

# PROCEDURES

## A. Notes Re: Procedures and Authority to Act

1. Deans may delegate their authority under this policy to an appropriate designate(s). Such delegation may be full (for example, all cases are delegated to an Associate Dean), or partial (for example, authority with respect to offences related to course work may be delegated to departmental chairs). Deans must provide the University's Judicial Officer with the name(s) of individual(s) to whom authority has been delegated under this policy.
2. For offences related to course work (including examinations):
  - a. The designate of the Director of Open Learning will carry out the role of the chair in cases where the offence has been committed in an Open Learning, non-degree credit course. Degree credit courses offered through distance are within the authority of the chair of the department offering the course. The role of the dean in the case of non-degree credit courses offered through the Open Learning program is carried out by the Director of Open Learning.
  - b. For undergraduate students and open learners, the relevant dean is the dean of the college in which the course is offered, and the dean of the college in which the student is enrolled (if different) should receive a copy of the decision. In the event that an offence is committed in a degree credit course by an open learner, the Director of Open Learning should receive the copy of the decision.
  - c. For graduate students, the relevant deans are the dean of the college in which the course is offered and the Assistant Vice-President (Graduate Studies) acting jointly. The dean of the college in which the student is enrolled (if different) should receive a copy of the decision.
3. For offences not related to courses, or for course offences involving students not enrolled in the course, for undergraduate students the dean of the college in which the student is enrolled is responsible for administering the policy. For graduate students, the policy is administered jointly by the Assistant Vice-President (Graduate Studies) and the dean of the college in which the student is enrolled.
4. In the event that a chair/director has a conflict of interest in dealing with a case, the dean will appoint another faculty member to deal with the case. In the event that a dean's designate has a conflict of interest in dealing with a case, the dean may appoint an alternate designate or choose to deal with the case themselves. In the case of a conflict of interest on the part of a dean, the Provost will appoint a designate to deal with the case.
5. Wherever in this policy it states that a student is to be contacted, the normal expectation is that such contact will be made using the student's University of Guelph email account, with a copy of any correspondence being sent to the home address provided to the University by the student.

## B. Detection and Documentation

### 1. Examinations

The responsibility for preventing and detecting academic misconduct in an examination lies with the invigilators, although they make use of reports from others to assist them in detection. In cases of suspected impersonation, the chief invigilator shall require the student concerned to remain after the examination until the student is satisfactorily identified. In other cases of suspected academic

misconduct, the chief invigilator shall allow the student to complete the examination, but:

- may require that the student complete the examination in another location or setting when it is deemed that such action will cause the least disruption of those taking the examination; and
- shall confiscate any suspect material (including those portions of the examination completed to that point) and give it, along with the student's other examination booklet(s) (collected at the end of the exam) to the instructor immediately following the examination.

The chief invigilator shall give a full report, together with any confiscated material, to the instructor-in-charge of the course if the instructor is not the chief invigilator. In instance of open learning courses, the material will be submitted to the Director of Open Learning. The student is required to contact the instructor no later than the end of the examination period.

### 2. Term assignments, including research and thesis work

The initial responsibility for detecting academic misconduct on term assignments, etc., necessarily lies with the person(s) responsible for evaluation and discussion of the student's work, although that person may make use of reports from others to assist in detection, and may make use of electronic means of detection appropriate to the discipline. Where academic misconduct is suspected, the evaluator/marker shall retain possession of any suspect material and give a full report in writing together with any confiscated material to the instructor-in-charge of the course, or to the student's advisor, if the instructor/advisor is not the evaluator/marker. At this stage, the student will be informed by the instructor/advisor that a suspicion of academic misconduct is being investigated.

### 3. Cases outside the domain of examinations or assignments

The responsibility for detecting academic misconduct in the context of an academic environment that is not part of the formal examination or assignment process rests with the entire University community. Where academic misconduct is suspected, but where it is unclear whether it is directly related to a specific course, or where the specific course is unknown, those with knowledge of an offence should contact the dean of the college in which the student is enrolled and the Assistant Vice-President (Graduate Studies) in the case of a graduate student. If the suspected offence appears to be related to a specific course, then the instructor of the course should be contacted.

## C. Investigation and Judgment

### 1. Offences Related to Course Work, Research, Thesis Work or Examinations

- a. When an instructor or an advisor suspects that an academic offence has been committed, they are responsible for gathering evidence to support or allay the suspicion and may invite the student to meet with them to discuss the concerns. The instructor/advisor should pursue the gathering of evidence in a timely way. The normal expectation for assignments due within the semester is that instructors/advisors will complete their evidence gathering within ten working days of the due date for the assignment. For assignments submitted at the end of the semester or during the examination period, the instructor has until the tenth day of the subsequent semester to collect the evidence and determine whether to pursue a case. In a case where an instructor/advisor requires substantial additional time to collect and review the evidence, they may seek an extension of time from the chair.

