

Policies and Procedures

SECTION:	NO.		
CHAPTER:	ISSUED: 5.10.2023	REV. A	REV. B
POLICY: Academic Misconduct Policy	PAGE 1 OF 5		

Purpose

Creighton University recognizes its duty to prepare students who are knowledgeable in their disciplines and who behave ethically. With this responsibility in mind, the student is advised that academic misconduct will be dealt with consistently and fairly in accordance with this policy. This policy on academic misconduct complements the Standards of Conduct outlined in the ***Creighton University Student Handbook***.

Creighton fosters an environment of learning from experience and moving beyond negative choices. The discipline process is built on the foundation that the process should be educational and helpful to the student's development, as well as on the need to protect the academic integrity of the University and its programs. We aim to support students as they work through the process of making choices that reflect the personal and communal values central to the mission of Creighton University in its Catholic and Jesuit tradition.

Definitions

Any student who engages in any acts of Academic Misconduct, including **but not limited to** the following, is subject to School/College and University disciplinary action, as set forth in the Academic Misconduct Procedures section of this policy. This list of violations are actions which negatively impact Creighton University's educational mission and are actions for which students are subject to disciplinary action. Prohibited conduct includes, but is not limited to, the following:

1. Cheating, including:
 - collaborating on assignments or examinations where such a practice has not been specifically approved by the instructor
 - copying the work of others and claiming it as your own
 - unauthorized use of artificial intelligence
 - using unauthorized materials to complete assignments or gain unfair academic advantage
 - offering unauthorized materials to others
 - using examinations obtained improperly prior to administration
 - arranging to have others take examinations or complete assignments
 - misrepresenting your attendance or the attendance of others in a course where an attendance policy is in effect
2. Plagiarism in any form, including the submission of one's own works previously submitted in another course
3. Falsifying documents, correspondence, reports, or records of any kind, or knowingly providing false information or evidence to University or School personnel, or to others external to the University
4. Endangering or threatening to endanger patients, faculty, staff, fellow students, or damaging

their property

5. Theft or intentional destruction of library materials or other academic resources
6. Illegal, obscenity-related, and/or other misuse of University-provided resources (e.g., computers, email) related to academic work
7. Violation of any acceptable use policies of the University
8. Violation of confidentiality in any practice and/or learning setting
9. Violation of academic or professionalism conduct rules/standards described in course policies, University, School/College, program, or department policies and/or articulated by instructors either verbally or in writing
10. Disruptive behaviors negatively affecting the learning environment of others, including online learning environments
11. Misrepresentation of self or others for the purposes of obtaining academic advantage
12. Refusing to acknowledge, honor and/or comply with requests issued by faculty or administrators related to academic issues

Behavioral Community Standards of Conduct, separate from Academic Misconduct, exist in the Creighton University Student Handbook, along with all consequences of violations. For misconduct that is potentially academic and behavioral, the Dean's Office of the School/College where the violation occurred will consult with the Vice Provost for Student Life (or designee) to determine which misconduct (academic or behavioral) procedures will be followed. This does not preclude a violation being referred to the other procedure after further investigation takes place.

Policy

A student who engages in acts of academic misconduct is subject to disciplinary procedures and sanctions as determined by the School/College in which the violation occurred, with notification to the School/College in which the student is enrolled, with one exception: non-professional graduate students, regardless of School/College, are subject to the academic misconduct policy of the Graduate School, with notification to the School/College in which the student is enrolled. Any student shall have the right to appeal any School/College penalty, pursuant to the policy of the School/College handling the case.

Serious penalties (suspension or dismissal) may be appealed to the Provost (or designee), using the appeal process outlined below. The Provost (or designee) has the option to recommend other penalties, including expulsion from the university.

While the specific procedures regarding incidents of academic misconduct may vary, the following items must be present in the policies of all Schools/Colleges:

1. Each School/College must have detailed academic misconduct procedures that are available on their School/College website and include the following:
 - a. a description of the allegation process, including when and how a student's home school or college is notified and consulted
 - b. a list of instructor rights and responsibilities during any academic misconduct

- process
- c. a list of student rights and responsibilities during any academic misconduct process
 - d. guidelines, if applicable, for: timelines and deadlines of the allegation and adjudication process; ability to have witnesses, advisors, or advocates; ability to record proceedings; availability of anonymity; etc.
 - e. guidelines for appropriate penalties
 - f. a statement regarding multiple offenses
 - g. a statement regarding an accused student's right to appeal, including specific grounds for appeal
 - h. a description of the appeal process
 - i. a full description of the reporting and record retention policy (where does the record reside, how long will the record remain on file, and to whom can the record be disclosed), with a minimum retention of 3 years since graduation or last attendance date, in compliance with other university policies
2. Each academic course syllabus should include a statement directing students to this Academic Misconduct policy, as well as the academic misconduct policy of the school/college/program offering the course.¹

Multiple Offenses

Each semester, the Schools/Colleges will report resolved cases of Academic Misconduct (resolved including the resolution of all appeals within the rights of the student in the School/College) to the Vice Provost for Faculty and Academic Affairs (VPFAA). When a student is found responsible for Academic Misconduct on three (3) separate occasions, regardless of School/College, they are automatically expelled from Creighton University, with right to appeal to the Provost. The VPFAA will communicate the automatic dismissal when they have documentation of three (3) findings of responsibility against one student. The VPFAA's communication to the student will include information regarding the student's right to appeal the dismissal and shall be copied to the student's School/College dean.

