



# Procedure

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|-----------------|--------------------------------|----------------|----------------------------------|
| Procedure Name  | <b>Academic Misconduct</b>     |                |                                  |
| Procedure #     | SR 2.1                         | Parent Policy  | SR 2.0 Academic Integrity Policy |
| Policy Owner    | Vice President - Academic      | Effective Date | November 28, 2023                |
| Procedure Owner | Deans                          | Review Date    | April 24, 2024                   |
| Approved by     | Executive Management Committee | Approval Date  | November 20, 2023                |

## 1.0 Purpose

This procedure serves to outline the process when there is a concern that a NAIT student has committed Academic Misconduct. This procedure applies to students at NAIT and to graduates in the case where there is a concern that Academic Misconduct occurred during their NAIT program but was discovered after graduation.

Academic Integrity is critical to the educational mission of NAIT. NAIT programs and courses are based on specific learning outcomes that students are required to achieve. Programs and courses offer regular Assessments (tests, assignments, practical exams, etc.) to assess student learning. These evaluations allow students to demonstrate their ability to achieve the outcomes and require a student to achieve a certain level of competency to be given credit for a course.

Academic Misconduct is an offence against the Academic Integrity of the Learning Environment. Academic Misconduct includes but is not limited to Plagiarism, Cheating, Misrepresentation, and the Facilitation of Academic Dishonesty. Academic Misconduct is a serious offence that impacts our Learning Community. It diminishes trust and honesty between members of the Learning Community, reduces the ability of the Instructor to fairly evaluate students' knowledge and skills, erodes the credibility of NAIT's credentials, and compromises the future career and learning opportunities for NAIT graduates. Students play an important role in upholding the culture of integrity at NAIT and applying the Academic Integrity values of honesty, trust, fairness, respect, responsibility, and courage to their academic activities as learners.

## 2.0 Definitions

| Term               | Definition   |
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| Academic Integrity | Academic Integrity is a commitment, even in the face of adversity, to six fundamental values in the Learning Environment: honesty, trust, fairness, respect, responsibility, and courage. <sup>1</sup> |

<sup>1</sup> *The Fundamental Value of Academic Integrity* (3rd ed.), International Centre for Academic Integrity, 2021

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| Academic Misconduct                 | Academic Misconduct is an offence against the academic integrity of the Learning Environment. Academic Misconduct includes but is not limited to Plagiarism, Cheating, Misrepresentation, and the Facilitation of Academic Dishonesty.  |
| Assessment                          | Assessments are activities used to evaluate and grade a student's ability to perform program and/or course outcomes by demonstrating successful completion of real-world tasks.   |
| Balance of Probabilities            | The evidentiary standard used at NAIT. This standard requires that when all available evidence is reviewed, whatever the evidence suggests is <i>most likely</i> to have happened, is considered to be true.  |
| Completion                          | Completion of a program and achievement of a NAIT credential.   |
| Cheating                            | Cheating includes the use of unauthorized materials or information, copying from an unauthorized source, unpermitted collaboration or consultation with others, presenting false results, or contract cheating-when a third party completes Assessments, with or without payment, for a student.  |
| Academic Misconduct Decision Maker  | A NAIT staff member who, regarding Academic Misconduct concerns, has the authority to make a finding of "responsible" or "not responsible", and/or to apply assign Sanctions as appropriate, or the person to hear an appeal and make decisions about the appeal concerning Academic Misconduct. For the Academic Misconduct Procedure, Decision Makers include Instructors, Chairs, Associate Dean Academic, Dean, Vice President – Academic, or an assigned Designate as appropriate.   |
| Designate                           | An individual, directed by a Decision Maker, to complete one or more of their assigned responsibilities.  |
| Egregious Academic Misconduct       | Egregious Academic Misconduct is Academic Misconduct that is deliberately or grossly negligent. It may have a potentially significant impact on a group of students or the institution. It may include compromising privacy, grades, or reputation, or it may provide an impediment to fair Assessment and grading for a group of students. Examples include but are not limited to selling or sharing Assessments, contract cheating involving more than one Assessment or more than one student, altering credentials, or theft of an exam. Additionally, patterns of three or more Academic Misconducts may be considered egregious. |
| Facilitation of Academic Dishonesty | Facilitation of Academic Dishonesty includes offering, sharing, or selling information (like Assessment questions) or completed Assessments (contract cheating), allowing work to be copied or aiding in the misrepresentation of another student's knowledge or skills.  |
| Learning Environment                | The physical and virtual space where learning takes place including but not limited to classrooms, hallways, common areas, labs, digital learning resources like Moodle or Brightspace, work-integrated learning locations, all social media platforms, and other spaces on campus.   |
| Misrepresentation                   | Misrepresentation involves the act of misrepresenting knowledge, skills, or competencies in an academic Assessment, impersonating someone or having someone impersonate you (in writing or in person) during an Assessment, misrepresenting credentials, educational background or altering academic documents.   |
| Natural Justice                     | Natural Justice includes the fundamentals principles of fair treatment including the right to an impartial decision maker, the right to know all evidence being considered, the right to be heard and to respond, the right to written reasons, and the right to know the appeal process.   |

