. For Programs that do not have a Program Chair, Director, or Associate Dean, the form and any supporting documentation are forwarded to the Dean.

- 4.3.3** The Instructor refers allegations that are a second or subsequent offence that may or may not be minor or a first-time violation that is particularly unusual or serious to the Program Chair, Director or Associate Dean, or to the Dean when the Programs does not have a Program Chair, Director, or Associate Dean.

#### **4.4 Referral to the Program Chair, Director or Associate Dean**

- 4.4.1** The Program Chair, Director or Associate Dean reviews the allegation(s) and any supporting documentation.
- 4.4.2** For allegations that are a second or subsequent offence, or if the Instructor, Program Chair, Director or Associate Dean knows or suspects the allegation is a second or subsequent offence, the Program Chair, Dean or Associate Dean contacts the Office of the Registrar to outline the incident and determine if the Student's record contains any other confirmed academic misconduct.
- 4.4.3** The Program Chair, Director or Associate Dean and the Instructor meet with the Student to discuss the allegation.
- i.** The Program Chair completes the *UNBC Academic Misconduct Form* and decides to dismiss the case, uphold the Instructor's decision, impose another penalty or refer the case to the Dean, which may include a recommendation.
  - ii.** If the Student agrees with the allegation, resolution and penalty, they complete and sign the student section of the *UNBC Academic Misconduct Form*. The Program Chair, Director or Associate Dean submits the completed form and any supporting documentation to the Office of the Registrar, the Office of the Registrar places the form and documentation in the Student's file, and the matter is considered resolved.
  - iii.** If the Student does not agree with the accusation, resolution or penalty, then the Student may complete the comment section but does not sign the student section of the *UNBC Academic Misconduct Form*. The matter is considered unresolved, and the Program Chair, Director or Associate Dean forwards the form and any supporting documentation onto the Dean.

#### **4.5 Professional Programs**

In the case of professional programs that have their own internal procedures for the purpose of accreditation, allegations of student academic misconduct are reviewed as per the professional program's regulations.

#### **4.6 Referral to the Dean**

- 4.6.1** Where there have been one or more prior violations of academic dishonesty or academic misconduct, and the Program Chair, Director or Associate Dean has determined that compelling information exists to support the allegation, the Program Chair forwards the case to the responsible Dean.
- 4.6.2** The Program Chair, Director or Associate Dean may submit a recommendation to the Dean with respect to a proposed penalty.
- 4.6.3** In the case of a first-time violation that is particularly unusual or serious, the Program Chair, Director or Associate Dean may refer the case to the responsible Dean with a recommendation for a penalty more severe than those normally imposed.
- 4.6.4** The Dean reviews the allegation(s), any prior academic violations, and recommendation(s) from the Program Chair, Director or Associate Dean to determine an appropriate penalty for the academic misconduct as per the Policy.
- 4.6.5** The Dean meets with the Student to discuss the allegation.
  - i.** The Dean completes the *UNBC Academic Misconduct Form* and decides to dismiss the case, uphold the Program Chair, Director or Associate Dean's decision or recommendation, or impose another penalty.
  - ii.** The Student completes and signs the student section of the *UNBC Academic Misconduct Form*.
  - iii.** The Dean submits the completed form and any supporting documentation to the Office of the Registrar, the Office of the Registrar places the form and documentation in the Student's file.

#### **4.7 Referral to the Provost and Vice President, Academic**

- 4.7.1** Cases where the Dean recommends the Student be removed from a Program or suspended from the University are referred to the Provost and Vice President, Academic.
- 4.7.2** The Provost and Vice President, Academic reviews the allegation(s), any prior academic violations, and the recommendation(s) and determines if removal from the Program or suspension is the appropriate penalty for the misconduct.

**4.7.3** The Provost and Vice President, Academic completes the *UNBC Academic Misconduct Form* and forwards it to the Office of the Registrar to be placed in the Student's file.

#### **4.8 Letters of Reprimand**

**4.7.1** The Student is sent notification outlining the penalty by the authority (Instructor, Program Chair, Director, Associate Dean, Dean, or Provost and Vice President, Academic) responsible for imposing the penalty.

**4.7.2** A copy of the letter is sent to the Office of the Registrar for inclusion in the Student's record.

**4.7.3** Where applicable, a copy of the letter is also sent to the Instructor, Program Chair, Director, Associate Dean, Academic Supervisor, Supervisory Committee, Office of Graduate Programs and the Dean.

### **5. PROCEDURES – NON-ACADEMIC MISCONDUCT**

#### **5.1 Emergencies**

Complaints related to safety, security, and other urgent matters should be made to UNBC Security Services, who respond to ensure the safety and security of members of the University Community, contractors, visitors and guests, and safeguard the operation of the University and its property as per the *Emergency Response to Inappropriate, Disruptive or Threatening Behaviour Policy*.

UNBC Security Services documents the incident in an Incident Report and includes their observations and any other relevant circumstances. This information is forwarded to the Provost and Vice President, Academic and the senior level administrator responsible for Safety and Security in a timely manner, normally within one business day.