Appeal Process for Decisions of a School or College to the Office of the Provost

A serious academic misconduct decision (suspension or dismissal) reached by a particular School/College may be appealed by the student to the Provost (or designee). An appeal consists of a review of the written record and supporting documents based only on the grounds set forth below. Any written appeal that does not meet the grounds for appeal will not be considered. It is not the intent or purpose of the appeal process for the Provost (or designee) to rehear the information that was presented to the School/College.

Grounds for Appeal

The student may appeal on the following grounds:

- The disciplinary outcome imposed is disproportionate to the violation(s)

¹ Sample statement might be: Academic Misconduct is unacceptable in this course. Please see the Creighton University policy on Academic Misconduct (link to this document), as well as the [insert school/college] Academic Misconduct policy (link).

committed, considering the relevant aggravating and/or mitigating factors, or where the sanctions imposed are disproportionate to those imposed on another student for same/similar acts.

- The decision is unsubstantiated by the evidence, or new information is presented that was not available during the investigation.
- The procedures stated within this policy were not followed, which may have affected the outcome of the hearing.

Filing the Appeal

The appeal must be in writing, signed and submitted to the Provost (or designee) in person or attached to an e-mail from the student's official Creighton e-mail address to provost@creighton.edu with copy to the student's dean. Appeals must be sufficiently complete that a personal appearance will not be necessary. The appeal must state the grounds of appeal and concrete facts and statements supportive of the stated grounds of appeal. An appeal shall not be considered to have been filed properly or timely unless it is specific.

Appeal Deadlines and Expectations

After receiving the decision of the School/College, the student will then be permitted up to five (5) working days to prepare and submit a written appeal. The written appeal must cite the specific ground(s) for appeal that the appellant would like the Provost (or designee) to consider and provide an explanation of why, based on these grounds, the decision of the School/College should be reviewed. Any supporting evidence or documentation that was not available at the time of any School/College hearing must be attached to the written appeal.

Student Status During Appeal

Pending the response to the appeal, the appellant's status as a student will remain unaltered except in cases where there are reasons relating to the emotional or physical welfare of the student or of others, or reasons involving the safety of persons or property. The decision on student status will be made by the Dean. Appellants are not required to complete the outcomes given by a School/College until a final decision on the appeal is made by the Provost (or designee). Where pending appeal involves course failure from a course that is a prerequisite of subsequent course(s) a student is taking while the appeal is pending, the subsequent course(s) taken while the appeal is pending will be voided (regardless of successful progress or completion in the course[s]) if the Provost affirms the finding of misconduct and penalty of suspension or dismissal.

Considerations and Determination of the Appeal

Upon receiving a written appeal from a student, the Provost (or designee) will review all materials available to the School/College.

- The School/College will provide the Provost (or designee) the case file which includes the investigative report, a copy of the School/College decision letter, the recording of the hearing (if applicable), work product of University representatives (including memoranda and notes that they might generate), and correspondence

between University representatives.

- If new evidence is presented by the student as the basis for appeal, the Provost (or designee) will notify the faculty and School/College who submitted the original charge prior to making the final decision and provide an opportunity for the faculty or School/College to submit additional evidence related to any new claims.
- Additionally, the Provost (or designee) may request further information from any individuals identified in the record, the School or College or any other office or individual.

Burden of Proof

The burden of proof rests on the student who must establish by preponderance of the evidence that the original process or decision was flawed.

Actions

The Provost (or designee) may act specific to individual findings or outcomes. The following actions may be taken by the Provost (or designee):

- Affirm the finding of responsibility and the outcome imposed by the School/College.
- Affirm the finding of responsibility and amend the outcome(s).
- Overturn the finding of responsibility.
- Determine if the investigation was flawed and send it back to the School/College for review.
 - If no further evidence or information is gathered, the School/College will return to the Provost (or designee) for a decision on the appeal.
 - Any further evidence or new information gathered will be reviewed by the School/College.

OR

- Determine if the process up to and including the School/College procedure was flawed and return the matter to the appropriate stage.

The Provost will typically make a determination within ten (10) working days upon receiving the written appeal. The Provost (or designee) will provide a written notification of determination to the student with copy to the Registrar and the affected School(s)/College(s). The decision of the Provost is final, and all records of the final appeal will be housed in the Office of the Vice Provost of Faculty and Academic Affairs for a minimum of three years.

Amendments or Termination of This Policy

Creighton University reserves the right to modify, amend, or terminate this policy at any time.