



**ACADEMIC INTEGRITY CODE**  
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# ACADEMIC INTEGRITY CODE

## SECTION I: Purpose and Scope

- A. **Academic Integrity** is a core principle of higher education and a fundamental obligation of all members of the **College Community**.<sup>1</sup> All Pima Community College (“College”) **Students** are expected to familiarize themselves with this Academic Integrity Code (“Code”), to understand their **Academic Integrity** obligations, and to conduct themselves honestly and honorably in their **Academic Work**.
- B. The primary goal of all processes undertaken in accordance with this Code and any **Integrity Code Sanctions** issued to **Students** shall be educational and corrective, focused on fostering a greater understanding of and appreciation for one’s academic responsibilities to the College and to one’s own education. **Academic Integrity** proceedings shall only be conducted as **Disciplinary** matters when **Major Academic Violations** are at issue.
- C. This Code applies to all **Students** who have applied for admission to or are currently enrolled in classes at the College, including online classes.
- D. All **Academic Integrity** proceedings are confidential matters between the College and the **Students** alleged to have engaged in **Academic Integrity** violations. Third-parties have no right to participate in or receive information about such proceedings, even if they have reported alleged violations.
- E. This Code is not intended and may not be used to address grade disputes or other differences of opinion about **Instructors’** assessments of **Students’ Academic Work**.
- F. Nothing in this Code shall limit the ability of **Instructors, Department Heads, or Academic Deans** to include additional **Academic Integrity** obligations on syllabi for specific courses, provided the additional obligations are consistent with this Code and part of an approved syllabus.

### **G. Additional Academic Integrity Codes for Specific Academic Programs**

Specific academic programs (*e.g.*, Nursing, Aviation) may adopt additional **Academic Integrity** codes tailored to a particular program’s needs, provided they are consistent with this Code, in writing, approved by the Provost or the Provost’s designee, distributed to applicable **Students** or published where **Students** can easily find them, and subject to regular review and revision not less than every three (3) years.

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<sup>1</sup> Defined terms are capitalized and presented in bold-faced type throughout this Code. A Glossary of Definitions can be found at the end of the Code in Section XII.

## **SECTION II: Student Rights and Responsibilities**

### **A. All Students**

1. **Students** have the right to be informed of and have easy access to this Academic Integrity Code. All **Students** are expected to familiarize themselves with the Code. Ignorance of the Code is not a defense to any **Academic Integrity** violation.
2. Although all members of the **College Community** are ultimately responsible for their own actions, **Students** have the right to expect that the College will endeavor to provide an educational environment that promotes **Academic Integrity**.
3. **Students** have the right to public notice of any proposed substantive changes to this Code and to have a meaningful opportunity to comment on such proposed changes and to propose changes of their own.
4. **Students** have the right to expect that the College will endeavor to assist them in developing good **Academic Integrity** practices and correcting those practices that do not comply with the College's expectations.
5. All **Students** are required to participate in and answer questions truthfully during the Code process. **Code Decision-Makers** may infer from a **Student Respondent's** refusal to participate or answer questions that the **Respondent** engaged in the violation as alleged in the **Complaint**.
6. **Students** have the right to be free from **Retaliation** in any form for participating in the Code process.

### **B. Students Alleged to Have Engaged in Academic Integrity Violations**

1. To be treated with respect and dignity;
2. To have **Academic Integrity** proceedings administered by objective, neutral, and knowledgeable College **Employees**;
3. To an **Academic Integrity** process that causes as little disruption as practicable;
4. To defend oneself against allegations of **Academic Integrity** violations;
5. To be informed of and have an opportunity to respond to any evidence in support of allegations that one engaged in an **Academic Integrity** violation and to present evidence in one's defense against those allegations;
6. To have one's privacy and confidentiality respected to the extent possible under applicable law and College policy;

7. If alleged to have engaged in a **Major Academic Violation**, to **Confront** any witnesses who testify in support of those allegations;
8. To be treated neutrally and to have judgment on the **Complaint** withheld until a final decision is made;
9. To an opportunity to have an **Advisor** present or be **Actively Assisted** by an **Attorney**, at one's own expense, during **Academic Integrity Meetings** and any subsequent appeal hearings regarding alleged **Major Academic Violations** for which **Academic Discipline** may be imposed;
10. To have a **Complaint** resolved in a timely manner;
11. To a decision that is free from prejudice and bias and based on credible, relevant evidence;
12. To receive timely written notice of the decision, including a summary of the facts on which the decision was based;
13. To an opportunity to make any available appeals.

### **SECTION III: Distinguishing Between “Lesser” and “Major” Academic Integrity Violations**

**Students** accused of the most serious **Academic Integrity** violations are entitled to more formal **Disciplinary** proceedings than those accused of less serious violations, because the possible consequences to **Students** for the most serious violations are significantly greater. Accordingly, the College distinguishes between **Lesser Academic Violations** and **Major Academic Violations** when conducting Academic Integrity Code proceedings.

- A. **Code Decision-Makers** have the discretion to decide whether to address alleged **Academic Integrity** violations as **Lesser Academic Violations** or **Major Academic Violations**. Such decisions shall be based on specific **Aggravating Factors**, **Mitigating Factors**, and other relevant circumstances, including, but not limited to, an accused Student's history of prior Code violations, the severity or pervasiveness of the alleged violations and their impact on other members of the **College Community**, whether the **Student** is accused of engaging in the alleged violations **Knowingly** or **Negligently**, and whether the accused **Student** is alleged to have engaged in multiple **Academic Integrity** violations.
- B. **Lesser Academic Violations** are appropriately addressed with **Corrective Academic Action** and do not warrant **Academic Discipline**. Students alleged to have engaged in **Lesser Academic Violations** may not be accompanied by an **Advisor** or an **Attorney** during Code proceedings, and neither decisions that **Students** engaged in **Lesser Academic Violations** nor the **Corrective Academic Action** issued to those **Students** can be formally appealed, although **Students** may request review of **Corrective Academic Action** that directly affects a **Student's** grade or course credit (see Section IX below).
- C. **Major Academic Violations** includes the most serious violations of the Code that could result in **Integrity Code Sanctions** up to and including **Suspension** or **Expulsion** from the **College** or the withholding or revocation of a degree or certificate.

