

ACADEMIC MISCONDUCT PROCEDURE

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Administrator.

Functional Category:	Academic
Parent Policy:	Student Judicial Affairs Policy
Approval Date:	June 29, 2020
Effective Date:	June 29, 2020
Procedure Owner:	Vice President, Teaching and Learning
Procedure Administrator:	Director, Customer Care

Overview:

NorQuest College (college) is committed to maintaining high standards of non-academic conduct and academic performance and integrity, in order to foster a learning environment conducive to the personal, educational, and social development of its students. This commitment is founded upon the principles of fairness, trustworthiness, honesty, respect, and responsibility. The college expects that its students will be guided at all times by these principles in the work that they submit and the behaviour in which they engage.

To this end, the college has adopted a Student Judicial Affairs Policy that both directs and standardizes the quasi-judicial procedures that govern alleged incidents of student academic and non-academic misconduct requiring a resolution mechanism and, where appropriate, the application of sanctions.

The Academic Misconduct Procedure directs the adjudication of cases of alleged academic misconduct and establishes the steps in the process, the standards by which alleged misconduct shall be judged, and the range of sanctions that may be imposed.

Authority to establish this procedure is derived from the NorQuest College Board of Governors Policies:

- [No. 5](#), which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation, and
- [No. 8](#), which requires the President and CEO to establish policies and procedures to ensure that college students comply with the college Code of Conduct.

Procedures:

NorQuest College is committed to maintaining high standards of academic performance and integrity, and it is incumbent upon all members of the college community to uphold these standards. Allegations of academic misconduct will be addressed using the adjudication principles stated in the Student Judicial Affairs Policy and the actions specified below.

Forms of Academic Misconduct

Academic misconduct may be defined broadly as the giving, taking, or presenting of information that dishonestly aids an individual or group in the determination of academic merit or standing. Common examples include, but are not limited to, plagiarism and cheating.

Plagiarism is a form of academic misconduct that occurs when someone presents, as one's own, work that has been created by another. Specific examples include:

- Presenting in any format the words, ideas, images or data created by or belonging to someone else as if it were one's own.
- Manipulating source material in an effort to deceive or mislead.

- Submitting work that contains misleading references that do not accurately reflect the sources actually used.

Cheating is a form of academic misconduct that occurs when someone employs unauthorized means to obtain credit for work submitted, to gain advantage over others in the assessment of academic work, or to assist others in obtaining such advantages. Specific examples include:

- Accessing information from unauthorized sources (e.g., other students, notes) in the course of completing an assignment, test, or examination.
- Possessing unauthorized evaluation materials in advance of their administration.
- Collaborating on any project, assignment, or examination without prior permission.
- Completing any assignments, tests, or examinations for another student or having another student substitute for oneself in any activity related to academic evaluation.
- Submitting work for academic evaluation that has been obtained in whole or in part from other sources, including the internet or other individuals.
- Submitting, without prior approval, all or a substantial portion of academic work that was submitted for credit in another course.
- Altering any document related to academic status or progress.
- Misrepresenting or withholding information or providing false information to gain academic or financial benefit.
- Willfully interfering with or damaging the academic work of another student.
- Failing to comply with a specific condition of academic integrity required within a particular course.
- Assisting others to cheat or plagiarize.

Allegations of Academic Misconduct

Initial Review

1. If an instructor has reason to believe that a student in one of the instructor's courses may have engaged in an act of academic misconduct, the instructor will investigate the alleged misconduct and establish to a reasonable degree of certainty that the act did occur prior to proceeding.
2. If an individual other than the student's instructor has reason to believe that a student in one of the instructor's courses may have engaged in an act of academic misconduct, the individual will inform the instructor and provide any supporting evidence that is available.
3. If the instructor is reasonably certain that an act of academic misconduct did occur, the instructor will request a meeting with the student in person, over the phone, or via electronic communication, as appropriate. Either party may be accompanied by an Attendant.

Parties Agree

1. If a resolution can be reached with regard to the alleged act of academic misconduct, the instructor and student will record their mutual understanding of the incident and any resulting sanction(s) on an [Academic Misconduct Report Form](#), and forward this completed form to the Office of Student Judicial Affairs (OSJA) within five (5) working days of their initial meeting.
2. The OSJA will review the student's record to determine if there have been any previous incidents of academic misconduct in the past five (5) years. If there is no prior record, the OSJA will place the report on file and inform the parties of the disposition of the case.

