

Undergraduate Student Guide to Navigating Academic Misconduct Cases

Legal Notice:

Please note that the CSA Vice President Academic (hereinafter VPA), Student Help and Advocacy Centre (hereinafter SHAC), or any other CSA Staff member or Volunteer will not partake in practices that relate to aiding and abetting any form of academic misconduct. This includes, but is not limited to, helping a student commit academic misconduct, hide evidence or relevant information in relation to academic misconduct, or any other conduct relating to attempts to avoid consequences for academic misconduct.

The CSA, VPA, or SHAC are not legal representatives, and therefore, cannot partake in giving students or patrons any form of legal advice or consultation. Instead, our role is to support, provide resources, and ensure a student is informed about the processes and rights applicable to their case. This means that CSA staff **will not directly represent a student** in proceedings, and it is vital that the students take an active role in these proceedings, with CSA staff there to provide support. The CSA staff will not take on independent investigations (i.e. reaching out to a Professor, Dean, or Teaching Assistant), about a specific individual's case.

The CSA staff can provide an informed opinion on questions students may have or provide information from their experiences in their position from how a case may progress. It is vital for you as a student to understand that these are merely opinions pertaining to the information you provide as a student. Information can be interpreted differently by various parties in an academic misconduct process (i.e. the Senate Committee on Student Petitions, Judicial Services, Deans/Associate Deans or other University of Guelph representatives).

Information provided to the student is not legal advice, this information is provided without any warranty of any kind and at the sole risk of the user. Ask questions, use the resources given to you, but always make informed decisions based on your own circumstances.

Mental Health and Wellness Supports:

Undergoing an academic misconduct investigation can be mentally draining; It is so important that you take care of your mental wellbeing. Below are various supports available to you both on and off campus. Please contact the CSA VPA if you need help finding these resources or other areas of support. We are more than happy to facilitate meetings with different resources to support your wellbeing.

Student Wellness:

Website: <https://wellness.uoguelph.ca/counselling>

Monday- Friday (8:30am-4:30pm):

- Non-urgent responses: 519-824-4120 ext. 52131 (A Student Wellness Navigator will help you book an appointment).
- Urgent response: 519-824-4120 ext. 52131

After 4:30pm or on weekends:

- **Here 24/7** (Mental health resource): Call 1-844-HERE247 (1-844-437-3247) anytime.
- **Crisis Text Line**: Text "UofG" to 686868
- **9-8-8 Suicide Crisis Helpline**: Call or text 9-8-8 toll-free, anytime for support in French or English for anyone who is thinking about suicide, or who is worried about someone they know

Campus Safety Office:

Emergency On-Campus Response: 519-824-4120 Ext. 52000

Emergency Off-Campus Response: 911

Student Support Network:

Website: <https://wellness.uoguelph.ca/ssn>

- You can book virtual or in-person counselling services with other, like-minded peers on campus.

- Visit the website to learn more about these confidential, non-judgmental sessions.

What is Academic Misconduct?

The University of Guelph Undergraduate Calendar has four broad categories of what constitutes academic misconduct. These categories further contain other definitions of forms of academic misconduct, all of which will be briefly listed here:

Misappropriation of Others' Work:

- 1) **Plagiarism:** Misrepresenting ideas or work that is someone else's as your own.
 - Submitting an assignment or other form of work that was written either fully or partially by another party.
 - Using quotes, formulas, data or other concepts without acknowledging the original author or thinker.
- It is your responsibility as a student to ensure you are citing information correctly. If you are unsure, it may be helpful to consult either your professor or academic supervisor on how you should utilize information that is not your own.
- 2) **Copying:** Appropriation of another's' work as your own.
 - Different from plagiarism as it also includes submitting the same work for more than one course, or on more than once occasion.
- Note: This is without prior written approval of the professor.
- 3) **Unauthorized Co-operation or Collaboration:** You may not collaborate to complete an academic assignment either in part or in whole when the professor intends the assignment to be completed individually.

Misrepresentation and Fraud:

- 1) **Impersonation:** Having someone impersonate you, or you have impersonated someone else in reference to a class, assignment or examination.
- 2) **Falsification:** You cannot submit false information for an academic purpose.
 - This includes altering already graded work for re-submission.