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| Not Responsible        | A decision made on a balance of probabilities that misconduct did not occur or that there is not enough information to support a finding of responsibility.  |
| Plagiarism             | Plagiarism is intentionally or unintentionally representing assignments, ideas, words, data, photos, or work, that have been taken from another source, or completed by another person, as your own. Ideas from another source without citation are considered plagiarized even if paraphrased. This does not include facts that are common knowledge.                     |
| Program Leader         | A Chair, Associate Chair, or Portfolio Manager who is responsible for the educational and administrative leadership of one or more instructional units including curriculum/program development.   |
| Progression            | The opportunity for a student to advance towards their educational goals.  |
| Responsible            | A decision made on a balance of probabilities, that Academic Misconduct did occur.   |
| Restorative Resolution | An outcome agreed upon by both the Instructor and the student on how to move forward that repairs harm caused and rebuilds trust between the responsible party, harmed parties, and the community.   |
| Restorative Practice   | Restorative Practice is a way to respond to harm or conflict including Academic Misconduct, through an inclusive and collaborative decision-making process with everyone involved including the person who caused the harm. Resolutions out of a Restorative Practice approach are often co-created and are always agreed upon by both the student and the Decision Maker. |
| Sanction               | Binding requirements that a student must follow resulting from an Academic Misconduct Process finding of “responsible” on a Balance of Probabilities.  |

### 3.0 Forms of Academic Misconduct

- 3.1 Academic Misconduct is an offence against the Academic Integrity of the Learning Environment. Academic Misconduct includes but is not limited to plagiarism, cheating, misrepresentation, and the facilitation of academic dishonesty.
- 3.2 Plagiarism is intentionally or unintentionally representing assignments, ideas, words, data, photos, or work, that have been taken from another source, or completed by another person, as your own. Ideas from another source without citation are considered plagiarized even if paraphrased. This does not include facts that are common knowledge.
- 3.2.1 When misciting has occurred unintentionally, such as improper citation formatting, an educational response is appropriate over an Academic Misconduct process or Sanction.
- 3.3 Cheating includes the use of unauthorized materials or information, copying from an unauthorized source, unpermitted collaboration or consultation with others, presenting false results, or contract cheating- when a third party completes Assessments, with or without payment, for a student.
- 3.4 Misrepresentation involves the act of misrepresenting knowledge, skills, or competencies in an academic Assessment, impersonating someone or having someone

impersonate you (in writing or in person) during an Assessment, misrepresenting credentials, educational background or altering academic documents.

- 3.5 Facilitation of Academic Dishonesty includes offering, sharing, or selling information (like Assessment questions) or completed Assessments (contract cheating), allowing work to be copied or aiding in the misrepresentation of another student's knowledge or skills.

#### **4.0 Academic Misconduct Concerns**

- 4.1 Academic Misconduct concerns will be addressed according to this procedure and in alignment with principles of Natural Justice.
- 4.2 When there is a concern that a student has engaged in Academic Misconduct, the Instructor will advise the student in writing as soon as possible and within 5 business days of the concern being noticed.
  - 4.2.1 If the concern is unrelated to a specific course or the Instructor from the course is not able to be the Decision Maker, the Academic Integrity Liaison (or Designate) will determine an appropriate Decision Maker.
- 4.3 The Instructor (or Designate) will communicate to the student the details of the concern, the evidence for the concern, and an opportunity for the student to meet with the Instructor.
- 4.4 If the student does not respond to engage with the next steps of the process within 3 business days, an additional attempt to contact the student will be made. Should the student still not respond after an additional 2 business days, a finding on the evidence available may be made without the student's response.
- 4.5 Students will have the opportunity to meet with the Instructor to share their perspective and evidence that supports their perspective.
  - 4.5.1 Students may choose to submit a written response instead.
- 4.6 Instructors will review and consider the student's perspective and the evidence provided by the student.
  - 4.6.1 A decision or finding cannot be made or communicated prior to or during a student's opportunity to be heard.
- 4.7 Findings of "responsible" or "not responsible" will be made on a Balance of Probabilities by the Instructor or Decision Maker.

#### **5.0 Academic Misconduct Sanctioning**

- 5.1 Resolution of Academic Misconduct may include Restorative Practice and result in Restorative Resolutions instead of assigned Sanction(s), if:
  - 5.1.1 The student accepts responsibility for the Academic Misconduct.
  - 5.1.2 The student and the Instructor, as well as other relevant harmed parties, are all in agreement on a way to repair the harm caused. The outcome will be documented for the student and Academic Integrity Liaison in writing.

