

Faculty of Graduate Studies Academic Honesty Procedural Guidelines

Definitions

Case presenter – The case presenter presents the charge to the Appeals and Academic Honesty Committee of FGS. The case presenter is usually the GPD of the program. Exceptions noted below.

Committee – Committee refers to the Appeals and Academic Honesty Committee of the FGS Council as defined in the Structure, Rules and Procedures of Council - <http://gradstudies.yorku.ca/faculty-staff/academic-affairs/council-governance/procedures/>

Parties – Parties refers to the Graduate Program advancing the allegation of a breach of Academic Honesty policy, and to the student in question.

Witness – Witnesses may be called by the case presenter or student to offer evidence pertinent to the allegation of a breach of academic honesty.

1. Senate Policy on Academic Honesty

Students in the Faculty of Graduate Studies are expected to conform to strict standards of academic honesty as specified in the [Senate Policy on Academic Honesty](#). A lack of familiarity with the [Senate Policy on Academic Honesty](#) on the part of a student does not constitute a defence against its application to them.

Any breach of academic honesty is a serious offence to both the University community and the academic enterprise. Any suspected breach of academic honesty, no matter how small it may appear, requires investigation. The Faculty of Graduate Studies has established the following complementary procedures specific to the investigation and resolution of alleged violations of the [Senate Policy on Academic Honesty](#) for students in the Faculty of Graduate Studies.

At all stages, students have a right to a representative of their choosing. Students may contact the [York University Graduate Students' Association](#) regarding representation.

2. Offences against the Standards of Academic Honesty and Penalties for Academic Misconduct

The Faculty of Graduate Studies conforms to the definitions of offences, factors considered when imposing penalties, and penalties as stated in the [Senate Policy on Academic Honesty](#).

3. Faculty of Graduate Studies Procedural Guidelines

The procedures outlined below are consistent with those specified in the [Senate Policy on Academic Honesty](#). For ease of reference, the numbering of this document is consistent with the numbering used in the *Senate Policy*.

3.1 Purpose

The following procedures are provided for the investigation and resolution of cases of alleged violations of the *Senate Policy on Academic Honesty* for a student registered in the Faculty of Graduate Studies. In these procedures, the term “student” includes a York graduate or undergraduate student, a York graduate, a former York student, or a student who is applying to take, is taking or has taken a York course.

3.2 Jurisdiction

3.2.1 Allegations of a breach of academic honesty against a student engaged in academic work in the Faculty of Graduate Studies, with the exception of master's students in the Schulich School of Business, shall be dealt with according to these procedures.* Allegations in a course shall be dealt with by the Faculty offering the course. In cases where a breach of academic honesty occurs in other than the Faculty of Graduate Studies, then the Faculty of Graduate Studies shall have observer status at a hearing and may make submission as to penalty. For students in joint programs or where allegations arise in more than one Faculty, the Faculties can agree on which Faculty will have jurisdiction over the proceedings.

*Master's students in the Schulich School of Business shall follow the procedures governing breach of academic honesty established in the Schulich School of Business. Appeals by these master's students beyond the Schulich School of Business will be to the Faculty of Graduate Studies, and will be heard by the hearing committee of the Faculty of Graduate Studies. Appeals will be allowed only on the grounds of new evidence that could not have reasonably been presented at an earlier stage, or on the grounds of procedural irregularity which includes denial of natural justice.

3.2.2 All allegations of breaches of academic honesty relating to graduate program academic activities (e.g., course, research being supervised) shall initially be handled by the graduate program. Matters that extend beyond the graduate program but remain within the Faculty of Graduate Studies (e.g., Oral Examinations) shall be handled by the Office of the Dean, Faculty of Graduate Studies.

3.2.3 Should a matter arise for which there appears to be no clear Faculty jurisdiction, the Senate Appeals Committee shall determine which Faculty shall have carriage of the matter.

3.2.4 Appeals of decisions by the Faculty of Graduate Studies hearing committee are considered by the Senate Appeals Committee.