- Also includes misrepresenting the amount of work an individual did in reference to a group assignment.
- 3) **Withholding:** You cannot withhold records or transcripts with an intent to mislead or gain unfair academic advantage.
- 4) **Unauthorized Aids and Assistance:** You cannot have an aid or a device without explicit permission to complete academic work. If you need a device to assist you during an exam or assignment, you must contact and register with Student Accessibility Services (SAS).

Improper Access and Obstruction:

- 1) **Preventing Access to Materials:** You cannot destroy or alter materials that are intended for general academic use.
- 2) **Obstruction and Interference:** You may not alter the work of others to gain an unfair academic advantage.
 - This includes falsifying the work of others but also deleting or tampering with the work of others.
- 3) **Improper Access:** It is an offence to obtain confidential information about academic assignments or tests by bribe or theft.
- 4) **Improper Dissemination:** You may not make confidential information public to third parties without written consent to do so.
 - This refers to academic information, data, or documents that have not otherwise been released

**ACADEMIC MISCONDUCT
FLOW CHART
(IN COURSE)**

**ACADEMIC INTEGRITY
ALLEGATION**

May originate from
either the professor or
Dean's Office.

10 Business Days to Schedule
Meeting

**PREPARING
FOR MEETING**

Meet with the CSA VPA
to discuss what to
expect in the meeting.

**MEETING WITH THE
DEAN'S OFFICE**

Exchanging of
information with the
Dean or designate.

10 Business Days to Receive
Decision

**RECEIVING A
DECISION**

Letter will include the
decision and penalty
imposed if applicable.

10 Business Days to Appeal

APPEALING TO SENATE

Multiple grounds to
appeal on. This
process takes 4-6
months.

Walking You Through the Process of Academic Misconduct Cases:

1) **Academic Integrity- Allegation**

When you are accused of an offence in relation to academic integrity within a course, you may first be contacted by an instructor about a concern with an assignment or exam.

- Importantly, this does not always occur, and the instructor may not contact you.
- An instructor may look to inform the student that their assignment or exam has been flagged in relation to academic misconduct, or they may ask questions to clarify what the student submitted.

As a student, having an edit log history, study notes, or other forms of evidence may be helpful to present to the professor.

- Faculty members cannot assign penalties in relation to academic misconduct. The instructor's role, if they allege academic misconduct took place, is to contact the Chair of the respective department, who will then contact the Associate Dean Academic to initiate an investigation. The Dean will then send an email to the student acknowledging the investigation and inviting them to a meeting.

It is more typical to be contacted by the Dean's Office or designate:

- If this is the case, you as a student will typically receive a request for an interview from a representative of the Dean's Office who is responsible for the specific course.
 - o For CBS, LANG, ARTS, ENGG, OAC or OVC, this is typically the Associate Dean Academic
 - o For CSAHS and CCMPS, this is often a faculty member assigned as an Academic Integrity Officer
 - o Importantly, this may change year to year and should not be used as a fact.

- If you as a student have been contacted for an interview, it means that the Chair and the Dean's Office have determined that allegation may have merit and would like to investigate the allegation further.
 - o Note: Being contacted for a meeting by the Dean's Office does not mean you have been found guilty; a decision has not been made at this time.
- The email will typically contain: Which section of the Academic Policy is the concern related to, and what course is the allegation in relation to. You will not necessarily have further information on the nature of the allegation.
 - o You are not expected to reply to this email defending yourself against the allegation, and you will have the opportunity to do this in the meeting itself. A decision has not been made at this point, and you have an opportunity to explain your actions or processes.

2) Preparing for an Academic Misconduct Meeting

Meeting with the CSA VPA may be a good idea, so you can understand what the meeting will look like, and be prepared to answer questions they may ask.

What to discuss with the CSA VPA:

- Any previous communication with the instructor, TA, Dean's Office etc.
- What were the expectations for the assignment or test?
- How was the assignment or test completed?
- Who was involved?
- A timeline if possible and relevant.
- Discuss what assignments are likely being implicated and the people that are involved.
- Was there anything suspicious or unusual surrounding the assignment/exam from the student perspective?
- Students should provide any evidence they may have to substantiate their account (Editor logs, study notes, rough notes, emails, texts, social media entries, witnesses etc.).

