

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Student Academic Misconduct

**NUMBER:** 2:33

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### 1. Definitions

A. The phrase “Academic Misconduct” means Cheating or Plagiarism:

B. The term “Cheating” includes, but is not limited to, the following:

1. Using any unauthorized assistance in, or having unauthorized materials while, taking quizzes, tests, examinations or other assignments, including copying from another’s quiz, test, examination, or other assignment or allowing another to copy from one’s own quiz, test, examination, or other assignment;
2. Using sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
3. Acquiring, without permission, tests or other academic material belonging to the instructor or another member of the Institutional faculty or staff;
4. Engaging in any behavior prohibited by the instructor in the course syllabus or in class discussion;
5. Falsifying or misrepresenting data or results from a laboratory or experiment; or
6. Engaging in other behavior that a reasonable person would consider to be cheating.

C. The term “Plagiarism” includes, but is not limited to, the following:

1. Using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment;
2. Using materials prepared by another person or agency engaged in the selling of term papers or other academic materials without prior authorization by the instructor; or
3. Engaging in other behavior that a reasonable person would consider plagiarism.

D. The term “Student” includes all persons taking courses from the Institution, both full-time and part-time, enrolled in undergraduate, graduate, professional or special topic courses, whether credit-bearing or not.

E. Other capitalized terms in this policy are defined in Board Policy 3:4, Section 2.

### 2. Authority

A. For purposes of this policy and Board Policy 3:4, the Institution that offered the course shall have default authority over the Student.

### 3. Academic Misconduct Process

#### A. Allegations

Allegations of Academic Misconduct must be reported by the Faculty Member to the Student Conduct Officer. At the Faculty Member's request, the Student Conduct Officer will inform the Faculty Member whether the Student has ever engaged in Academic Misconduct, which information may be used in determining any academic consequences should it be determined that the Student engaged in Academic Misconduct. The Faculty Member may request this information at any point throughout the informal resolution process.

#### B. Informal Resolution

1. The Faculty Member will meet with the Student to discuss the allegations and attempt informal resolution. The Faculty Member may request the assistance or presence of the Student Conduct Officer for this meeting.
2. Informal resolution is reached where:
  - a. The Student and the Faculty Member agree that there was no Academic Misconduct; or
  - b. The Student admits to the Academic Misconduct, agrees to the academic consequence, and signs a form documenting the Student's agreement. By signing the form, the Student waives the right to appeal both the fact that the Student engaged in the Academic Misconduct and the academic consequence.
3. If informal resolution is reached, the Faculty Member must inform the Student Conduct Officer. If the informal resolution included the Student admitting to the Academic Misconduct, the Faculty Member must provide the signed form used to document the Student's agreement to the Student Conduct Officer.
4. If informal resolution is not reached, the Faculty Member must inform the Student Conduct Officer that the alleged Academic Misconduct was not informally resolved through this policy and will need to be addressed through Board Policy 3:4.

#### C. Formal Resolution

1. Once the Student conduct process through Board Policy 3:4 is concluded, the Faculty Member will receive a copy of the informal resolution documentation or the written findings that include the facts found to have occurred.
2. If the informal resolution documentation or the written findings include a determination that a violation of the Student Code for Academic Misconduct occurred, the Faculty Member may impose academic consequences for the Academic Misconduct.

#### D. Appeals

##### 1. Informal Resolution Reached Through Board Policy 2:33

A Student may not appeal either the fact that the student engaged in the Academic Misconduct or the academic consequence imposed by the Faculty Member because the Student waives such appeal rights in agreeing to the informal resolution under this policy.

2. Informal Resolution Not Reached Through Board Policy 2:33

A Student may appeal the academic consequence imposed by the Faculty Member pursuant to Board Policy 2:9.

**SOURCE: BOR, May 2016.**