

The following new School of Graduate Studies General Regulations on Academic Behaviour were passed by Senate October 2011 and are in effect beginning January 2012.

2.2.12 Academic Misconduct

2.2.12.1 Principles

In the course of a graduate degree program students are expected to adhere to those principles which constitute proper academic conduct. Within the University Community there is a collective responsibility to maintain a high level of scholarly integrity. Dishonesty has no place in the academic community. Academic misconduct cannot be condoned or even appear to be condoned. Students have the responsibility to ascertain those actions which could be construed as dishonest or improper. Certain flagrant violations are listed below under **Academic Offences**. Students are reminded that for guidance on proper scholarly behaviour they should seek assistance from their instructors and supervisors. The Graduate Students' Union will provide students with information on their legal rights and the information that advice about acceptable writing standards is available through the Writing Centre.

2.2.12.2 General Information

1. These procedures shall apply to all academic offences relating to graduate studies involving, but not limited to, those students who either have been or who are enrolled at Memorial University of Newfoundland. Notification of an allegation of academic misconduct will be forwarded to the last known mailing address of the student as noted on the files at the Office of the Registrar, and to the official University email address of the student. The University reserves the right to implement action under these procedures where an allegation has been made against a student but where reasonable efforts to contact the student are unsuccessful.
2. Meetings and interviews stipulated in this regulation will be held in person, or at a distance using telephone or other interactive technologies.
3. A student who wishes to pursue research, or to attend classes, laboratories or other educational activities while an investigation under these procedures is being carried out, can normally do so with the understanding that if the allegation of academic misconduct is proven and the penalty involves either suspension or expulsion, credit will not be granted for work completed prior to a finding of guilt. This provision excludes students charged with an offence under the *Code of Student Conduct*. For information regarding the *Code of Student Conduct* contact the **Office of Student Affairs and Services**.
4. Although a student can continue in a program of studies, if eligible, while an investigation under these procedures is being carried out, the University does not accept liability for any consequences to the student's progress. However, the University may take these consequences into account, as appropriate and to the extent feasible, in cases where charges are dropped or the student is not found guilty. The consequences arising from an investigation and any negative decision rendered may include retroactive effects on grades, examination results or promotion within a program.
5. A student accused of academic misconduct may consult advisors or facilitators. Such advisors may include a representative from the Graduate Students' Union, an international student advisor, a

faculty advisor, a University counselor or a faculty member who is familiar with these Regulations and who is willing to undertake the role of advisor whether resolution is sought through **Procedures for Resolution of Alleged Academic Offences at the Unit Level** or **Procedures for Resolution of Alleged Academic Offences through the School of Graduate Studies**.

2.2.12.3 General Procedure

1. When a member of the University community (faculty, staff, student) has grounds for belief that an academic offence has been committed there should be an attempt between the parties concerned to resolve allegations of minor offences. If the alleged offence is not deemed to be minor by the accuser, or resolution proves impossible, or one party is dissatisfied with the resolution, the matter shall be reported, without delay, to the head (or other appropriate officer) of the academic or administrative unit. If resolution is achieved and it is agreed that an academic offence has been committed, then the offence, together with the penalty applied, shall be reported to the head of the academic or administrative unit.
2. Where resolution is not achieved, and if in the judgment of the head of the academic or administrative unit, the alleged offence warrants resolution at the unit level, the individuals involved will be advised to attempt to resolve the matter through **Procedures for Resolution of Alleged Academic Offences at the Unit Level**. In the event that no resolution is possible through these procedures between the individual parties, the head of the academic or administrative unit will institute proceedings through the School of Graduate Studies.
3. If, in the judgment of the head of the academic or administrative unit, the alleged offence against University regulations is such as to warrant resolution through the School of Graduate Studies, the head of the academic or administrative unit will refer the matter to the Dean, and **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies** will be implemented.
4. In all cases, it is the responsibility of the academic or administrative unit to ensure that fairness and impartiality are achieved in the treatment of students.

2.2.12.4 Academic Offences

In the following section the plural shall be deemed to include the singular.