- D. **Students** alleged to have engaged in **Major Academic Violations** may be accompanied by an **Advisor** of their choosing or by an **Attorney** provided at the **Student's** expense. **Attorneys** may **Actively Assist Students** during **Academic Integrity Meetings** and appeal hearings. **Students** may not be accompanied by **Advisors** or **Attorneys** at any other time during the Code process.

#### **SECTION IV: Required State of Mind for Academic Integrity Violations**

- A. Unless specified otherwise, **Students** violate of this Code if they engage in prohibited acts or omissions **Knowingly** or **Negligently**.
- B. Acts and omissions that a **Reasonable Person** would consider good-faith mistakes under the circumstances do not violate this Code.

#### **SECTION V: Specific Academic Integrity Violations**

The following acts and omissions by **Students** constitute **Academic Integrity** violations under this Code and are prohibited:

- A. Copying another **Student's Academic Work** or answers from another **Student's Examination** or allowing one's own **Academic Work** or answers to **Examination** questions to be copied by another **Student**;
- B. Using materials during an **Examination** that were not explicitly authorized by one's **Instructor**, the **Examination** proctor, **ADR**, or other authorized College **Employee**;
- C. Collaborating with another person, including another **Student**, during an **Examination** or on other **Academic Work** without explicit authorization;
- D. Soliciting, buying, or accepting the **Academic Work** of another, or offering, selling, or providing one's own **Academic Work** to another **Student**, without explicit authorization from the College;
- E. Using, soliciting, buying, selling, offering, providing, or accepting the contents (*i.e.*, questions and/or answers) of any College **Examination** not specifically released by an authorized College official;
- F. Taking or offering to take an **Examination**, or contributing or offering to contribute to **Academic Work**, for another **Student** or permitting or soliciting anyone to take an **Examination** or contribute to **Academic Work** in one's place;
- G. Bribing or offering a **Bribe** to a College **Employee** in order to obtain a passing score or improved grade on an **Examination** or **Academic Work**, or for a course;
- H. **Knowingly** falsifying, misstating, or misrepresenting, facts, events, or sources on **Academic Work**;
- I. Engaging in **Plagiarism**;

- J. Submitting the same or substantially the same **Academic Work** in a course that one previously submitted in a different course for a grade or for academic credit without receiving explicit permission to do so from one's current **Instructor**;
- K. Signing an attendance sheet for another **Student** or **Knowingly** allowing someone else to sign an attendance sheet for oneself, or otherwise participating in gaining credit for attendance for oneself or for another **Student** without actually attending;
- L. **Knowingly** falsifying or misrepresenting reported hours, work, or activities as part of an internship, externship, field experience, clinical activity, independent study, or similar academic experience.

#### **SECTION VI: Reporting Suspected Academic Integrity Violations**

- A. Any member of the **College Community** may report a suspected violation of the Academic Integrity Code.
- B. Persons may report suspected Code violations directly to the course **Instructor** of the **Student** suspected of the violation, if known. Reports may also be submitted to the **Department Head** or **Academic Dean** with authority over the course or **Examination** (e.g., a placement exam) in which the violation allegedly occurred.
- C. If the **Student's Instructor** or the applicable **Department Head** or **Academic Dean** is unknown, suspected Code violations may be reported by submitting an Incident Report form to the **Assistant Vice Chancellor for Student Learning**. ([www.pima.edu/current-students/code-of-conduct/docs/code-of-conduct-incident-report.pdf](http://www.pima.edu/current-students/code-of-conduct/docs/code-of-conduct-incident-report.pdf)). Suspected **Academic Integrity** violations should not be reported to the **Dean of Students**.
- D. The College expects a suspected **Academic Integrity** violation to be reported as soon as possible, preferably within thirty (30) days. The longer one waits to report a violation, the more difficult it may be for the College to address it properly. Accordingly, the College may decline to pursue a suspected **Academic Integrity** violation if so much time has passed since the alleged conduct that the College can no longer investigate effectively.
- E. Reports of suspected **Academic Integrity** violations should contain the following information (if known):
  - 1. The name and contact information of the person submitting the report;
  - 2. The name(s) of the **Student(s)** and any other person(s) involved in the suspected violation;
  - 3. The date of the suspected violation;
  - 4. The course name, course number, and section number (if applicable) of the course in which the violation is suspected to have occurred;

5. A description of the suspected violation;
6. A list of any known documents or other evidence relating to the suspected violation (*e.g.*, emails, text messages, **Academic Work**, *etc.*).

## **F. Confidentiality and Anonymity**

1. Persons reporting suspected **Academic Integrity** violations may request that their reports remain confidential. The College will endeavor to honor requests for confidentiality, although doing so may seriously limit the College's ability to investigate and respond appropriately.
2. Anonymous reports are not accepted through the Academic Integrity Code process. Persons wishing to remain anonymous may report suspected **Academic Integrity** violations to the College's Office of Dispute Resolution ("ODR") by calling (1-855-503-8072) (toll free) or at [www.complianceandethicshotline.ethicspoint.com](http://www.complianceandethicshotline.ethicspoint.com).

