

ACADEMIC MISCONDUCT

Section 2. Academic Misconduct

Students are expected to act with academic integrity. All students must be honest and forthright in their academic work. To falsify the results of one's work, to steal the words or ideas of another, to cheat on an assignment, or to allow or assist another to commit these acts disrupts the learning environment.

The following conduct constitutes standard violations of the Student Code of Conduct regarding academic misconduct, but is not limited to, and will subject a student to the Student Code of Conduct procedure. A violation of the Student Code of Conduct may also constitute a violation of city, state, or federal law. If so, some violations may trigger a report to law enforcement.

- *Academic misconduct* – any other act that disrupts the learning environment or provides a student with an academic advantage over another student. This includes, but is not limited to:
 - unauthorized possession, copying, distribution, sale, or other transfer of all or any part of an academic exercise, or the answers or solutions to an academic exercise, whether or not the exercise has been administered;
 - Changing, altering, attempting to change or alter, or assisting another in changing or altering any grade or other academic records, including grades or records contained in a grade book or computer file, that is received for or in any way attributed to academic work;
 - Entering any College building, facility, office, or other property, or accessing any computer file or other College record or storage for the purpose of obtaining the answers or solutions to an academic exercise or to change the grade;
 - Continuing to work on an academic exercise after the specified allotted time has elapsed;
 - Bribing another person to obtain an academic exercise, including answers to questions of an academic exercise that is not administered.
- *Cheating* - an act or an attempted act of deception by which a student seeks to misrepresent that they have mastered information that has not been mastered. This includes, but is not limited to:
 - Copying of all or any portion of another's academic work and submitting it, in part or in its entirety, as one's own;
 - Allowing another person to copy one's own academic work, whether intentionally or recklessly;
 - The unauthorized use of artificial intelligence technology. Students are responsible for knowing their instructor's expectations when it comes to using artificial intelligence technology;
 - The unauthorized use or possession of a class textbook, notes, or any other material to complete or prepare an academic work;
 - The unauthorized collaboration with any other person on an academic exercise, including collaboration on a take-home or make-up academic exercise;
 - The unauthorized use of electronic instruments such as cell phones, PDAs, or personal response systems (clickers) to access or share information;
 - The unauthorized completion for another person of academic work, or permitting someone else to complete academic work for oneself, including through the use of personal response systems (i.e. clickers).
- *Copyright Infringement* - Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the U.S. Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the student to civil and criminal liabilities. For more information, see the website of the U.S. Copyright Office at www.copyright.gov (<http://www.copyright.gov/>).
- *Fabrication* - the use of invented information or the falsification of research or other findings. This includes, but is not limited to:
 - The false citation or acknowledgment of a direct or secondary source, including the incorrect documentation of a source;
 - The citation, in a bibliography or other list of references, of sources that were not used to prepare the academic work;
 - The inclusion in an academic work of falsified, invented, or fictitious data or information, or the deliberate and knowing concealment or distortion of the true nature, origin, or function of such data or information; or
 - The unauthorized submission of academic work prepared totally or in part by another.
- *Plagiarism* - the inclusion of someone else's words, ideas, images, or data as one's own. When a student submits academic work that includes another's words, ideas, images, or data, whether published or unpublished, the source of that information must be acknowledged with complete and accurate references and if verbatim statements are included, with quotation marks as well. By submitting work as their own, a student certifies the originality of all material not otherwise acknowledged. This includes, but is not limited to:
 - The quotation or other use of another person's words, ideas, opinions, thoughts or theories (even if paraphrased into one's own words) without acknowledgment of the source;
 - The quotation or other use of facts, statistics, or other data or materials (including images) that are not clearly common knowledge without acknowledgment of the source.

Academic Misconduct Procedure & Sanctions

Reports of academic misconduct will be addressed through the procedures set forth below.

Generally, the process for addressing reports of academic misconduct will be completed within sixty (60) days although the College reserves the right to extend the timeline when necessary to complete an investigation.

The procedure and outcome of a violation of the Student Code of Conduct will consider several factors, including the respondent's prior disciplinary history, the need to remedy the effects of the respondent's behavior, the safety of the College community, and the need to hold the respondent accountable for their actions. When the severity of the circumstance

warrants, Title IX Coordinator, Director of Campus Security, the Executive Director of Student Services, Vice President for Academic Affairs, and/or President impose upon the respondent a temporary suspension or separation from the College, including classes and any College activity.

Procedure

Any violation of academic misconduct must be reported to the Conduct Officer/BIT. The faculty member, in consultation with the Conduct Officer, will decide whether the matter should be processed through the Student Code of Conduct procedures or resolved informally. If the faculty member chooses to resolve the issue informally, they must have an agreement with all students directly affected. A report should be filed through the Behavior Intervention Team (BIT) report for documentation.

