ACADEMIC CODE OF CONDUCT

Section 2
Academic Misconduct

1. Persons and/or groups involved in Academic Discipline Cases
   a. Vice President for Academic Affairs – When an academic violation occurs, the Vice President for Academic Affairs (or a designee) will dispose of any violations referred or appealed to the Dean’s Office.
   b. Academic Appeals Board – A student appeals board shall be established for each academic year as a standing committee consisting of three (3) faculty members and two (2) students to be appointed by the Vice President for Academic Affairs. In some cases, the Vice President for Academic Affairs may convene the Academic Appeals Board and solicit its recommendation.
   c. The decision of the Vice President for Academic Affairs is final and will be reported to all parties concerned within three (3) working days under the general process.

2. Academic Misconduct
   Any student found guilty of academic misconduct shall be subject to disciplinary action. Academic misconduct includes, but is not limited to, the following actions:
   a. Cheating or knowingly assisting another student in committing an act of cheating or other forms of academic dishonesty.
   b. Plagiarism is using another person’s work without acknowledgment, making it appear to be one’s own. Any ideas, words, pictures, or other source must be acknowledged in a citation that gives credit to the source. This is true no matter where the material comes from, including the internet, other student’s work, unpublished materials, or oral sources. Intentional and unintentional instances of plagiarism are considered instances of academic misconduct. It is the responsibility of the student submitting the work in question to know, understand, and comply with this policy. If no citation is given, then borrowing any of the following would be an example of plagiarism:
      • An idea or opinion, even when put into one’s own words (paraphrase)
      • A few well-said words, if these are a unique insight
      • Many words, even if one changes most of them
      • Materials assembled by others, for instance quotes or a bibliography
      • An argument
      • A pattern or idea
      • Graphs, pictures, or other illustrations
      • Facts
      • All or part of an existing paper or other resource
      This list is not meant to include all possible examples of plagiarism. See the University Library’s web page on plagiarism for further examples.
   c. Unauthorized possession of examinations, reserve library materials, laboratory materials, or other course-related materials.
   d. Unauthorized changing of grades on an examination, in an instructor’s grade book, or on a grade report; or unauthorized access to academic computer records.
   e. Nondisclosure or misrepresentation in filling out applications or other NMSU/DACC records in, or for, academic departments or colleges.
   Students who engage in disruptive activities in an academic setting (e.g., classrooms, academic offices or academic buildings) are subject to disciplinary action in accordance with Section IV-Non Academic Misconduct-All Students. Such students are also subject to administrative actions in accordance with the NMSU/DACC Catalog.

3. Academic Discipline Process – General Cases
   a. Course or Departmental Level
      For incidents that occur at the course or academic department level, the faculty member or department head must inform the student of the alleged offense within ten (10) working days of its discovery, and after an investigation and/or conference, will take one of the following actions:
      i. The allegation may be dismissed as unfounded
      ii. The allegation may be dismissed for lack of evidence
      iii. The student may admit guilt and a sanction will be imposed
      iv. The Hearing Officer will determine guilt based on preponderance of the evidence and a sanction will be imposed
      v. The Hearing Officer will report the decision to the student and to the Vice President for Academic Affairs
   b. Other Academic Misconduct
      For those incidents involving academic misconduct not at the course level (e.g., falsification of academic records), the Vice President for Academic Affairs, or a designee, will serve as the Hearing Officer and will follow the same process as outlined above.
   c. Appeal Process
      i. All possible levels of appeal should be exhausted before a case reaches Vice President for Academic Affairs. The student must always be told the next level of appeal.
      ii. A student who wishes to appeal an instructor’s decision may do so by writing to the course department chair (Division Dean, if instructor is also Department Chair) within five (5) working days. The appropriate Hearing Officer will consider both sides of the case and report the decision to the student, the course instructor, the Department Chair, the corresponding Division Dean, the Vice-President for Academic Affairs, and the Vice-President for Student Services within ten (10) working days. If extenuating circumstances prevent either party from meeting this time frame, an alternate schedule will be formulated by all parties involved.
      iii. Either party may appeal a Department Chair’s decision to the Dean of the college corresponding Division Dean; however, a request for a formal hearing need not necessarily be granted. The following points will apply in all cases of appeal:
         1. The appeal must be made in writing to the appropriate appellate person or body within the specified period of time.
         2. The appeal must include the name of the individual making the appeal, the action that is being appealed, the date the action took place, and the grounds for appeal. Appeals must be made on the basis of one or more of the following grounds:
            a. Procedural or prejudicial error was committed.
b. The finding of facts contained in the decision included inaccurate information.

c. Specific evidence presented at the hearing is objectionable. Reason for the objection must be stated, i.e., why evidence should not be considered.

d. Evidence not offered during the hearing is now available. Reason why the evidence was not offered during the hearing must be stated.

e. The sanction imposed is excessive or inappropriate. Reasons for believing this must be stated.

3. If warranted, the Vice President for Academic Affairs shall convene the Academic Appeals Board to solicit its recommendation before making a decision.

4. The highest level of appeal for academic misconduct is the Vice President for Academic Affairs whose decision is final.

d. Academic Appeals Board Procedures

   i If a decision is made to seek a recommendation from the Academic Appeals Board, the Vice President for Academic Affairs, or a designee, shall assemble case materials for the Board which will normally meet within three (3) weeks.

   ii The Vice President for Academic Affairs, or a designee, will inform all parties of procedures to be followed.