## **SECTION VII: Who May Be a Complainant**

- A. Violations of the Academic Integrity Code are offenses against the entire **College Community**, rather than against any one specific person. Regardless of who reports a suspected **Academic Integrity** violation, the **Complainant** in a Code proceeding will generally be a College **Employee**, bringing the **Complaint** on behalf of the College (*e.g.*, "Complainant: [**Employee's name**], [**Employee's title**], on behalf of Pima Community College").
- B. **Instructors** have the primary authority and responsibility to respond appropriately to **Academic Integrity** violations that occur during or as part of their classes, including violations reported to them by others, as well as violations **Instructors** identify themselves. Accordingly, a **Student Respondent's Instructor** will generally be the **Complainant** in a Code proceeding.

## **SECTION VIII: Conducting Academic Integrity Code Proceedings**

### **A. Selecting the Code Decision-Maker**

1. For most **Complaints** alleging **Lesser Academic Violations**, the **Student Respondent's Instructor** shall be the **Code Decision-Maker**, as well as the **Complainant**. If an **Instructor** is unable to be the **Code Decision-Maker**, the **Academic Dean** of the applicable academic discipline shall designate another **Instructor** to conduct the Code proceeding.
2. For most **Complaints** alleging **Major Academic Violations**, the **Code Decision-Maker** shall be the **Academic Dean** of the academic unit or subject from which the **Complaint** arises. If the **Academic Dean** determines that the violation alleged in the **Complaint** should not be addressed as a **Major Academic Violation**, the Dean may return it to the **Instructor** to be addressed as **Lesser Academic Misconduct**. If the **Academic Dean** is unable to serve as the **Code Decision-Maker**, such as in the



case of a conflict of interest, the **Assistant Vice Chancellor for Student Learning** shall designate another **Academic Dean** to be the **Code Decision-Maker**.

## **B. Notice of Complaints and Delivery of Complaint-Related Information**

1. The **Code Decision-Maker** shall provide written notice of the **Complaint** to the **Student Respondent** within five (5) **Business Days**. The notice shall include the following:
  - a. An explicit statement that the **Student** is a **Respondent** to an Academic Integrity Code **Complaint**;
  - b. A summary of the allegations against the **Student**, including any known evidence in support of those allegations;
  - c. The specific Code section(s) the **Student** is alleged to have violated;
  - d. Whether the **Student** is accused of a **Lesser Academic Violation** or a **Major Academic Violation** and the **Code Decision-Maker**'s basis for making that decision (*i.e.*, "lesser" versus "major"), and if **Academic Discipline** (*e.g.*, **Suspension**) could be imposed;
  - e. If the **Student** is accused of a **Major Academic Violation**, that the **Student** has the right to be accompanied to the **Academic Integrity Meeting** and any subsequent appeal hearing by an **Advisor** or an **Attorney** (at the **Student**'s expense), and an **Attorney** may **Actively Assist** the **Student** during the **Academic Integrity Meeting** and any subsequent appeal hearing;
  - f. The date, time, and location of the **Academic Integrity Meeting** and the conditions under which that meeting could be rescheduled.
  - g. That an administrative hold may be placed on the **Student**'s records and/or account with the College, pending resolution of the **Complaint**.
2. Unless approved in writing by the **Code Decision-Maker**, all Academic Integrity Code notices and **Complaint**-related information shall be sent to **Students**' "*pima.edu*" accounts.
3. Notice will be considered effective and all information will be considered received on the date email is sent to **Students**' "*pima.edu*" accounts. If the **Code Decision-Maker** approves another means of delivery, notice will be considered effective and documents received on the date of hand-delivery or three (3) **Business Days** after the notice or document is deposited with the U.S. Postal Service or other carrier.

## **C. Academic Integrity Meetings**

## 1. Lesser Academic Violation Meetings

- a. After a **Student Respondent** has received notice of the **Complaint**, the **Code Decision-Maker** shall conduct an **Academic Integrity Meeting** with the **Respondent** in a private setting and discuss the **Lesser Academic Violation** the **Respondent** is alleged to have committed and the specific evidence supporting those allegations.
- b. **Respondents** may not be accompanied by **Advisors** or **Attorneys**.
- c. **Respondents** shall have a full and fair opportunity to review and respond to the allegations in the **Complaint** and the supporting evidence, including statements from the individuals who reported the alleged **Academic Integrity** violation, as well as any witnesses. **Respondents** shall also have an opportunity to present their side of the story and to offer any additional evidence they believe is relevant, including any **Mitigating Factors**.
- d. **Generally**, witnesses are not required or permitted to provide live testimony, but it may be allowed at the discretion of the **Code Decision-Maker**.
- e. If, during the meeting, the **Code Decision-Maker** comes to believe that the **Respondent's** violation is more serious than previously known and may warrant **Academic Discipline**, the **Code Decision-Maker** shall inform the **Respondent** of that fact, suspend the **Academic Integrity Meeting**, refer the **Complaint** to the applicable **Academic Dean** for further proceedings, and issue the **Respondent** a revised notice of the **Complaint**.

## 2. Major Academic Violation Meetings

- a. After the **Student Respondent** has received notice of the **Complaint**, the **Code Decision-Maker** shall conduct an **Academic Integrity Meeting** with the **Respondent** in a private setting and discuss the **Major Academic Violation** the **Respondent** is alleged to have engaged in and the specific evidence supporting the allegation(s). **Respondents** shall have a full and fair opportunity to review and respond to the allegations in the **Complaint** and to offer any additional evidence they believe is relevant, including any **Mitigating Factors**.
- b. **Advisors and Attorneys**
  - i. **Respondents** may be accompanied by one (1) **Advisor** of their choice during **Academic Integrity Meetings** involving **Complaints** of **Major Academic Violations**. **Advisors** may be consulted by **Respondents** during the meeting, suggest questions for them to ask, and help them clarify their responses to questions. An **Advisor** may not **Actively Assist** the **Respondent**.
  - ii. In lieu of an **Advisor**, a **Respondent** may be accompanied by an **Attorney** (provided at

the **Respondent's** expense) who **Actively Assists** the **Respondent** during the meeting. Only **Attorneys** may **Actively Assist Respondents** during **Academic Integrity Meetings**.