Academic offences shall be deemed to include, but shall not be limited to, the following:

- **Cheating:** This includes copying from another student's work or allowing another student to copy from one's own work; consulting with any unauthorized person during an examination or test, or using unauthorized aids; or knowingly recording or reporting false empirical or statistical data. The work referred to includes presentations, examinations, theses, assignments, work term reports, projects, internship reports, or any other tests or evaluations which are to be used in judging the student's performance in a course or program of study, or any special tests which the University may offer; or in any presentations or publications related to academic work.
- **Impersonation:** Impersonating another student or allowing oneself to be impersonated. By impersonation is meant the imitation of a student or entrance into an arrangement with another person to be impersonated for purposes of taking examinations or tests or carrying out laboratory or other assignments.
- **Plagiarism:** Plagiarism is the act of presenting the ideas or works of another as one's own. This applies to all material such as theses, essays, laboratory reports, work term reports, design

projects, seminar presentations, statistical data, computer programs, and research results. The properly acknowledged use of sources is an accepted and important part of scholarship. Use of such material without acknowledgment, however, is contrary to accepted norms of academic behaviour. Information regarding acceptable writing practices is available through the Writing Centre at www.mun.ca/writingcentre/about/.

- **Theft of examination papers or other material:** By theft is meant obtaining by improper means examination papers, tests, or any other such material.
- **Use and/or distribution of stolen material:** The use of material which the student knows to have been improperly obtained and/or the distribution of such material is considered to be an academic offence.
- **Submitting false information:** This offence includes falsifying, submitting or causing to submit false academic transcripts, forms or records, credentials, medical or other certificates, or making a false or incomplete declaration to the University.
- **Submitting work for one course, project or publication which has been or is being submitted to another course, project or publication without express permission to do so:** This includes the presentation of an essay, report or assignment to satisfy some or all of the requirements of a course when that essay, report, or assignment has been previously submitted or is concurrently being submitted for another course without the express permission of the professor(s) involved.
- **Ethical Practice:** Failure to follow relevant University/Faculty/School guidelines on ethics, including but not limited to, ethical practice in research.

2.2.12.5 Procedures for Resolution of Alleged Academic Offences at the Unit Level

2.2.12.5.1 General Information

These procedures will not be applied to cases involving alleged offences on comprehensive examinations, examination of theses, allegations of impersonation or allegations of submission of forged documents. Such alleged offences are governed by the **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies**. The principle that a resolution should be mutually satisfactory to both the accuser and the accused should be upheld throughout the attempt for resolution at the unit level.

2.2.12.5.2 Explanation of Procedures

If, upon receiving a report of an alleged academic offence, the head of the academic or administrative unit decides that an attempt should be made to resolve that matter at the unit level the following procedures shall apply:

- Normally within one week of notification, the head of the academic or administrative unit shall request a meeting with the accuser and the accused and at the meeting the head of the academic or administrative unit shall state the allegation, review the **Procedures for Resolution of Alleged Academic Offences at the Unit Level** including the range of applicable penalties, and arrange a second meeting between the accuser and the accused only.
- At the second meeting the accuser and accused shall endeavour to obtain a mutually satisfactory resolution of the matter.

- The accuser and accused shall report jointly to the head of the academic or administrative unit on the result of their second meeting.
- If the report is of a resolution which the head of the academic or administrative unit considers to be fair and equitable the matter shall be considered closed. If the head of the academic or administrative unit considers the reported resolution to be unfair and/or inequitable he or she will endeavour to obtain an alternative satisfactory resolution directly with the parties.
- Should all reasonable efforts to obtain a mutually satisfactory resolution at the unit level fail, the head of the academic or administrative unit will refer the case to the Dean of the School of Graduate Studies and shall inform the accuser and the accused accordingly. From this stage onward **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies** will apply.
- At any stage of the **Procedures for Resolution of Alleged Academic Offences at the Unit Level**, the student or the accuser may ask that the case be referred to the Dean, and thereafter the **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies** will apply.
- Should the accused be found guilty, a brief description of the offence and the penalty(ies) applied shall be forwarded by the head of the academic or administrative unit to the School of Graduate Studies.