3.3 Investigating Potential Academic Misconduct

If a person (or persons) suspect(s) a breach of academic honesty:

3.3.1 on course assignments, term papers, essays, etc., the matter shall be reported to the concerned course director and/or supervisor. For courses, if the evaluator is not the course director, the evaluator shall retain possession of the suspect material and provide a written report, together with the confiscated material, to the course director;

3.3.2 on non-course work (including in major research papers/projects, comprehensive examinations, and/or theses and dissertations), responsibility for detecting potential academic dishonesty lies with the supervisor and, as appropriate, the supervisory and examination committees. The person discovering the potential breach of academic honesty shall retain possession of the suspect material and provide a written report, together with any confiscated material to the Graduate Program Director or the Associate Dean of the Faculty, as appropriate;

3.3.3 in a course examination, the invigilator, who is normally the course director, in cases of suspected impersonation, shall ask the student concerned to remain after the examination and shall request appropriate University identification or shall otherwise attempt to identify the student. In other cases of suspected breach of academic honesty the invigilator shall confiscate any suspect material. In all cases, the student will be allowed to complete the examination. The invigilator, if other than the course director, shall give a full report, together with any confiscated material, to the course director (See the *Senate Policy on Invigilation of Examinations* for further information);

3.3.4 in research not conducted as part of a course, major research papers/projects, comprehensive examinations, theses and dissertations, person(s) suspecting potential academic dishonesty shall report the matter to the student's supervisor and, as appropriate, the supervisory and examination committees and/or the Associate Dean of the Faculty;

3.3.5 in other areas of graduate academic activity, person(s) suspecting potential breaches of academic honesty shall report the matter to the student's supervisor, Graduate Program Director and, if appropriate, the Faculty of Graduate Studies.

3.4 Initiating an Investigation of Potential Academic Misconduct

3.4.1 When a faculty member directing a course, or having or sharing responsibility for a student's research, examination, or dissertation preparation, becomes aware of a possible violation of academic honesty, it is the responsibility of the faculty member to forthwith consult with the Graduate Program Director. If the faculty member identifying a possible breach of academic honesty is not the supervisor of the student, then the supervisor (or student advisor), if on file, shall be informed as soon as possible. For all instances, with the exception of breaches of academic honesty involving the Oral Examination, the Graduate Program Director shall be responsible, along with the student's supervisor, or supervisory committee, or course director, for investigation of the allegation. In instances where the Graduate Program Director is the faculty member involved in identifying possible academic dishonesty, a member of the graduate faculty as designated by the Executive Committee of the program (excluding the Graduate Program Director) shall take charge of the matter. If the external examiner of an Oral Examination is the person who believes that the dissertation research involves a possible breach of academic honesty, the external examiner shall provide a written report to the Chair of the Oral Examination, who in turn notifies the Office of the Dean, Faculty of Graduate Studies.

3.4.2 It is the responsibility of the Graduate Program Director (or designate) and the faculty member concerned to collect or assist in the collection of the necessary information to determine whether there are reasonable and probable grounds to proceed with a charge of breach of academic honesty. This process may include the collection of documents relevant to the case as well as, in the case of the Graduate Program Director (or designate), the interviewing of witnesses (if appropriate). This process will also include arranging an exploratory meeting with the student to discuss the matter. See section 3.5.

3.4.3 Once notified of a potential breach of academic honesty, the graduate program administrator shall post a block on disenrollment activity.. The student may not drop or be deregistered from a course in which a breach of academic honesty is suspected for any reason, nor withdraw from the University, nor may transcripts be released to the student until a final decision is reached. A request by a student for a transcript to be sent to another institution or to a potential employer will be processed, but, if the student is found guilty of a breach of academic honesty, the recipients of the transcript will be provided automatically with an updated transcript.

3.4.4 If the investigation relates to work already presented for evaluation but not yet evaluated, the faculty member shall defer the evaluation of the work until after the matter has been dealt with. Normally, any evaluation of a work which relates to a charge will not be entered into the student's record until after the matter is concluded.