- iii. **Students** must inform the **Code Decision-Maker** at least three (3) **Business Days** prior to the **Academic Integrity Meeting** if they will be accompanied by an **Attorney** who will **Actively Assist** during the meeting or by an **Advisor** who is a **Legal Professional** by education or occupation. The College reserves the right to have College legal counsel present during any **Academic Integrity Meeting** or subsequent appeal at which a **Respondent** is assisted by an **Attorney** or where a **Respondent's Advisor** is a **Legal Professional**.

**c. Witnesses**

- i. **Respondents** have the right to require relevant witnesses to testify in person during **Academic Integrity Meetings** involving alleged **Major Academic Violations**. That right can be waived, and **Respondents** may rely instead on written witness statements.
  - ii. The **Code Decision-Maker** shall ask witnesses questions and/or permit them to make statements. **Respondents** shall have a full and fair opportunity to present additional questions or topics of questions for the **Code Decision-Maker** to ask each witness. The **Code Decision-Maker** may decline to ask witnesses any questions the **Code Decision-Maker** believes are irrelevant, repetitive, harassing, or unnecessarily embarrassing. **Respondents** (or their **Attorneys**) may not object during witness testimony or directly question or cross-examine witnesses.
- d. Technical rules of evidence, such as would be used in a court of law, do not apply during **Academic Integrity Meetings**, although **Complainants** and **Respondents** may submit arguments about why certain evidence should or should not affect **Code Decision-Makers'** decisions.

**D. Academic Integrity Code Decisions**

1. Decisions on **Complaints** will be made by applying the **Preponderance of the Evidence** standard unless specified otherwise. **Code Decision-Makers** shall determine if, based on the evidence, it is more likely than not the **Respondent** engaged in the violation alleged in the **Complaint**.
2. **Code Decision-Makers** may infer from a **Respondent's** refusal to participate or answer questions that the **Respondent** engaged in the violation as alleged in the **Complaint**.
3. If the **Code Decision-Maker** decides that the evidence does not support a conclusion that the **Respondent** engaged in the alleged violation, the matter shall be concluded and the **Complaint** closed.

4. If the **Code Decision-Maker** finds that the **Respondent** more likely than not engaged in the violation alleged in the **Complaint**, the **Code Decision-Maker** shall determine an appropriate **Integrity Code Sanction**.

#### **E. Integrity Code Sanctions by the Code Decision-Maker**

1. If **Respondents** admit to violating or are found to have violated the Academic Integrity Code, **Code Decision-Makers** have the discretion to issue or not issue one or more **Integrity Code Sanctions**.
2. All **Integrity Code Sanctions** shall be issued in writing along with an explanation of the facts the **Code Decision-Maker** took into consideration, including any **Aggravating Factors** or **Mitigating Factors**.
3. **Integrity Code Sanctions** may include, but are not limited to, one or more of the following:
  - a. **Corrective Academic Action** (for both findings of **Lesser Academic Violations** and **Major Academic Violations**)
    - i. Educational assignments designed to improve **Respondents'** understanding of the importance of **Academic Integrity**, their **Academic Integrity** responsibilities, and the consequences of not adhering to those responsibilities;
    - ii. **Restorative Justice** requirements;
    - iii. A written **Reprimand**;
    - iv. **Probation**;
    - v. A lowered or failing grade in, or zero credit for, a particular **Academic Work or Examination**;
    - vi. A lowered or failing grade in, or zero credit for, the course in which the **Academic Integrity** violation occurred.
  - b. **Academic Discipline** (for findings of **Major Academic Violations** only)
    - i. Temporary or permanent removal from a specific College academic or certificate program;
    - ii. Restriction on enrollment (*e.g.*, permitted to take only (or barred from taking) online classes);
    - iii. **Suspension** from the College for any length of time;

- iv. **Expulsion** from the College;
- v. Withholding or revoking of a degree or certificate.

#### **F. Notice of Decisions, Integrity Code Sanctions, and Right to Appeal**

1. **Code Decision-Makers** shall provide **Respondents** and **Complainants** (if different from the **Code Decision-Maker**) with timely written decisions stating explicitly what, if any, **Academic Integrity** violations a **Respondent** was found to have engaged in, explaining the specific factual basis for that decision, and stating the specific **Integrity Code Sanction** issued by the **Code Decision-Maker**, including an explanation of any **Aggravating Factors** or **Mitigating Factors** taken into consideration.
2. **Code Decision-Makers** shall inform **Respondents** in writing of any right they may have to request review of or to appeal a decision or **Integrity Code Sanction**, including the deadline to submit a request for review or an appeal and the College office to which or **Employee** to whom the request for review or appeal should be submitted.

#### **G. Converting Suspensions to Expulsions**

1. If a **Student** violates the conditions of a **Suspension**, including by engaging in additional Code violations during the term of a **Suspension**, the **Code Decision-Maker** may convert the **Student's Suspension** to an **Expulsion** without conducting an additional **Academic Integrity Meeting**.
2. **Code Decision-Makers** must provide **Students** with written notice that their **Suspension** was converted to an **Expulsion**, including an explanation of how the **Students** violated their **Suspension** and the facts and evidence on which that decision was based.
3. **Students** whose **Suspensions** are converted to an **Expulsion** shall have the same right to appeal as any **Student** who receives **Expulsion** as **Academic Discipline**, including, but not limited to, a full and fair opportunity to respond to the decision to increase their **Suspension** to an **Expulsion** and to submit any additional evidence they believe demonstrates that decision was incorrect.