#### **5.2 General Procedures for Student Non-Academic Misconduct**

**5.2.1** If a member of the University Community believes that a Student has engaged in non-academic misconduct under the *Academic and Non-Academic Conduct Student Policy*, a University official may complete an *Incident Report* and forward the report to the Provost and Vice President, Academic and the senior level administrator responsible for Safety and Security.

**5.2.2** If the misconduct involves a form of harassment, the written report of the investigation conducted is sent to the Provost and Vice President, Academic, who is the responsible officer for students.

- 5.2.3 Upon receipt of the report, the Provost and Vice President, Academic may impose interim measures as outlined in section 7.2.1 of the *Academic and Non-Academic Conduct Student Policy* while the incident is being resolved, investigated or decided. Such measures are precautionary, not disciplinary, and are reassessed weekly.
- 5.2.4 The Provost and Vice President, Academic investigates the alleged act of misconduct and decides if the allegations are true and constitute Non-Academic Misconduct under the *Academic and Non-Academic Conduct Student Policy*, or if the allegations fall under another University Policy.
- 5.2.5 The Provost and Vice President, Academic must give the Student the opportunity to meet and discuss the situation.
- 5.2.6 After the investigation is complete, the Provost and Vice President, Academic or the President, in the case of student suspension or expulsion, may take one or more courses of actions as outlined in section 7.2.2 of the *Academic and Non-Academic Conduct Student Policy*.
- 5.2.7 The Provost and Vice President Academic or the President must notify the Student in writing of the decision and action taken.
- 5.2.8 If the Provost and Vice President, Academic or President take action under 7.2.3 (ii) through 7.2.3 (vi) of the *Student Academic and Non-Academic Conduct Student Policy*, the Student must be notified in writing that a copy of the documentation associated with the incident and a record of any actions taken is retained by the University and that, in the event of any further reports of non-academic misconduct, the record may be used in determining the action to be taken for the subsequent misconduct.
- 5.2.9 The Provost and Vice President, Academic will notify the Complainant of the result of the Investigation to the extent possible.

## **6. PROCEDURES – FALSIFIED DOCUMENTS OR OTHER FORMS OF MISREPRESENTATION**

### **6.1 Allegations of Falsified Documents or Other Forms of Misrepresentation Submitted to the Office of the Registrar**

- 6.1.1 If the University Registrar has reasonable grounds to believe a document has been falsified or a misrepresentation made that may create an incorrect perception of a Student's academic position or credentials, the Student should be contacted normally within 10 business days of the incident. The Student is informed of the allegation and offered the opportunity to respond, which normally results in a meeting between the University Registrar and the Student.

- 6.1.2** If the Student refuses to provide a response to the allegation or to participate in the process, the University Registrar can proceed to make a determination of the incident.
- 6.1.3** If the University Registrar determines there is not enough compelling information to support the allegation, the investigation ends and the Student is informed of the determination.
- 6.1.4** If the University Registrar determines there is enough compelling information to support the allegation, the University Registrar refers the matter to the Dean with one or more of the recommendations outlined in section 7.2.4 of the *Academic and Non-Academic Conduct Student Policy*.
- 6.1.5** The Student is notified in writing that a copy of the documentation associated with the incident and a record of the action taken is retained by the University and that, in the event of any further reports of misconduct, the record may be used in determining the action to be taken for the subsequent misconduct.

## **6.2 Other Allegations of Falsified Documents or Other Forms of Misrepresentation**

- 6.2.1** If an Instructor, or Academic Supervisor or Supervisory Committee when applicable, has reasonable grounds to believe that a Student in their course has submitted a document that has been falsified or has made a misrepresentation to gain a benefit or an advantage in a course, the Instructor, or Academic Supervisor or Supervisory Committee, must confer with the Program Chair, Director or Associate Dean to decide whether the misconduct should be dealt with as a case of Academic Misconduct or non-academic misconduct, or both.
- 6.2.2** If the Instructor and the Program Chair, Director, or Associate Dean decide that the falsification or misrepresentation should be dealt with as Academic Misconduct, they must proceed under *section 4. Procedures – Academic Misconduct*.
- 6.2.3** If the Instructor, or Academic Supervisor or Supervisory Committee when applicable, and the Program Chair, Director or Associate Dean decide that the falsification or misrepresentation should be dealt with as Non-Academic Misconduct, they must proceed under *section 5. Procedures – Non-Academic Misconduct*.
- 6.2.4** If the Instructor, or Academic Supervisor or Supervisory Committee when applicable, and the Program Chair, Director or Dean decide that the falsification or misrepresentation should be dealt with as both Non-Misconduct and Academic Misconduct, the matter must be dealt with under *section 5. Procedures – Non-Academic Misconduct*. Following an



investigation and determination of Non-Academic Misconduct, an academic penalty may be imposed in addition to any of the penalties for Non-Academic Misconduct.

## **7. PROCEDURAL AUTHORITY / EXECUTIVE or ADMINISTRATIVE RESPONSIBILITIES**

These procedures are administered under the authority of the Provost and Vice President, Academic.