3.4.5 If the Graduate Program Director or other person designated by Faculty of Graduate Studies procedures decides to proceed with a formal complaint alleging a breach of academic honesty, the complaint shall be submitted in writing to the Office of the Dean, Faculty of Graduate Studies as soon as is reasonably possible, and normally within 20 business days of an issue being discovered. The complaint shall contain a full, but concise, statement of the facts as perceived by the complainant and be accompanied by all available supporting evidence.

3.5 Exploratory Meeting at the Program Level

3.5.1 When a preliminary investigation of potential breaches of academic honesty indicates that there may be reasonable ground to continue the investigation, an exploratory meeting with the student will be arranged to determine whether or not there are reasonable and probable grounds to proceed. The investigation should proceed quickly; however, if an exploratory meeting with the student is to be held, at

least 5 business days written notice of the meeting and a brief description of the reason for the meeting shall be provided. The exploratory meeting, convened and chaired by the Graduate Program Director (or designate) shall include: the person who submitted the allegation of a breach of academic honesty; the student and/or the student's representative, and administrative staff as required. In instances where the Graduate Program Director is the faculty member involved in the case, a faculty member from the Graduate Program Executive Committee shall serve as Chair. In instances where the alleged offence was discovered as part of the defence of a thesis/dissertation, the Chair of the Examining Committee shall contact the Office of the Dean, Faculty of Graduate Studies and the Dean will designate a representative to work with the Chair of the Examining Committee in the collection of information in relation to the alleged offence and to chair the exploratory meeting with the student. If the student elects not to attend the meeting, the meeting may proceed without the student present.

3.5.2 The exploratory meeting will result in one of the following:

- i) It is agreed by all parties that no breach of academic honesty occurred. No records of the matter shall be retained.
- ii) If the student wishes to admit to a breach of academic honesty but no agreement is reached on recommended penalty, a document signed by the student and the Graduate Program Director, which includes the admission, a summary of the matter and individual submissions by the student and Graduate Program Director as to penalty shall be forwarded to the standing members of the AAHC, which shall be augmented as mandated in section 3.6.3.i and shall hold a hearing of the matter to determine penalty, to which the student and Graduate Program Director will be invited.
- iii) If the student wishes to admit to a breach of academic honesty, a document signed by the student and the Graduate Program Director (or designate) which includes the admission, a summary of the matter, and a joint submission as to penalty shall be forwarded to the Appeals and Academic Honesty Committee (AAHC) of the Faculty of Graduate Studies which deals with allegations of breach of academic honesty. In cases of breaches of academic honesty in course work, the agreed-upon penalty shall not exceed failure in the course. For theses and dissertations or other violations of academic honesty, the agreed-upon penalty must be decided in relation to the nature and scope of the breach of academic honesty. The standing members of the AAHC receiving such a joint submission normally will impose the penalty suggested, but if it is of the opinion that some other penalty would be more appropriate, or the breach is a second or subsequent incident by the student, the standing members of the AAHC, which shall be augmented as mandated in section 3.6.3.i, shall hold a hearing of the matter to determine penalty, to which the student and the person suspecting a breach of academic honesty will be invited.
- iv) If the student elects not to attend the exploratory meeting, and if those present find sufficient grounds to proceed with a charge of breach of academic honesty, a summary of the matter shall be forwarded to the standing members of the AAHC, which shall be augmented as mandated in section 3.6.3.i and shall hold a hearing of the matter, to which the student and the Graduate Program Director will be invited.
- v) If it is decided that sufficient grounds exist to proceed with a formal charge of academic misconduct and the student does not admit to this alleged breach of academic honesty, the Chair of the exploratory meeting shall prepare a formal charge and submit it to the standing members of the AAHC, augmented as mandated in section 3.6.3.i and which shall hold a hearing of the matter. The charge shall contain a full, but concise, statement of the facts as perceived by the complainant who submitted the allegation and be accompanied by all available supporting evidence.