- Students can also email the evidence if the Dean or designate deems it appropriate or necessary.
 - o Note: The Dean's Office may have access to evidence that the student does not (Respondus video, other student papers, work from previous years, published papers, etc.).
- The student will have an opportunity to respond to all this evidence that is presented at the meeting.

It is important to remember that a decision has not been made at this point and approach the meeting as an opportunity to share your side of the story and information that the Dean may not have yet.

3) **Meeting with the Dean's Office**

- Staff will typically go through the assignment or exam in question with the student and present any evidence they may have that indicates academic misconduct may have occurred.
- In other cases, the staff member may ask the student to give them an overview of what occurred in relation to the test or assignment. The designee will then present specific evidence they have gathered and have the student address this information.
 - o They will ask you, the student, questions about what they or the professor of the course found suspicious regarding the submitted work.
- In general, students should answer honestly. If you are found responsible, honesty may reduce the subsequent imposed penalties.
- Students will typically not be informed of the decision immediately and should expect a final decision at a later date.
 - o The Dean's office may need to consult with others or confirm information provided by the student. If new information arises, the Dean will contact the student to inquire either over email or in a subsequent meeting.

4) **Receiving a Decision**

- The Dean's Office has up to 10 business days to provide a final decision letter to a student following an interview.
- The decision letter will typically state;
 - o A summary of the allegation
 - o A summary of the evidence
 - o The decision that was made
 - o The penalty that is being imposed
- This information may be helpful if the student chooses to appeal the decision, as they must choose what grounds they would like to appeal the decision on.

5) Appealing to Senate Committee on Student Petitions:

- A student has **10 business days** from the date that the Deans decision letter is emailed to them to submit a formal appeal to the Petitions Committee.
- The student must submit the Student Appeal Form to Judicial Services. To receive a copy of this form, contact judicial@uoguelph.ca
- Please note that the approximate timeline for this process is 4 – 6 months.
- Breakdown of timeline: [Student Petitions Committee Timeline](#)

Types of Appeals:

- Only the finding of academic misconduct
 - o As in, you are not guilty of the finding of academic misconduct, but the penalty is proportionate if this finding were to be true.
- Only the penalty assessed, or;
 - o As in, you concede that you were guilty of academic misconduct, but the penalty is disproportionate to the offence.
- Both
 - o Perhaps you were not guilty, but if you were, the penalty that was assigned is disproportionate to the offence.

Grounds for Appeals:

- The original decision was unreasonable based on the evidence before the original decision-maker
 - o Student believes there is insufficient evidence presented to prove academic misconduct on a balance of probabilities.
 - o Review the reasoning that was presented in the decision letter from the Dean's office.
- New evidence is available that was not available at the time of the original decision
 - o There is evidence, whether new or additional, that was not considered by the decision-maker and is applicable to proving the student was not responsible.
 - o This new evidence should be recorded in Part 5, the Documentation section.
- There was bias or lack of procedural fairness
 - o The student believes that the decision-maker was biased against them for reasons or factors that are not within the policy, or;
 - o Proper procedure was not followed by the instructor and/or the Dean's office.
- Decisions about procedural fairness must be appropriate to the context of the decision being made (i.e. the members of the Senate Committee on Student Petitions selected to hear the case only need to be satisfied that there was an appropriate level of procedural fairness for a decision regarding academic misconduct at a University).

Submitting Documentation:

- You must attach any documentation that you feel is relevant to your appeal. List the title of these documents that you are submitting under Part 5.
- These documents may include: a decision letter, your grounds statement, notes, communications, video, and recordings.
- Grounds Statements:
- What to include in this statement depends on what grounds you have chosen to base your appeal on.

- o Original Decision was Unreasonable: Outline what evidence the decision-maker and why the decision was unreasonable based on this outlined evidence.
- o New Evidence: Outline why new evidence that has been provided would change the narrative. This new evidence should alter the original narrative that was given based on the original evidence.
- o Bias or Procedural Unfairness: Students should outline and provide evidence (such as communications) that demonstrate the alleged bias. Furthermore, evidence or reasoning regarding procedure not being followed should be provided if applicable.