#### **SECTION IX: Requests for Review of Corrective Academic Action Affecting Grades or Credit**

- A. Findings of **Lesser Academic Violations** and/or the imposition of **Corrective Academic Action** may not be formally appealed. However, **Respondents** may request that a **Code Decision-Maker's** immediate supervisor ("Immediate Supervisor") (*e.g.*, **Department Head**) review a **Corrective Academic Action** that results directly in the **Respondent** receiving a lowered or failing grade in, or zero credit for, an **Academic Work, Examination**, or course. A **Code Decision-Maker's** finding that the **Respondent** violated the Code may not be reviewed. No other **Corrective Academic Actions** (*e.g.*, **Reprimands, Probation**) will be reviewed.

- B. A request for review must be submitted in writing to the **Code Decision-Maker** and the Immediate Supervisor within five (5) **Business Days** of the **Respondent** receiving the decision and must contain 1) a copy of the decision, 2) a copy of any **Academic Work** or **Examination** for which the **Respondent** received a lowered or failing grade or zero credit (if the **Respondent** does not have a copy, one should be provided by the **Code Decision-Maker**), and 3) a statement explaining why the **Respondent** believes the **Corrective Academic Action** was inappropriate.
- C. The **Code Decision-Maker** may, but is not required to, submit a written response to the **Respondent's** request for review to the Immediate Supervisor within five (5) **Business Days** of receiving it.
- D. The Immediate Superior's review shall be limited to deciding whether the **Corrective Academic Action** issued to the **Respondent** was unjustifiably disproportionate to the seriousness of the **Respondent's** violation.
- E. The Immediate Supervisor shall issue a written decision within ten (10) **Business Days** of receiving the **Respondent's** request for review, indicating whether the **Respondent's Corrective Academic Action** is affirmed, reversed, or reduced.
- F. The determination of the Immediate Supervisor is final and may not be reviewed further or appealed.

## **SECTION X: Appeals**

### **A. Who May Appeal (i.e., be the "Appellant")**

**Respondents** determined to have violated the Academic Integrity Code may appeal a **Code Decision-Maker's** decision and/or an **Integrity Code Sanction** only when a) the **Respondent** was found to have committed a **Major Academic Violation**, and b) the **Respondent** received **Academic Discipline**.

### **B. Acceptable Bases for Appeal**

An **Appellant's** request for appeal shall only be considered if it is based on one or more of the following arguments:

1. The **Code Decision-Maker's** decision was **Clearly Erroneous** or tainted by clear bias;
2. The severity of the **Academic Discipline** was unjustifiably disproportionate to the **Respondent's** violation;
3. A **Material Error in Process** occurred that affected or reasonably could have affected the **Code Decision-Maker's** decision or the **Integrity Code Sanctions** issued to the **Respondent**;

4. The discovery of new information that was not known and could not reasonably have been discovered at the time of the **Academic Integrity Meeting** that is substantially likely to have affected the outcome of the **Complaint** had it been presented at the **Academic Integrity Meeting**.

### C. Requesting an Appeal

1. An **Appellant**'s written request for appeal must be submitted to the **Code Decision-Maker** (the "**Appellee**") and the **Assistant Vice Chancellor for Student Learning** no more than five (5) **Business Days** after the **Appellant** received notice of the **Code Decision-Maker**'s decision.
2. The request for appeal must contain a) a copy of the **Code Decision-Maker**'s decision, b) the **Appellant**'s basis for bringing the appeal (see Section X.B above), c) a statement explaining why the decision or **Integrity Code Sanction** should be changed, and d) if the appeal is based on new evidence, a copy or written summary of the new evidence and a statement identifying the source of the new information and explaining why it was not available at the time of the **Academic Integrity Meeting**.

### D. Appellee Responses to Appeals

Within five (5) **Business Days** after receiving notice of an **Appellant**'s appeal, the **Appellee** may, but is not required to, submit a written response in opposition to the appeal to the **Appellant** and the Provost or the Provost's designee.

### E. Designating an Academic Integrity Appeal Board

1. Within ten (10) **Business Days** of receiving a request for appeal, the **Assistant Vice Chancellor for Student Learning** shall designate an **Academic Integrity Appeal Board** consisting of three (3) academic **Employees** (*e.g.*, **Instructors**, **Academic Deans**, **Presidents**) and provide each board member with a copy of the **Appellant**'s appeal and the **Appellees**' responses (if any). Any academic **Employee** may serve on an **Academic Integrity Appeal Board**, provided the **Employee** has knowledge of the Academic Integrity Code and the appeal process, and has had no direct involvement in the matter being appealed.
2. If the **Assistant Vice Chancellor for Student Learning** in consultation with the College's Office of the General Counsel, determines that no College **Employees** can or should decide a particular appeal, such as in the event of a College-wide conflict, the College shall retain one or more third parties outside the College to review and decide the appeal in accordance with College procedure.

### F. Procedures for Academic Integrity Appeal Boards

1. Within ten (10) **Business Days** of being designated, the **Academic Integrity Appeal Board** shall schedule a meeting to take place within the following thirty (30) days at which to decide the appeal. **Academic Integrity Appeal Board** decision will generally be based only on written submissions.

**Academic Integrity Appeal Boards** may submit questions to **Appellants** and/or **Appellees** to be answered in writing prior to the meeting.

2. **Appellants** and **Appellees** (regardless of whether they responded to the appeal) shall be notified of the date of the **Academic Integrity Appeal Board's** meeting but shall not be permitted to attend unless a discretionary hearing is held (see Section X.F.3 below). Attendance at meetings shall be limited to the board members and to one (1) non-voting consultant to assist the board with procedural and technical questions about the Academic Integrity Code and College policy (*e.g.*, a representative from the College's General Counsel's Office, ODR, or Human Resources office).