Note: Where the alleged violation occurs in a program other than the home program of the student, the Graduate Program Director (or designate) of the student's home program shall also be informed.

3.6 Formal Hearing at the Faculty Level

3.6.1 FGS shall give a written copy of the charge, a copy of the materials submitted by the person who submitted the allegation of a breach of academic honesty, which includes a summary of the evidence, a copy of the procedures to be followed and not less than 15 business days' written notice of the time and location of the hearing to members of the AAHC, to the case presenter, and to the student or their representative. If the student wishes to file a written response to the allegation, it must be received within 10 business days of the date on which the allegation was sent to the student. The Faculty shall send a copy of the student's response to the charge to the faculty member and unit level representative(s) concerned. Faculty members involved in the case shall act as witnesses in the proceedings. The Graduate Program Director (or designate) shall present the case to the AAHC. The Graduate Program Director (or designate) may consult with the Office of the Dean of Graduate Studies in relation to the preparation of the case. Both the student and case presenter shall inform the AAHC of their intention to call witnesses and file names of these witnesses at least 5 business days prior to the hearing.

3.6.2 Prior to the hearing, if a student acknowledges the accuracy of the charges, the student may waive the right to a hearing by submitting a written statement that both admits guilt and waives the right to a hearing.

i) In this statement, the student may make submissions as to appropriate penalty and give reasons. If case presenter concurs with the penalty recommendation of the student, a jointly signed submission will be forwarded to the standing committee members of the AAHC of the Faculty of Graduate Studies. In cases of academic honesty in coursework, the agreed-upon penalty shall not exceed failure in the course. For theses and dissertations or other violations of academic honesty, the agreed-upon penalty must be decided in relation to the nature and scope of the breach of academic honesty. Should the AAHC find that some other penalty would be more appropriate, or the breach is a second or subsequent incident by the student, it shall hold a hearing of the matter to determine penalty, augmented as mandated in section 3.6.3.i and to which the student and case presenter will be invited.

ii) If the case presenter and student do not agree on a recommended penalty, individual submissions as to penalty shall be made by the student and case presenter to the AAHC, augmented as mandated in section 3.6.3.i, which shall hold a hearing of the matter to determine penalty, to which the student and case presenter will be invited. If the breach is a second or subsequent offence by the student, a copy of the written decision from the prior offence(s) shall be provided to the committee at the penalty hearing.

3.6.3 i) Charges of the breach of academic honesty will be heard by the Faculty of Graduate Studies Appeals and Academic Honesty Committee (AAHC) augmented by two faculty members and one graduate student, all of whom are to come from the graduate program of the student in question.. The Chair of this committee shall be non-voting, except in the event of a tie. The graduate student representative, where possible, will be nominated by the president of the graduate student association of the home program. Where the program does not have a program-level graduate student association, the standing student representative from the relevant program will be part of the augmented committee. Where a student is accused of breach of academic honesty in other than the home program of the student, or where students accused of a breach of academic honesty are from more than one program, the Dean of Graduate Studies shall appoint membership on the AAHC from each program.

ii) Only the AAHC members and secretary, the case presenter, the student, each party's representative(s)/adviser(s) (who may be lawyers), and the witnesses may be present at a hearing. The faculty member(s) or person(s) who submitted the allegation may attend as a witness(es). Witnesses shall be present at the hearing only while testifying. Committee members shall be at "arm's length" from the student in question. Committee members are not at "arm's length" if they have had a significant personal or professional relationship with the student in question.

Exceptions to this policy may be made at the discretion of the committee. The Chair of the committee has full authority to assure an orderly and expeditious hearing. Any person who disrupts a hearing, or who fails to adhere to the rulings of the committee may be required to leave.

3.6.4 The committee shall consider the facts and circumstances of the case and determine whether there has been a breach of academic honesty. If a finding of academic misconduct is determined, the committee shall hear submissions from both parties as to the appropriate penalty and then decide the penalty.