- 5.2 If the student is found “Responsible” the Instructor may assign a Sanction(s) in alignment with the Academic Misconduct Sanction Guide to ensure the Sanction(s) is proportionate and relevant to the misconduct.
- 5.2.1 Sanctions beyond the scope of the Academic Misconduct Sanction Guide may be made by the Associate Dean – Academic (or Designate) with written reasons for the Sanction decision.
- 5.3 A Sanction of failure in the course can only be applied by the Associate Dean- Academic, Dean, or Vice President- Academic, (or Designate).
- 5.3.1 If a Sanction will result in a reasonable certainty that the student will fail the course at the time the decision is made and impacts academic progression or the ability to take a full course load, the decision will be reviewed by the Associate Dean Academic.
- 5.4 Patterns of Academic Misconduct or violations of Egregious Academic Misconduct may result in additional Sanctioning by the Associate Dean Academic, Dean, VP Academic, (or Designate). Should the Academic Integrity Liaison (or Designate) identify a pattern of Academic Misconduct, the case will be sent to an Associate Dean Academic (or Designate) for further Sanction consideration. The Academic Integrity Liaison may also follow up with the student with additional resources or supports.
- 5.5 Recommendations of full suspension, expulsion, or rescission of a credential may be made by the Associate Dean Academic or Dean, (or Designate). The final authority for the decision rests with the Vice President –Academic.
- 5.5.1 The Vice President –Academic may request additional follow up or information into the matter before rendering a decision.
- 5.5.2 The Vice President –Academic may reduce, increase, or determine an alternate Sanction as appropriate.

## **6.0 Notification of Decisions**

- 6.1 All decisions related to Academic Misconduct will be communicated to the student confidentially in writing (electronic or hard copy delivered to known address) within 10 business days of hearing the student’s perspective. Decisions will be communicated by the Decision Maker (or Designate).
- 6.2 Where the Decision Maker determined there has been no Academic Misconduct, the Decision Maker will advise the student and the Academic Integrity Liaison of the result in writing for record keeping.
- 6.2.1 When a student is found not responsible for Academic Misconduct and the process is concluded, it is considered closed.
- 6.3 Upon determining an incident of Academic Misconduct, Decision Makers will outline to the student in writing:
- The finding of “responsible” on a balance of probabilities.
  - The specifics of Academic Misconduct.
  - The process followed.
  - The evidence weighed in making the decision.
  - The applied Sanction(s) and reasons for the Sanction(s).

- The right to appeal the decision and how to access the appeal process.
- A list of resources for the student.

6.4 Decision Makers will submit documentation in writing to the Academic Integrity Liaison (or Designate) for the purpose of central record keeping and to track patterns of Academic Misconduct concerns.

6.5 Records will be maintained by the Academic Integrity Liaison.

6.6 Findings of responsibility and Sanction(s) imposed are final, unless one or more of the appeal criteria is met under the appeal process (7.2).

## **7.0 Appeal Process**

7.1 Students have the right to request an appeal within 10 business days of receiving a decision letter by submitting an Academic Misconduct Appeal Form to the Academic Integrity Liaison.

7.2 Appeals for Academic Misconduct will be granted by the Academic Integrity Liaison (or Designate) if one of the following conditions is demonstrated by the student, based on a balance of probabilities:

7.2.1 The decision or Sanction was demonstrably biased.

7.2.2 New information has become available that would change the outcome of the case.

7.2.3 The appropriate process was not followed, was demonstrably unfair, or flawed.

7.3 At the time of submitting the Academic Misconduct Appeal Form a student must:

- State grounds for the appeal.
- Provide a copy of the decision letter.
- Include all documentation supporting the reason for the appeal.

7.4 Should the Academic Integrity Liaison (or Designate) grant an appeal, the reason for the appeal will be outlined to the appeal Decision Maker.

7.5 The Decision Maker for the appeal process may be a Chair, Associate Dean Academic, Dean, or Vice President Academic. The Academic Integrity Liaison will determine who the appropriate Decision Maker is to hear the appeal factoring in the nature of the concern, reason the appeal was granted, Sanction severity, and who has been involved in the case prior.

7.6 The appeal Decision Maker will review the evidence and documentation from the initial process and meet with the student to hear their perspective.

7.6.1 Students may choose to submit their perspective and any related evidence in writing instead of meeting.

7.7 After hearing the appeal, the appeal Decision Maker may change the finding of responsibility and/or may reduce, increase, or determine an alternate Sanction(s) as appropriate.

7.8 Whenever possible, appeal decisions will be communicated within 15 business days from when an appeal Decision Maker receives the appeal.

7.9 Appeal outcomes are final.

**8.0 Exceptions to the Procedure**

8.1 Exceptions to this procedure must be documented and formally approved by the Policy Lead.

Procedure exceptions must include:

- The nature of the exception.
- A reasonable explanation for why the procedure exception is required.
- Confirmation that the exception aligns with the general principles.
- Any risks created by the procedure exception and how they will be managed.

**9.0 Related Documentation**

- SR 2.0 Academic Integrity Policy
- AD 2.0 Academic Progression Policy
- AD 2.2 Grades Procedure
- IP 1.3 Assessment Procedure

***Document History***

| <i>Date</i>       | <i>Action/ Change</i>  |
|-------------------|--|
| November 20, 2023 | Academic Council recommended approval of a working policy and procedure with mandatory review brought back to Academic Council in April. |
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