### 3. Discretionary Appeal Hearings

- a. Within three (3) **Business Days** after receiving notice of the scheduled date of the **Academic Integrity Appeal Board's** meeting, either the **Appellant** may submit to the **Assistant Vice Chancellor for Student Learning** a written request for an appeal hearing. Requests for hearings shall be decided by the **Academic Integrity Appeal Board** and should be granted only in exceptional circumstances. The **Appellant** bears the burden of demonstrating that to deny the request would effectively deny the **Appellant** a full and fair opportunity to be heard. The **Academic Integrity Appeal Board** shall notify the **Appellant** and **Appellee** at least ten (10) **Business Days** before the scheduled meeting date if an appeal hearing will be conducted.
- b. **Appellees** may, but are not required to, attend appeal hearings. **Appellants** may be accompanied to appeal hearings by one (1) **Advisor** or **Actively Assisted** by one (1) **Attorney**. **Appellants** must inform the **Academic Integrity Appeal Board** at least three (3) **Business Days** prior to the appeal hearing if they will be accompanied by an **Attorney** who will **Actively Assist** during the meeting or by an **Advisor** who is a **Legal Professional** by education or occupation. The College reserves the right to have College legal counsel present if an **Appellant** is assisted by an **Attorney** or accompanied by a legal-professional **Advisor**.
- c. An appeal hearing is not a new **Academic Integrity Meeting**, and further witness testimony or other additional evidence will generally not be heard or considered. Additional evidence may be considered only when necessary to demonstrate the existence of new evidence that 1) could not have been discovered at the time of the **Academic Integrity Meeting** and 2) is substantially likely to have affected the **Code Decision-Maker's** decision.
- d. **Academic Integrity Appeal Boards** shall offer **Appellants** and **Appellees** an equal opportunity to be heard. **Appellants** shall address the board first and explain why an appeal should be granted. **Appellees** (if attending) then may, but are not required to, address the board and explain why the appeal should be denied. Board members may ask questions, but **Appellants** and **Appellees** may not object, ask each other or the board members questions (except to seek clarification of a question from the board that the Appellant or Appellee does not understand), or otherwise interrupt each other's arguments. The **Academic Integrity Appeal Board** may offer each party an equal opportunity to make a rebuttal argument.

### 4. Decisions of Academic Integrity Appeal Boards



- a. **Academic Integrity Appeal Boards** should give substantial deference to **Code Decision-Makers'** decisions and only change or overturn a decision if the required voting majority of board members is firmly convinced the decision was in error, even if the board members themselves might have reached a different conclusion if they had been the **Code Decision-Maker**.
- b. When deciding appeals, **Academic Integrity Appeal Boards** may i) deny the appeal and affirm the **Code Decision-Maker's** decision and/or **Academic Discipline**, ii) affirm the decision that a Code violation occurred but reduce or increase the **Integrity Code Sanction**, iii) grant the appeal (entirely or in part) and remand the **Complaint** to the **Code Decision-Maker** for further proceedings and a new decision, or iv) overturn a decision entirely and vacate all **Integrity Code Sanctions** issued to the **Respondent** if and only if the board concludes unanimously that the **Respondent** is actually **Innocent**.
- c. Generally, appeals shall be decided by simple majority vote of the **Academic Integrity Appeal Board**. A unanimous decision is required when the board's decision would result in i) an **Expulsion** or the withholding or revocation of a degree or certificate, or ii) overturning/vacating a decision on the basis of the **Student's Innocence**.
- d. **Academic Integrity Appeal Boards** shall issue written decisions to the **Assistant Vice Chancellor for Student Learning** within ten (10) **Business Days** of the board's meeting (or appeal hearing, if one is conducted) for distribution to the **Appellants** and **Appellees**.
- e. The decision of an **Appeal Review Boards** is final, and no further appeal or review of an Academic Integrity Code decision or **Integrity Code Sanction** is available unless the **Academic Integrity Appeal Board's** unanimous decision would result in an **Expulsion** or the withholding or revocation of a degree or certificate (see Section X.G below).

#### **G. Automatic Review of Expulsions and Decisions to Withhold or Revoke Degrees or Certificates**

1. All **Academic Integrity Appeal Board** decisions that would result in an **Expulsion** or the withholding or revocation of a degree or certificate shall be reviewed and approved by the **Provost**. The **Provost's** review shall be limited to confirming that a) proper procedures were followed, and b) the **Academic Integrity Appeal Board's** decision was not **Clearly Erroneous** or tainted by clear bias. If the **Provost** determines proper procedures were not followed or that the board's decision was **Clearly Erroneous** or tainted by bias, the **Provost** shall either a) direct the board to reconvene in accordance with the correct procedure and/or issue a revised decision, or b) designate an entirely new board to reconsider the appeal. The **Provost** shall continue to review the **Academic Integrity Appeal Board's** decisions until the **Provost** is satisfied that proper procedures were followed and that the **Academic Integrity Appeal Board's** decision was reasonable in light of the facts.
2. **Appellants**, or their **Advisors** or **Attorneys**, and **Appellees** are not permitted to contact the Provost directly or indirectly regarding the Provost's review of **Academic Integrity Appeal Board** decisions.

#### **SECTION XI: Eligibility for Readmission to the College**

- A. **Students** who are **Suspended** from the College for violating this Academic Integrity Code may be required to satisfy specific conditions, provided to the **Students** in writing at the time of their **Suspension**, in order to be eligible for readmission to the College after the term of their **Suspension** has ended.
- B. **Students** who have been **Expelled** from the College for violating this **Academic Integrity Code** are permanently ineligible for readmission at any time. Any request for readmission after **Expulsion** shall be denied automatically with no opportunity for appeal.

## **SECTION XII: Glossary of Definitions**<sup>2</sup> -

“Academic Dean” means the College Employee with primary administrative authority over the academic and instructional operations of a specific academic unit, subject, or program of study (including non-credit programs) at the College.