2.2.12.5.3 Failure to Appear or Respond

- If at any stage of the **Procedures for Resolution of Alleged Academic Offences at the Unit Level**, the accused fails to respond to a charge, without reasonable cause, within two weeks of notification of an allegation, action may be taken on the charge in the absence of the accused.
- If at any stage of the **Procedures for Resolution of Alleged Academic Offences at the Unit Level**, the accuser fails to appear at a scheduled meeting to defend an allegation, without reasonable cause, the action will be dismissed.

2.2.12.5.4 Penalties in the Case of Resolution at the Unit level

A student who has been found guilty of an academic offence will be subject to a penalty or penalties commensurate with the offence. Some cases may warrant more than one penalty for the same offence, and previous academic misconduct will be taken into account in determining the severity of penalties. The range of penalties and their determination is:

- **Resubmission** of work with appropriate reduction in grade: will allow a student to complete and submit the work a second time.
- **Reprimand:** This shall be in the nature of a warning in writing by the head of the academic or administrative unit to the student that his/her conduct has been unacceptable to the University.
- **Reduction of grade:** A reduction of grade will apply to an examination, test, or assignment to which an offence is relevant, or to the entire course, and will be decided by the head of the academic or administrative unit. Since graduate students must obtain a grade of B or PASS in required courses a reduction of grade could lead to termination of program.

2.2.12.6 Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies

2.2.12.6.1 General Procedure

If the matter cannot be resolved following the **Procedures for Resolution of Alleged Academic Offences at the Unit Level**, or if, in the opinion of the head of the academic or administrative unit, the allegation involves a major breach of University regulations, or in cases involving alleged offences on comprehensive examinations, thesis examinations, allegations of impersonation or allegations of submission of forged or falsified documents, the following **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies** shall apply.

2.2.12.6.2 Explanation of Procedures

- If the head of the academic or administrative unit (in consultation with the Dean of his or her faculty or school) is satisfied that the student has a serious case to answer, that person shall inform the student in writing of the nature of the case against him or her. In addition, the head of the academic or administrative unit shall report to the Dean of Graduate Studies who will, normally within one week, appoint as an investigator a member of the Academic Misconduct Investigations Board of the School of Graduate Studies (Investigations Board). The investigator will interview separately the accuser and accused and relevant witnesses. At these interviews, the investigator, the accuser, the accused and relevant witnesses all have the right to be accompanied by a registered student or a member of the Faculty or Staff of the University.
- Upon completion of these interviews, the investigator shall submit a written report of all findings to the Dean of Graduate Studies. The Dean of Graduate Studies shall present this report to both the accuser and accused for perusal and comment. Once in receipt of this report, the accuser and accused shall have two weeks in which to submit to the Dean of Graduate Studies any additional comments on the report that the person wishes to be considered. The investigator will be given the opportunity to correct any errors of fact should they arise from the comments of the accused and accuser prior to consideration of the allegation by the Investigations Board.
- Upon receipt of all information from the investigator as well as comments from the accuser and accused, the Dean of Graduate Studies shall present the documents to the Investigations Board for a decision.
- The investigator for the case shall attend the meetings of the Investigations Board to answer questions and provide information pertinent to the case, but shall be absent from the formal discussion and voting.
- Once a vote is taken, should the accused be found guilty, the Investigations Board shall take appropriate action in accordance with **Penalties in the Case of Resolution by the School of Graduate Studies**.

2.2.12.6.3 Failure to Appear or Respond

- If at any stage of the **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies**, the accused fails to respond to a charge, without reasonable cause, within two weeks of notification of an allegation, action may be taken on the charge in the absence of the accused.
- If at any stage of the **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies**, the accuser fails to appear at a scheduled interview to defend an allegation, without reasonable cause, the action will normally be dismissed; however, the investigation may

proceed at the discretion of the Dean in consultation with the Investigations Board if the allegation or evidence warrants such action.