In the event the faculty member chooses to address the alleged academic misconduct through the Student Code of Conduct procedures, or the matter cannot be resolved informally, a report should be submitted using the Behavior Intervention Team (BIT) report (<https://blackhawk.edu/About/Safety-Security/Behavior-Intervention-Team/>) on the College website or reported directly to the Conduct Officer. A report should be submitted as soon as possible following the alleged violation to ensure a fair and timely investigation. The respondent(s) will be notified of the alleged violation.

Once the report has been submitted, the Code of Conduct Panel will preliminarily assess and review the alleged violation by taking the following steps:

- Meet with the complainant to understand the nature of the report and offer supportive services.
- Gather other relevant preliminary information, if necessary. This may include:
 - Gathering relevant documents, such as, but is not limited to, student records, disciplinary records, and academic assignments
 - Interviewing relevant witnesses and College officials, when appropriate.
- Contact law enforcement, if appropriate.

Once relevant information has been gathered, the Code of Conduct Panel will take the following steps:

- Notify the respondent of the alleged violation via email.
- Meet with the respondent, share the information obtained, and provide respondent an opportunity to respond to the information.
- If needed, conduct additional interviews or gather additional information.
- Determine whether the respondent has violated the Student Code of Conduct and assign appropriate sanctions.
- Provide notice to the respondent(s) and complainant (when appropriate) of the decision. If sanctions are assigned, provide respondent with explanation of sanctions, supportive resources, appeal options, and timeline to complete sanctions (if applicable).

If the respondent does not take responsibility for the alleged violation, chooses not to participate in the resolution process, or an agreement between the respondent and Code of Conduct Panel is not reached, the Code of Conduct Panel shall determine, based upon the review of the

respondent's previous disciplinary history and the nature of the violation, appropriate sanctions.

Sanctions

The following sanctions for academic misconduct that may be imposed upon the respondent include, but are not limited to:

- Verbal Warning – Respondent will be notified verbally that they have violated the Student Code of Conduct and must act more responsibly in the future.
- Written Warning – Respondent will be notified in writing that they have violated the Student Code of Conduct and must act more responsibly in the future.
- Resubmission of work – Respondent will be required to resubmit work to be graded on its merits.
- Grade Reduction – Assigned lower or failing grade on a particular assignment, test or in the course.
- Corrective Action – Required corrective action including, but not limited to, academic counseling and/or tutoring, substance abuse screening, mental health assessment, writing a letter of apology, service to the College, etc.
- Educational Program - Enrolling in an educational program addressing the related issues. Referral to an off-campus education program may be recommended.
- Loss of Privileges – Denial of specified privileges for a designated period of time.
- Administrative Withdrawal – a College official may withdraw a student from a course without student consent.
- College Suspension – Separation from the College for a specified period of time, after which the respondent is eligible to return. Conditions for return may be specified. During the suspension period, the student is banned from property owned, leased, or controlled by the College and is banned from College sponsored events and activities. The sanction may be enforced with a trespass action as necessary.
- College Expulsion – permanent separation of the student from the College with no opportunity to return.
- Withholding Degree – The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Code of Conduct including the completion of all sanctions imposed if any.
- Revocation of Admission and/or Degree - Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Other Sanctions – Additional or alternate sanctions may be created and designed as deemed appropriate.

The Conduct Officer/BIT may not impose College suspension, College expulsion, withholding degree, nor revocation of admission and/or degree upon a respondent, such sanctions may be recommended to the Executive Director of Student Services for final determination.

Interim Suspension

In certain circumstances, a campus interim suspension may be recommended by the Conduct Officer/BIT to the Executive Director of

Student Services. An interim suspension may be imposed to ensure the safety and well-being of members of the College community or preservation of College property, to ensure the respondent's own physical or emotional safety and well-being, or if the respondent poses an ongoing threat of disruption of, or interference with, the normal operations of the College. If an interim suspension is imposed:

- The respondent shall be notified in writing of this action at the time it is imposed. Notification will include the reasons for the interim suspension. The notice will include the place, date, and time (within 24 hours of the notification) of an appeal meeting at which the respondent may show why their continued presence on campus does not constitute a threat.
- During the interim suspension, the respondent will be denied access to the College (including classes) and all other College activities or privileges for which the respondent might otherwise be eligible. Any negative impact (including academic or financial) of interim suspension is the responsibility of the respondent.
- The interim suspension does not replace the regular resolution process, which will proceed as outlined in this policy.

Student Records

Only sanctions that include grades, course withdrawals, expulsion, revocation, or withholding of a degree for violation of Student Code of Conduct will be made part of the respondent's permanent academic record, and all other sanctions will become part of the respondent's disciplinary record. Upon graduation, the respondent's disciplinary record may be expunged of disciplinary actions other than, College suspension, expulsion, revocation, or withholding of a degree.