“Academic Discipline” means a specific punitive consequence to a Student as a result of a Major Academic Violation that could result in the issuance of the most serious Integrity Code Sanctions to the Student, including, but not limited to, Suspension or Expulsion from the College.

“Academic Integrity” means the adherence to intellectual honesty and authentic, responsible scholarship in one’s Academic Work at the College.

“Academic Integrity Meeting” means the meeting between the Respondent and the Code Decisions-Maker to discuss the Complaint and the Respondent’s alleged Academic Integrity violation, as well as any evidence in support of the alleged violation, at which the Respondent has an opportunity to respond to the allegations in the Complaint and the evidence in support of those allegations and to present additional evidence.

“Academic Work” means all work product submitted to the College by a Student for a grade, academic credit, or official evaluation by the College, including, but not limited to, class assignments, examination responses, essays, reports, projects, research results and/or analyses, presentations and/or presentation materials, and artistic works.

“Actively Assist” means to present evidence and arguments and to ask questions on behalf of, as well as to provide advice to, a Student. It does not mean to answer or object to questions on a Student’s behalf.

“ADR” means the College’s Office of Access and Disability Resources.

“Advisor” means any non-Attorney assisting or supporting a Student during a Code Resolution Meeting or appeal hearing, including, but not limited to, another Student, an Employee; a parent, sibling, or other relative; or a religious or spiritual leader. An Advisor may be a Legal Professional by education or occupation but may not Actively Assist a Student unless identified as an Attorney in accordance with this Code.

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<sup>2</sup>Unless specified otherwise, all terms used in this Academic Integrity Code that are not specifically defined in the Glossary of Definitions shall be interpreted using their common dictionary definitions.

“Aggravating Factor” means any evidence or information that might warrant addressing an alleged Academic Integrity Code violation as Major Academic Violation or justify imposing a harsher Integrity Code Sanction for a particular violation, including, but not limited to, a history of prior violations; whether the violation demonstrates callous disregard or disrespect for an Instructor, other Students, the principles of Academic Integrity, or the College; and whether the Student demonstrates a lack of remorse or refuses to accept personal responsibility for the violation.

“AP” means Administrative Procedure.

“Appellant” means a Respondent appealing a decision of and/or Academic Discipline issued by a Code Decision-Maker in accordance with the Academic Integrity Code’s appeal process.

“Appellee” means a Code Decision-Maker, responding to an Appellant’s appeal of a decision made and/or Academic Discipline issued by a Code Decision-Maker in accordance with the Academic Integrity Code’s appeal process.

“Attorney” means a legal professional licensed to practice law in the State of Arizona or another state or Federal legal jurisdiction within the United States, including U.S. territories and federally recognized Indian/Native American Tribes, and in good standing with that jurisdiction’s bar who Actively Assists a Student during an Academic Integrity Meeting or appeal hearing.

“Bribe” means 1) anything of value offered, promised, or given to a College Employee with the intention of influencing that Employee’s official decisions or actions, including, but not limited to, money, tangible goods, services, or information, or 2) the act of offering, promising, or giving a College Employee anything of value with the intention of influencing that Employee’s official decisions or actions.

“Business Day” means between 8:00 a.m. and 5:00 p.m. on a day when the College conducts Ordinary College Operations, excluding Saturdays and Sundays, any officially recognized College holidays, and any other day the College is officially closed for any reason.

“Clear and Convincing Evidence” means a decision-maker must have a firm belief that, based on the evidence available, it is highly probable a Student engaged in the conduct alleged in the Complaint in violation of the Academic Integrity Code. Clear and Convincing Evidence is a higher evidentiary standard than a Preponderance of the Evidence.

“Clearly Erroneous” means not supported by competent evidence or reasonable inferences such that no Reasonable Person could have reached the same decision in light of all of the evidence.

“Code Decision-Maker” means an Employee or third party retained by the College (*e.g.*, a consultant or attorney) empowered to enforce the Academic Integrity Code, to conduct Academic Integrity Meetings, to decide if Students have violated the Code, and, if so, to determine an appropriate Integrity Code Sanction.

“College Campus” means each campus, education or adult learning center, and any other facility where Students normally receive College instruction or where Ordinary College Operations are conducted.

“College Community” means, collectively, all persons employed by, volunteering for, enrolled in classes at, or visiting the College or attending any College activity.

“College IT Systems” means all College-owned or -controlled telephones, computers, software, network devices, servers, printers, and other College-owned or -controlled technology equipment, including both hardware and software, as well as the College’s website “pima.edu,” any email with a pima.edu domain name, and/or any information stored or transmitted on College servers.

“College Property” means any College Campus, building, or grounds owned, leased, operated, or controlled by the College, as well as any structures, improvements, or equipment thereon.

“College Sponsored Activity” means any event, activity, or endeavor officially approved by the College, on- or off-campus College Property, that is organized, initiated, aided, or supervised by the College’s administration or official organizations.

“Complainant” means a College Employee who brings a Complaint on behalf of the College alleging that a Student violated the Academic Integrity Code.

“Complaint” means a formal, written allegation that a Student has violated the Academic Integrity Code.

“Confront” means to oppose directly and contemporaneously, generally in person and face to face, but, at a minimum, in a manner in which one can hear and view the testimony of others against oneself as it is being given.

“Corrective Academic Action” means a non-punitive consequence of a Student’s Academic Integrity Code violation, focused on educational measures intended to help Students learn from the experience and better understand the importance of Academic Integrity and the College’s Academic Integrity expectations. Corrective Academic Action is not Disciplinary and will not result in the Student’s Suspension or Expulsion.

