

What happens when I refer a student to OSSJA for academic misconduct?

A brief overview of the student disciplinary system at UC Davis

As members of an academic community and of society at large, students have both rights and responsibilities. Academic honesty is very important at UC Davis. The UC Davis *Code of Academic Conduct* is part of a long-standing honor code tradition at our campus. Students are expected to be honest at all times and act fairly toward others. Students must avoid all forms of academic misconduct including, but not limited to cheating, plagiarism, unauthorized collaboration, and providing false information.

Reporting cases to OSSJA ensures consistency and fairness in the process. Maintaining centralized disciplinary records also ensures that repeat offenders are disciplined accordingly.

Where possible, informal procedures are used to resolve disciplinary matters, emphasizing education, personal growth and the importance of ethical behavior – appropriate disciplinary consequences for violations are an important part of the learning process.

When you refer a student to Student Support and Judicial Affairs, OSSJA notifies the reported student(s) by email and directs the individual(s) to meet with a Judicial Affairs officer. If the quarter ends before a disciplinary referral is resolved, you are asked to award a temporary final grade of "Y". This temporary grade will be replaced when the referral is resolved.

Informal disposition

At the first meeting, the Judicial Affairs officer explains the disciplinary process to the student. The Judicial Affairs officer explains the reasons for the referral and gives the student an opportunity to respond. Students do not have to say anything at the informal meeting, but if they choose to do so, they are expected to tell the truth. Providing false information in the discipline process is an additional violation and is an aggravating factor in determining disciplinary sanctions. OSSJA will stay in contact with you so that you are aware of the progress in the matter and the options for resolving the referral. Most cases are resolved through informal disposition. This means resolution without a formal hearing, usually by written agreement between the student and the University. The agreement includes a summary of what happened, the policies violated, and the disciplinary sanction(s) that OSSJA proposes and the student accepts. You will also receive a copy of the written agreement.

At this stage, no penalty can be imposed without the student's agreement, unless he/she fails to participate in the disciplinary process. If the student refuses to participate, the University may place holds on the student's records, impose disciplinary sanctions unilaterally, or proceed with a formal hearing.

Formal hearing process

If a case cannot be resolved without agreement, OSSJA may refer the matter to a student-faculty panel - usually the Campus Judicial Board (CJB) - for a formal fact-finding hearing. A formal fact-finding hearing is an educational proceeding, not a trial or court hearing. Formal rules of evidence do not apply. The goal is to find the truth of what happened in a manner that respects and preserves the rights of all concerned. Hearing panel members do not have prior involvement in the matter. Prior to the hearing, both you and the student receive written e-mail notice of the charges, the date, time, and place of the hearing as well as copies of the information to be presented and a summary of the hearing procedure.

In keeping with the University's educational goals, both you and the student generally speak on your own behalf. You and the student may each have an advisor who assist, but do not speak for the parties except for unusual circumstances. OSSJA can provide you with an advisor, if you wish to have one. If it is more appropriate for a TA to be the presenter, you may have him or her do so. You are not expected to be a prosecutor, but someone who presents to the panel why you believe the student has committed academic misconduct and the information that supports your concerns.

Hearing Procedures

Hearings are generally closed. Present at the hearing are the reported student(s), you, any advisors, and witnesses. An OSSJA staff person will be present to ensure that the hearing proceeds smoothly. Witnesses are present only while speaking to the panel. Others may attend the hearing with approval of OSSJA. The hearing is audio recorded.

Both you and the accused student may submit information before the hearing and question witnesses during the hearing. You may ask the student questions if he/she testifies, and the student may also ask you questions. Normally, the panel leads with questions unless the hearing chairperson decides otherwise. The reported student may remain silent without inference of fault. Those attending the hearing are informed of the confidential nature of the hearing. The hearing chairperson tells anyone who testifies that they must tell the truth and that they may be questioned about their statements. The University has the burden of proof. The standard of proof is a preponderance of the evidence. This means that it is more likely than not that the information supports the conclusion that the student is in violation as reported.

After all information is presented, witnesses have testified, and questions are asked, you and the student may give a brief closing statement. The panel then deliberates in private. After the panel makes its findings, the panel prepares a written report describing their determination, a summary of the information that supports their conclusions and a recommended sanction if appropriate. These findings are based only upon testimony and other evidence submitted during the hearing. The panel submits its report and findings to the Director of Student Support and Judicial Affairs, who sends a written notice of the decision to the student and to you, normally within 21 days of receiving the panel's findings.

Appeals

A student who is found in violation at a hearing has ten business days to file a written appeal based on one or more of the following grounds. (1) There is no substantial basis in fact to support the findings; (2) the sanction is inconsistent with the findings; (3) there was unfairness in the proceedings; or (4) there is newly discovered important evidence that was not available at the time of the hearing.

You may also submit a written appeal on the grounds of inconsistent sanctions, procedural unfairness, or new evidence. The appeal may be denied, granted in whole or part, or other relief may be directed where appropriate.

Possible disciplinary sanctions in academic cases

- Unless egregious, the University does not pursue removal from school for first violations, if the student is truthful and accepts responsibility. Typical sanctions include a period of **disciplinary probation** or a **deferred separation** from the university. OSSJA also normally assigns community service, referrals to learn skills to avoid future violations, or other assigned projects.
- If a student has a prior history of academic dishonesty, the student will normally be **suspended** or **dismissed** from the University of California.
- After a panel deliberates, OSSJA informs them of the student's disciplinary history - if any - so that they can consider this in recommending an appropriate sanction.
- If a student is **suspended** from school, they lose their student status at UC Davis for a stated period of time and any benefits that they have as a student. The suspension normally ranges from one quarter up to two years. After the suspension, the student has a right to return if they are in good academic standing.
- **Dismissal** means that student is no longer allowed to attend any campus of the University of California. On rare occasions, a student may be readmitted by approval of the Chancellor, although the University will normally not consider a petition for at least three years.

Both suspension and dismissal are recorded on a student's academic transcripts.

Grades

If a student admits or is found in violation, Academic Senate rules allow you to assign a grade of "0" or "F" to the work in question. The final grade is then calculated accordingly.

The University appreciates your willingness to participate in the disciplinary process when you have a reasonable suspicion of academic misconduct. By doing so, students understand that academic dishonesty is not tolerated at UC Davis.