Parties Disagree

1. If, following the initial review process (above), the instructor and student fail to agree on either the facts of the alleged incident of academic misconduct or the proposed sanction(s), the instructor will provide a description of the incident and sanctions on the [Academic Misconduct Report Form](#), and the student will be given five (5) working days after their initial meeting to provide a response on the form before it is forwarded to the OSJA.
2. The OSJA will review the student's record to determine if there have been any previous incidents of academic misconduct in the past five (5) years. If a record of a previous incident is found, proceed to subsequent occurrence.
3. If there is no prior record, the OSJA will notify the instructor's Academic Chair (or alternate, if there is a perceived bias), who will conduct a review of the case and notify the OSJA of the decision and any sanction(s).
4. The OSJA will place the report on the file, and, if applicable, monitor the fulfillment of any conditional sanctions.
5. The OSJA will inform the parties of the outcome and the allowable grounds for appeal within two (2) working days of the decision.

Subsequent occurrence:

1. If there is a record of a previous finding of academic misconduct, the OSJA will notify the instructor and student that the entire Academic Misconduct file has been referred to a Hearing Panel to review the case in light of the previous finding. The sanction(s) agreed to by the instructor and student will be set aside and will not be binding upon the Hearing Panel.
2. Following its deliberations, the Hearing Panel will submit its report, including the basis for its decision and the sanction(s) to be applied, to the OSJA.
3. The OSJA will inform the parties of the outcome and the allowable grounds for an appeal within two (2) working days of the decision.
4. The OSJA will place the report on the file, and, if applicable, monitor the fulfillment of any conditional sanctions.

After each academic misconduct a mandatory workshop, registered through the OSJA, will be required within three months. Failure to complete this workshop in the three months will result in blocked registration for the following semesters until the OSJA receives confirmation of completion.

Hearing Panel Composition

One student, one unaffiliated instructor, and one person designated by the Vice President, Teaching and Learning, who will act as Chairperson (normally an Associate Dean or Dean in Teaching and Learning).

Academic Misconduct Sanctions

Normally, students who have been found to have committed acts of academic misconduct will receive one or more of the following sanctions commensurate with the nature, frequency, and seriousness of the violation(s) of stated academic integrity requirements.

Minor Sanctions

Warning/Admonition: A written notice that further incidents of academic misconduct may result in additional disciplinary action that could carry more serious consequences.

Remediation: A requirement, often combined with another sanction, that a student re-do an assignment or participate in an academic integrity activity (e.g., workshop, on-line tutorial, assignment).

Grade Reduction: A reduction in grade or a failing grade for the activity or work which was found to be an incident of academic misconduct.

Failing Grade: A failing grade for a course in which academic misconduct occurred, as a result of the academic misconduct *

Transcript Notation: A notation on the transcript stating that academic misconduct occurred. A student may request removal of this notation after a minimum of two (2) years *

Suspension of Application: A temporary suspension of an application for financial aid, scholarship, or prior academic credit pending satisfactory completion of conditions related to a violation of standards of conduct related to Student Judicial Affairs Policy *

Suspension of Credential: A temporary suspension of credential pending satisfactory completion of conditions related to a finding of academic misconduct *

**Chair authorization required, except for panel hearing decisions.*

Major Sanctions

The application of major sanctions requires the approval of the Vice President, Teaching and Learning.

Suspension: An exclusion from accessing any or all college buildings, facilities, programs or services for a prescribed period or until specified conditions have been satisfied.

Expulsion: A permanent exclusion from accessing any college buildings, facilities, programs, or services.

Termination of Application: A permanent cancellation of an application for financial aid, scholarship, or prior academic credit resulting from a violation of standards of conduct related to Student Judicial Affairs Policy.

Revoking of Credential: A credential awarded in good faith by the college that is subsequently rescinded following a discovery that it was based upon significant dishonest or fraudulent conduct.

Appeals

Students have a right to appeal academic misconduct decisions if there is evidence that a decision was unduly influenced by bias, unfair procedure, or new evidence and if it can be shown that the outcome of the decision might have been substantially affected by any of these circumstances. It is the student's responsibility to bring forth evidence for the appeal within ten (10) working days of deemed receipt of the decision. Evidence for appeals are submitted to the OSJA.

The OSJA will refer appeals that meet the above criteria to the Associate Dean, Dean, Director or delegate of the program or department area, who meets the test for reasonable apprehension of bias (see definitions for reasonable apprehension of bias). The OSJA will determine if the criteria for reasonable apprehension of bias are met based on available information.

The Associate Dean, Dean, Director or delegate will hear the appeal and provide a final decision to the OSJA. Final decisions will be communicated to the student through the OSJA to a NorQuest College student email address within two (2) days of receiving the decision.

