

BLACK HILLS STATE UNIVERSITY
Policy and Procedure Manual

SUBJECT: Student Academic Misconduct

NUMBER: 2:5

Office: Office of Academic Affairs

Source: [BHSU Faculty Handbook](#); [SDBOR Policy 2:33](#); [BHSU Policy 3.1](#)

1. Purpose

This Policy implements [SDBOR Policy 2:33](#) and sets forth the process and procedures for student academic misconduct.

2. Definitions

a. Academic Misconduct includes, but is not limited to the following:

i. Cheating on exams or other forms of assessment or assignments.

1. Using or attempting to use sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
2. Using translation devices (print, electronic, or otherwise) or use of electronic devices in an academic setting without prior authorization from the instructor;
3. Using any unauthorized assistance in, or having unauthorized materials while taking quizzes, tests, exams, or other assignments including copying from another student or allowing another student to copy from one's own work;
4. Acquiring without permission any academic materials belonging to the instructor or another member of the institutional faculty or staff;
5. Falsifying or misrepresenting data or results for a laboratory or experiment.

- ii. Plagiarism of any work.
 - 1. Intentionally or carelessly presenting the work of another as one's own;
 - 2. Submitting the assignment purporting to be the student's original work which has wholly or in part been created by another person, or cutting and pasting of source material;
 - 3. Presenting the work, ideas, representations, or words of another person without customary and proper acknowledgement of the sources.
- iii. Fabrication or forgery.
 - 1. Intentional and unauthorized falsification or invention of any information or citation in an academic exercise;
 - 2. Using invented, counterfeited, altered, or forged information in assignments of any type including those activities done in conjunction with academic courses that require students to be involved in outside of classroom experiences.
- iv. Facilitating Academic Misconduct.
 - 1. Intentionally helping or attempting to help another student to commit any act of academic misconduct;
 - 2. Allowing other students to copy their work, paying for resources or assistance, providing information regarding assignments or exams.
- v. Misconduct in research and creative endeavors.
 - 1. Serious deviation from the accepted professional practices within a discipline or from the policies of the University in carrying out, reporting, or exhibiting the results of research or in publishing, exhibiting, or performing creative endeavors;
 - 2. Fabrication or falsification of data, plagiarism, and scientific or creative misrepresentation.
- vi. Misrepresentation: Claiming to represent or act on behalf of the University when not authorized to do so, represent, or so act.

- vii. Other forms of misconduct relating to academic achievement, research results, thesis dissertation on comprehensive, written, or oral exams, or academically related public service, or academic misconduct as defined in SDBOR or other BHSU policy sections, or federal or state law.

3. Policy

- a. All elements of [SDBOR Policy 2:33](#) and [BHSU Policy 3.1](#) are the basis for this policy and shall be considered in concert with BHSU policy and procedures.
- b. Faculty will inform students of the objectives, requirements, performance standards, and evaluation procedures for the course. The faculty member determines course content, attendance requirements, performance requirements, and grading procedures for courses under their direct supervision, and they must distribute the course syllabus to their students at the beginning of each semester. Faculty members should inform students of the university policy regarding academic misconduct, answer any questions students may have, and actively engage students in understanding and avoiding academic dishonesty or misconduct.
- c. Academic misconduct occurs when a faculty member has documented evidence that a student has cheated, plagiarized, fabricated or otherwise misrepresented their work. It also involves contributing to or facilitating academic misconduct with others.

4. Procedures

- a. The BHSU policy statement on academic misconduct must be included on each course syllabus. Refer to [BHSU Policy 2:12](#).
- b. Faculty members will use the BHSU Maxient program to document all forms of academic misconduct and upload all supporting evidence. The link is provided on the [BHSU Academic Affairs](#) webpage, under faculty resources.
- c. [SDBOR Policy 2:33](#) specifies that allegations of academic misconduct will 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.

- d. Faculty members alleging academic misconduct will:
 - i. thoroughly document all communications, actions, materials, and evidence regarding academic misconduct;
 - ii. review and retain the material (e.g. exam, quiz, report, term paper, etc.) and other data to ensure sufficient evidence for a charge of academic misconduct; and
 - iii. inform the applicable School Chair(s) and Dean(s).
- e. [SDBOR Policy 2:33](#) and [BHSU Policy 3:1](#) addresses the informal and formal resolution and appeal processes.
 - i. 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 [SDBOR Policy 3:4.C](#).

ii. Formal Resolution

1. Once the student conduct process through [SDBOR 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.

iii. Appeals

1. Informal Resolution Reached Through [SDBOR 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 [SDBOR Policy 2:33](#):
A student may appeal the academic consequence imposed by the faculty member pursuant to [SDBOR Policy 2:9](#) and [BHSU Policy 3:1](#).

- f. Allegations of violations of any SDBOR Policies and University Policies prohibiting sexual harassment and other forms of discrimination, will be referred to the University Title IX/EO Coordinator and addressed as required by said provisions. The current contact information for the University Title IX/EO

Coordinator is available on the BHSU webpage at
<https://www.bhsu.edu/President/Title-IX>.

5. Responsible Administrator

The Vice President for Academic Affairs, or designee, is responsible for the annual and ad hoc review of this policy. The University President is responsible for approval of this policy.

SOURCE: Approved by President Laurie Nichols on 1/19/2022.