“Dean of Students” means the College’s Dean of Students, individually and as an administrative office of the College, or the Dean’s designee. In the event of a College administrative reorganization prior to a revision of this Code, “Dean of Students” shall include a College administrator with duties and responsibilities equivalent to those of the Dean of Students as of the effective date of this Code, or the Dean’s designee.

“Department Head” means a full-time faculty member or other College Employee who serves as the academic leader of a specific academic department and the immediate supervisor of Instructors within that department under the authority of an Academic Dean or a director of continuing education, adult basic education, workforce development, or developmental education.

“Discipline” or “Disciplinary” means any punitive consequence to a Student as a result of the Student’s Major Academic Violation that could result in the Student’s Suspension or Expulsion from the College.

“Employee” means any person employed by the College on a full-time, part-time, temporary, or regular basis or directly engaged in the performance of work under the provision of a contract with the College. This definition does not include unpaid volunteers.

“Examination” means a test, quiz, or other official assessment, evaluation, or measurement in any format (e.g., in writing, verbally, on a computer), scored or unscored, of a Student’s individual knowledge, skill, aptitude, proficiency, preparedness, or appropriate academic placement.

“Expulsion” means complete and permanent separation from the College. An expelled Student is barred from all College Property and College Sponsored Activities, will be withdrawn from all classes, and will not receive credit for those classes or a refund of any tuition. A Student who has been expelled is ineligible to petition the College to be allowed to re-enroll at a later date.

“Innocent” or “Innocence” means the established facts clearly and convincingly prove with certainty that a Student did not violate of the Academic Integrity Code, not just that the facts could not establish by a Preponderance of the Evidence that the Student violated the Code as alleged in a Complaint.

“Instructor” means an adjunct or full-time faculty member at the College or an Employee providing educational services in continuing education, workforce development, adult basic education, and developmental education classes.

“Integrity Code Sanction” means any Corrective Academic Action or Academic Discipline imposed on a Student by the College as a result of the Student accepting responsibility or being found responsible for an Academic Integrity Code violation.

“Knowingly” means done in a way that a Reasonable Person would believe shows forethought, deliberate action, or an intention for an outcome to occur.

“Legal Professional” means a non-Attorney who 1) holds a *Juris Doctor* (“JD”) or equivalent degree; 2) is licensed to practice law in a non-U.S. jurisdiction; or 3) is currently or formerly employed (including by retirement) as, or who has received education or training to become, a paralegal, judge, administrative law judge, magistrate, justice of the peace, or hearing officer.

“Lesser Academic Violation” means any Academic Integrity Code violation that does not rise to the level of a Major Academic Violation and warrants a Corrective Academic Action, rather than Academic Discipline.

“Major Academic Violation” means a serious Academic Integrity Code violation that could result directly in a Student receiving Academic Discipline, up to and including Suspension or permanent Expulsion from the College, or the withholding or revocation of the Student’s degree or certificate.

“Material Error in Process” means a significant mistake or omission in the administration of the Academic Integrity Code that a Reasonable Person could find affected or likely could have affected the final outcome of a Complaint proceeding or otherwise made the proceeding fundamentally unfair.

“Mitigating Factor” means any information or evidence presented to a Code Decision-Maker that might warrant addressing an alleged violation as Lesser Academic Violation or justify a lesser Integrity Code Sanction, including, but not limited to, whether the Student admits to or accepts personal responsibility for the violation, a lack of prior violations, whether the Student acted Negligently rather than Knowingly, and whether the Student demonstrates genuine regret or remorse.

“Negligently” means done in a way that demonstrates a failure to act with the level of care that a Reasonable Person would exercise under the same circumstances.

“Ordinary College Operations” means all day-to-day business and other functions of the College, including, but not limited to, academic instruction, administrative services, creative activity, and community events.

“Plagiarism” means the use or representation of someone else’s work, words, or ideas in any form and from any source, with or without that person’s consent, as if they were one’s own Academic Work, including by incorporating them into one’s Academic Work without proper attribution, citation, or acknowledgement.

“Preponderance of the Evidence” means the decision-maker must determine that, based on the available credible information, it is more likely than not (*i.e.*, there is a greater than 50% chance) a Student engaged in the alleged conduct in violation of the Academic Integrity Code

“Probation” means a Student has been formally warned that any violations of the Academic Integrity Code during a specified period of time will likely result in Academic Discipline. A probationary period may be for one or more semesters or may last indefinitely. Probation itself is not Disciplinary.

“Reasonable Person” means a hypothetical adult with average sensibilities and an ordinary degree of intelligence, common sense, emotional maturity, prudence, care, and foresight.

“Reprimand” means a formal written notice to a Student that the Student engaged in unacceptable conduct in violation of the Code that must be corrected and/or not repeated.

“Respondent” means the Student alleged in a Complaint to have violated the Academic Integrity Code.

“Restorative Justice” means any method of addressing and correcting Academic Integrity Code violations that provides an alternative to traditional punitive sanctions by focusing on accepting personal responsibility, learning from one’s mistakes, and developing a stronger understanding of and appreciation for the importance of Academic Integrity.

“Retaliation” means adverse action taken against any participant in the Academic Integrity Code process because of that person’s participation in the process.

“Student” means any person who applies for admission to or is currently registered for or enrolled in courses at the College on either a full-time, part-time, or clock-hour basis, as well as any person currently registered for or participating in continuing education, workforce development, adult basic education, or developmental education classes through the College.

“Suspension” means the temporary complete separation of a Student from the College for any length of time. A suspended Student will be withdrawn from all classes and will not receive credit or a tuition refund for those classes. Once suspended, a Student may not enroll in any classes at the College, is barred from all College Property, and may not attend any College Sponsored Activity (unless specific arrangements have been made through the Office of the Dean of Students). Students who complete all required conditions of their Suspensions may return to the College at the end of their Suspension period, although they may be required to comply with certain ongoing conditions after they return.