3.6.5 i) If a student fails to appear at a hearing after proper notice, the hearing may proceed, a decision may be made and sanctions may be imposed, unless the student can establish, in advance of the hearing and to the satisfaction of the committee, that there are circumstances beyond their control which make an appearance impossible or unfairly burdensome.

ii) If, during the course of a hearing, the student wishes to admit to a breach of academic honesty, then the hearing proceedings shall be adjourned briefly whereupon the case presenter shall meet with the student with a view to reaching a joint agreement as outlined in Item 3.5.2 ii) above. The case presenter shall report to the committee on the joint agreement.

3.6.6 The case presenter and student must be allowed a full and fair opportunity to present their evidence and to respond to the evidence presented against them. Parties are allowed to cross-examine each other's witnesses in matters related to the charge. Witnesses may then be excused. The committee has the discretion to make rulings as to admissibility of evidence or the suitability of cross-examination. The committee is not bound by formal rules of evidence applicable in courts of law.

3.6.7 When the parties have presented all available relevant evidence and witnesses, each party may present a final argument. Following this the parties shall be excused without further discussion. The committee shall then enter into closed session to determine whether a breach of academic honesty has occurred. A finding of academic misconduct supported by a majority of committee members shall be binding.

3.6.8 If the AAHC does not render a finding of academic misconduct, all records of the charge and hearing will be held by the Office of the Dean, Faculty of Graduate Studies until such time as appeals procedures are exhausted or abandoned. Thereafter, a record consisting of the complaint and the decision letter will be placed in a confidential file retained in the Office of the Dean, Faculty of Graduate Studies, according to University records retention policy. All other records of the matter will be destroyed. If the committee finds that no breach of academic honesty occurred, the Faculty of Graduate Studies Associate Dean Academic will issue directives to the graduate program director to bring the matter to an expeditious conclusion.

3.6.9 Following a finding of breach of academic honesty, the committee shall next allow both parties, the case presenter and the student, to make a presentation as to suitable penalty. At this point the committee will be made aware of prior academic offences in the student's file. In such cases a copy of the written decision from the prior offence(s) shall be provided to the committee. The committee will again enter into closed session and decide upon the sanction. A decision by the majority of the committee to impose a particular penalty shall be binding. The decision of the committee, as described in Item 4.8 of the [Senate Policy on Academic Honesty](#), must be communicated to the parties in writing, delivered by email. If the breach of academic honesty is related to course work, a note shall be placed on the Student Information System to bar retroactive withdrawal from the course in which the breach occurred.

3.6.10 A record of the proceeding will be retained in the Office of the Dean, Faculty of Graduate

Studies, regardless of the severity of the penalty, and held for a time consistent with the University's records retention guidelines. The Record of the Proceeding shall include the:

- Formal charge of academic misconduct and all documentary evidence filed with the Faculty committee;
- written response from the student to the charge, if any;
- notice of the Hearing, and;
- decision of the committee.

If a penalty is imposed that requires an alteration of a student's academic record, a copy of the decision of the committee will be sent to the Registrar's Office for the penalty to be implemented. The decision will be retained by the Registrar's Office for a time consistent with the University's records retention guidelines.

3.6.11 If the student is found to have committed a breach of academic honesty in work related to a funded research project, the Vice President Academic and Provost shall be notified and the Vice-President or a designate shall determine whether to notify the granting agency.

3.6.12 If a student from another institution enrolled in a joint program or attending York on Letter of Permission is found to have committed a breach of academic honesty, notice of the Committee's findings will be sent to the other institution by the Registrar's Office.

3.6.13 It is expected that, should a formal hearing be required, formal hearings are held within 6 months of a file arriving at the Faculty of Graduate Studies. Formal and documented leaves by students are excepted from this timeline.

4. Order of Hearing at the Faculty Level

The Faculty of Graduate Studies conforms to the order of hearing guidelines provided in the [Senate Policy on Academic Honesty](#).

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