Selecting Type of Hearing:

- You can select either an oral or written hearing as you present your appeal.
- Oral:
 - o Student and College representatives attend the Petitions Committee (typically online).
 - o May present evidence, call witnesses, and discuss arguments for or against the appeal.
 - o Students must indicate on the form any additional people that are attending the hearing with them.
 - o "Representative" - refers to a person that the student has elected to represent them during the hearing. A representative is the main spokesperson at the hearing and they make arguments on behalf of the student and may call the student as a witness.
CSA Staff cannot act as legal representation.
 - o "Support person"- attends the meeting to provide support to the student but cannot speak at the meeting. This can be a friend, family member, and CSA staff.
 - o "Witness"- someone who will speak and/or provide evidence at the hearing.
- Written:
 - o The Dean's office would submit a response to the student's grounds for appeal statement.

- o The student then has the opportunity to reply to this statement by the College.
- o The Senate Committee on Student Petitions then makes a decision on the basis of these statements and the evidence that has been submitted.

6) Senate Committee on Student Petitions Hearings:

- The hearing will follow this format; being knowledgeable of this process will allow a student to come prepared.
- o Committee members will introduce themselves, and the Chair of the committee will introduce the College representative and the student in attendance.
- o Student will then be asked to present their case. A student can present evidence and present their witnesses at this time. The Committee and/or the College representatives may question the witness at this time.
- o The Committee and/or College representatives will then have the opportunity to question students.
- o The College representatives will then be asked to respond to your presentation.
- o The student will then have the opportunity to ask questions to the College representative, as will the Committee.
- o The student will then be asked to provide any final comments to the Committee; in a sense, this is a closing statement.
- o The College representative will then be asked to provide their final comments.

7) Senate Decision

- The decision by the Senate Committee on Student Petitions is final.
 - o Legal action against the University would be the only option if the student wished to further appeal against a suspension or expulsion.

Penalties for Academic Misconduct:

- It is important to make sure you are aware of the potential penalties for the type of academic misconduct you have been accused of. Take this into account when you approach how you undergo the appeals process.
- The penalties can be found on at this link in the Undergraduate Calendar: [Penalty Outline Academic Misconduct](#)
- **Note: The penalty with (N) is the normal penalty for the offence.**

Student Rights During Academic Misconduct Cases:

Academic Records:

- Records relating to a student's academic misconduct are restricted to Office of the Registrar Staff and Dean's Office staff for reference in the case of future academic misconduct cases.
- These records cannot be accessed by faculty members or any other staff.
- They will not appear on any form of transcript or other document of that kind.
- These records are expunged once the student graduates.

Consideration of Intent:

- Whether or not a student intended to commit academic misconduct is not considered when determining whether academic misconduct occurred.
- It is your responsibility to ensure you take the proper steps to ensure that you do not commit any form of academic misconduct.
- A student's intentions may be considered when a penalty is assessed.

Evidence Standards:

- In an academic misconduct case, the standard of proof is on a "balance of probabilities". This means that the decision-maker believes

that the probability of the student having committed academic misconduct is greater than the probability that they did not.

- Note: This is not the same as a criminal case where the standard is, “beyond a reasonable doubt”.
- This means that the decision-maker can make their decision based on a likelihood rather than knowing for certain what has occurred.

Right for a Support Person:

- Students have a right to have a support person attend their meeting with the Dean’s office or when they appeal to the Senate Committee on Student Petitions.
- The student should notify the meeting facilitator of who will be attending the meeting as a support person.
- The support person could be a family or friend, a SHAC staff member, or the CSA VPA.

Right to Appeal:

- If a student is found guilty of academic misconduct by the Dean’s office, they can file a formal appeal to the Senate Committee on Student Petitions.

References

Central Student Association. (n.d.). *Student Help and Advocacy Centre*.

<https://csaonline.ca/services/shac/>



Office of the Vice-President Academic

University of Guelph. (n.d.). *Academic appeals*. University Secretariat.

<https://www.uoguelph.ca/secretariat/judicial/academic-appeals>

University of Guelph. (n.d.). *Academic misconduct*. University of Guelph Undergraduate

Calendar. <https://calendar.uoguelph.ca/undergraduate-calendar/undergraduate-degree-regulations-procedures/academic-misconduct/>

University of Guelph. (n.d.). *Guidelines for instructors and students on disciplinary procedures*. University Secretariat.

<https://www.uoguelph.ca/secretariat/policy/1.6/guidelines>