Recommended Timelines for Academic Misconduct Procedures

Initial Review Process

WHO	WHAT	WHEN
Instructor	Investigate incident	Immediately upon becoming aware of the possible violation
Instructor / Student	Meet to discuss alleged incident	As soon as possible following instructor's review of the alleged violation
Instructor / Student	Record outcome on Misconduct Report and submit to OSJA	Within 5 working days of meeting
Office of Student Judicial Affairs (OSJA)	Review student record for previous occurrences of academic misconduct. If none, consider incident a first offence	Within 2 working days of receiving Misconduct Report

First Occurrence – Parties Agree

WHO	WHAT	WHEN
OSJA	If parties are in agreement on a first offence, record decision, inform parties, and close case	Within 5 working days of receiving Misconduct Report

First Occurrence – Parties Disagree

WHO	WHAT	WHEN
OSJA	If parties disagree on a first offence, forward case to Academic Chair (or alternate, if there is a perceived conflict of interest)	Within 5 working days of receiving Misconduct Report
Academic Chair	Review documentation, meet with parties, as necessary, and render decision on first offence	Within 5 working days of receiving notice from OSJA
OSJA	Inform parties of decision and further process	Within 2 working days of receiving decision from Academic Chair

Any Subsequent Occurrence

WHO	WHAT	WHEN
OSJA	If review of student record reveals any prior offence(s), notify parties and convene Hearing Panel	Within 5 working days of receiving Misconduct Report
Hearing Panel	Hear case, render decision, and determine sanction(s)	Within 5 working days of receiving notice from OSJA
OSJA	Notify parties of Hearing Panel decision and further process	Within 2 working days of receiving Hearing Panel decision

Definitions:

Academic Integrity: commitment to five fundamental values: honesty, trustworthiness, fairness, respect, and responsibility.

Academic integrity is honest and responsible scholarship. Learners and instructors are expected to submit original work and give credit to other peoples' ideas. Maintaining academic integrity involves:

- Creating and expressing your own ideas in course work
- Acknowledging all sources of information
- Completing assignments independently or acknowledging collaboration
- Accurately reporting results when conducting research or with respect to labs
- Honesty during examinations – completion of exams independently and in accordance with the provided exam rules

Attendant: an individual (e.g., an Association representative, counselor, colleague, or family member) selected by the complainant or respondent to consult with, accompany, or assist, at any meeting or hearing related to the incident. The Attendant(s) may observe but may not participate in any proceedings without the permission of a designated college official.

Course: a series of prescribed learning outcomes and the learning activities to achieve those outcomes organized within a specific subject area.

Deemed Receipt: an email is deemed to be received two (2) hours after the time sent (as recorded on the device from which the sender sent the email), unless the sender receives an automated message that the email has not been delivered.

Elements of the hearing panel: adequate notice, impartial decision-maker, opportunity to be accompanied by an Attendant, opportunity to respond to the allegation, opportunity to call and question all parties and witnesses, opportunity to review all evidence prior to the hearing, written decision with rationale provided to respondent.

Instructor: any college member who provides credit or non-credit instruction for any course.

Member of the college community: Any student, faculty, administrative or staff member of the college, member of the public serving in a recognized

capacity for the college, and employee of an agency contracted by the college.

Notice: written notice delivered by any reasonable means.

Quasi-judicial procedure: a formal institutional process for hearing complaints and alleged contraventions of college policies or regulations, which results in a resolution based upon a balance of probabilities and, where appropriate, enforceable sanctions.

Reasonable: moderate and fair in the circumstances.

Reasonable Apprehension of Bias Test: this test is whether a reasonable person properly informed would perceive that there was conscious or unconscious bias on the part of the decision maker. A positive finding under this test does not mean that the decision maker necessarily made a decision based on improper considerations- only that he or she reasonably appeared to be biased in the circumstances.

Sanctions: a punishment or penalty imposed as a result of violating a policy or regulation.

Student: (for the purposes of this procedure): Any individual who is or has been registered in any program or enrolled in any course(s) within the past twelve months or for any future terms whether credit or non-credit at NorQuest College. Another term for student is Learner.

Unaffiliated: status of an adjudicator who has not had a prior involvement or is not in a potential conflict of interest in hearing the case.

Related NorQuest College Information:

- Academic Calendar
- [Academic Misconduct Report Form](#)
- [Student Judicial Affairs Policy](#)

Related External Information:

- [Canadian Charter of Rights and Freedoms](#)
- [Freedom of Information and Protection of Privacy Act](#)
- [Post-Secondary Learning Act](#)

Next Review Date:

December 2024

Revision History:

November 2012: (replaces Standard Practice 2.20: Student Code of Behaviour)
 August 2013: update for document links and branding
 December 2013: update for procedure administrator and links
 November 2014: update for document links
 December 2015: revised (This procedure replaces part of The Code of Student Conduct: Academic Integrity and Non-Academic Misconduct Procedure)
 August 2019: Compliance Office template & reorganization update
 December 2019: reviewed and revised
 June 2020: reviewed and revised