2.2.12.6.4 Penalties in the Case of Resolution by the School of Graduate Studies

A student who has been found guilty of an academic offence will be subject to a penalty or penalties commensurate with the offence. Enforcement of penalties resulting from **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies** will be overseen by the Registrar. Some cases may warrant more than one penalty for the same offence, and previous academic misconduct will be taken into account in determining penalties. Penalties shall be imposed on the basis of the student's status at the time of the offence. The range of penalties and their determination is:

- **Reprimand:** This shall be in the nature of a warning in writing by the Investigations Board to the student that his/her conduct has been unacceptable to the University.
- **Reduction of grade:** A reduction of grade will apply to an examination, test, or assignment to which an offence is relevant, or to the entire course, and will be decided by the Investigations Board. Since a passing grade for graduate students is at least a grade of B or Pass, a reduction of grade could lead to termination of program.
- **Change in outcome of an examination:** This will apply to Comprehensive Examinations and the examination of **Theses and Reports** and could lead to termination of program.
- **Probation:** This is a trial period the length of which will be determined by the Investigations Board. The Investigations Board will inform the student that the finding of any further academic offence during the period of probation may lead to suspension or expulsion.
- **Suspension:** Suspension will apply to a course, department, faculty, school, or the University. The period of suspension will be determined by the Investigations Board and shall not exceed three consecutive semesters, and shall be part of the allowable time for a graduate program.
- **Expulsion:** The recommendation for expulsion from the University will be made by the Investigations Board to the President for his/her final decision. Prior to the President's decision, the Investigations Board will notify the accused, in writing, of the recommendation for expulsion from the University. The accused will be allowed a period of two weeks following the date of release of such notification to lodge an appeal before the President's final decision concerning expulsion from the University. Any such appeal should be made in writing or email to the Executive Committee of Senate, c/o the Office of the Registrar.
- **Revocation of Degree:** The recommendation for revocation of a degree previously awarded by the University will be made by the Investigations Board of the School of Graduate Studies to Senate for a final decision. Prior to Senate's decision, the Investigations Board of the School of Graduate Studies will notify the accused, in writing, of the recommendation for revocation of the degree. The accused will be allowed a period of two weeks following the date of release of such notification to lodge an appeal before the Senate's final decision concerning the revocation of the degree. Any such appeal should be made in writing to the Executive Committee of Senate, c/o the Office of the Registrar.

2.2.12.7 Transcript Entries

Transcript entries shall relate to the penalty(ies) imposed as follows:

Penalty Reprimand	Transcript Entry No transcript entry
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Reduction of Grade	Entry of final grade for course
Change in outcome of examination	Entry of final outcome for the examination
Probation	"On probation at the University for Academic Misconduct until Day, Month, Year"*
Suspension	"Suspended from the School of Graduate Studies for Academic Misconduct until Day, Month, Year"*
Expulsion	"Expelled from the University for Academic Misconduct"
Revocation of Degree	"Degree revoked for Academic Misconduct"

** The transcript entries for 'probation' or 'suspension' will be removed entirely upon the expiration of the penalty.*

2.2.12.8 Disposition of Documentation

The disposition of documents relating to allegations under these procedures shall be as follows:

1. The cases where the allegation was either found "not proven" or "unfounded" no documentation shall be retained in the student files.
2. In the case of a resolution effected through **Academic Misconduct - General Procedure** or **Procedures for Resolution of Alleged Academic Offences at the Unit Level**, a brief description of the offence and the penalty(ies) applied shall be forwarded by the head of the academic or administrative unit to and retained by the School of Graduate Studies, separate from the student files.
3. In the case of a resolution effected through the **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies**, all documentation shall be retained in the School of Graduate Studies, separate from the student files.

2.2.12.9 Right of Appeal

Appeals against decisions of the Investigations Board of the School of Graduate Studies made under **Procedures for Resolution of Alleged Academic Offences by the School of Graduate Studies** shall be directed to the Executive Committee of Senate, c/o Office of the Registrar.