- b. If after reviewing the available evidence the instructor/advisor believes an offence may have been committed, they shall refer the case to the chair of the department responsible for the course or graduate program. The referral document will include all evidentiary material collected by the instructor/advisor along with the transmittal form on which the instructor/advisor may include a recommendation with respect to penalty should the allegation be upheld. A copy of the first page of the transmittal form shall be sent to Enrolment Services/the Office of Graduate and Postdoctoral Studies by the Chair.
- c. If the chair believes that there is sufficient evidence to support a charge of academic misconduct, they will forward the transmittal form and all evidentiary material to the dean/dean's designate, normally within ten working days of receipt of the allegation from the instructor/advisor.
- d. Normally within ten working days of receipt of the case from the chair, the dean will invite the student to meet with them to discuss the allegation(s). If the student does not respond within ten working days to the request for an interview, or if the student refuses to attend an interview, the dean may proceed with the case. The student may be accompanied at the meeting by a support person. Prior to meeting with the student, the dean may consult with any individuals they believe pertinent to the case. At the meeting, the student will be presented with the evidence collected by the dean to that point. Based on the student's response to the evidence, the dean may engage in further consultation with any individuals they deem pertinent to the case. The student will be informed of any other evidence gathered as a result of those consultations and be given an opportunity to respond prior to the dean's reaching a decision on the case.
- e. If after weighing the available evidence the dean finds an offence has been committed, the dean will contact Enrolment Services/the Office of Graduate and Postdoctoral Studies as appropriate to determine whether this is a first offence.
- f. In determining the appropriate penalty, the dean will consult the Guidelines for Penalties for Academic Misconduct, will take into consideration the recommendation from the instructor/advisor, and consider such factors as the relative weight of the assignment, the semester level of the student, any record of previous offences, the seriousness of the offence (e.g. the amount of work plagiarized), and any mitigating circumstances presented by the student. For graduate students, attention will also be paid to whether the work in which the offence has been committed is one of the major milestones of the graduate program (e.g., qualifying examination, thesis).
- g. Normally within ten working days of the meeting with the student, or ten days from the date of the final communication with the student with respect to any additional evidence, the dean will inform the student in writing of the disposition of the case. In a case where the dean requires substantial additional time to review the evidence and come to a judgment, they may seek an extension of time from the Provost.  
Should the dean determine that an academic offence has not been committed they shall so inform the student, the instructor/advisor and the chair in writing. A copy of the letter will be forwarded to Enrolment Services/the Office of Graduate and Postdoctoral Studies as appropriate. Thereafter, the complaint shall have no official status as an accusation of academic misconduct and no record of the complaint shall be maintained on the student's record.<sup>1</sup>

Should the dean determine that an academic offence has been committed, they shall inform the student in writing. The written notification should include the offence for which the student has been found guilty and information with respect to penalty. Copies of the written notification should be sent to any other relevant dean(s) office(s), to the instructor/advisor, the department chair, the program counsellor and to Enrolment Services/the Office of Graduate and Postdoctoral Studies (as appropriate).

- h. In a case where the dean believes suspension or a recommendation for expulsion/revocation is warranted, they should consult with the Provost and Vice-President Academic before making a final determination with respect to penalty.
- i. Should the dean recommend expulsion or revocation/rescinding of a degree, they shall so inform the student in writing and forward the matter to the Senate Committee on Student Petitions. At that time, the student may appeal the recommendation of expulsion/revocation and request a hearing of the Senate Committee on Student Petitions. Whether or not a hearing is requested, the Senate Committee on Student Petitions will proceed with the case and inform the parties involved of its decision.  
In the case of an expulsion, the Senate Committee on Student Petitions may decide to uphold the recommendation to expel, in which case the recommendation will be forwarded to the President for final decision. Alternatively, the Senate Committee on Student Petitions may decide to impose a lesser penalty, in which case the President's assent is not required. When a recommendation is referred to the President, the President may uphold the recommendation to expel or impose a lesser penalty, which will be final.  
In the case of revocation/rescinding of a degree, if the Senate Committee on Student Petitions confirms the recommendation of rescinding/revocation of a degree, the recommendation will be forwarded to the President. If the President does not confirm the recommendation of rescinding/revocation of a degree, the President may impose a lesser penalty, which will be final. If the President confirms the recommendation, the recommendation will be forwarded to Senate for final decision with respect to revocation/rescinding. If the Senate does not confirm the recommendation of revocation/rescinding, the matter will be returned to the President for a final decision with respect to a lesser penalty.

## 2. Other Offences

- a. Cases involving offences that are not course-related or are not related to graduate program work are dealt with by the relevant dean (see Procedures A. Notes Re: Procedures and Authority to Act). Examples of such offences include, but are not limited to falsification of credentials for admission purposes, damaging of library materials, abetting the cheating of another in a course in which the abettor is not enrolled, and obstructing or interfering with the academic activities of others.
- b. When a case is brought to the attention of the dean, the dean shall inform the student that an allegation has been made and invite the student to meet to discuss the allegation. The dean will also inform Enrolment Services/the Office of Graduate and Postdoctoral Studies (as appropriate). If the student does not respond within ten working days to the request for an interview or refuses to attend an interview, the dean may proceed with the case. The student may be accompanied at the meeting by a support person. Prior to meeting with the student, the dean may meet with any individuals or collect evidence as they

deem pertinent to the case. At the meeting, the student will be presented with the evidence collected by the dean to that point. Based on the student's response to the evidence, if necessary the dean may consult with any other individuals they deem pertinent to the case. The student will be informed of any other evidence gathered as a result of those consultations and be given an opportunity to respond prior to the dean's reaching a decision on the case.

- c. If after weighing the available evidence the dean finds that an offence has been committed, the dean will contact Enrolment Services/the Office of Graduate and Postdoctoral Studies as appropriate to determine whether this is a first offence. The dean may impose penalties in accordance with Penalties A. and B., above. In the event that the dean believes suspension, expulsion or revocation to be warranted, they shall proceed as in Procedures C.1. (h) and (i).
- d. Normally within ten days of meeting with the student, or of the final communication with the student with respect to evidence, the dean shall inform the student in writing of their decision in the case, and copy the letter to the relevant university officials, including Enrolment Services/the Office of Graduate and Postdoctoral Studies (as appropriate). In a case where the dean requires substantial additional time to gather evidence and make a judgment, they may seek an extension from the Provost and Vice-President Academic.

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A statistical record will be kept by the Office of the Dean for annual reporting purposes.