

SCHOLASTIC DISHONESTY DISCIPLINARY PROCEDURES

FMA-R-2
(Administrative
Regulation)

PURPOSE AND
SCOPE

This administrative regulation establishes procedures for addressing violations of FLB (LOCAL): Student Rights and Responsibilities-Student Conduct specifically related to scholastic dishonesty. These procedures apply to all individuals participating in Lee College courses and programs.

TERMS AND
DEFINITIONS

Standard of Evidence - The standard of evidence for determining if a violation has occurred is a preponderance of the evidence. This standard is met if the evidence shows that the alleged violation is more likely than not to have occurred.

Violation - Conduct that breaches the college's scholastic dishonesty policy, as established by a preponderance of the evidence.

Unintentional Violation - A violation where the student demonstrates that they neither knew nor reasonably should have known that the conduct was prohibited.

Intentional Violations - Any violation that is not unintentional as defined above.

Penalty - A grade consequence that reduces the grade a student would otherwise have earned, including a zero, a deduction of points, or a score capped below the original possible maximum.

Remediation - An opportunity for the student to earn their grade through corrected work, graded on its merits with no impact on the student's ability to receive maximum points on an assignment. Remediation is not a penalty.

Student Conduct Administrator (SCA) - The staff member responsible for reviewing scholastic dishonesty referrals, determining responsibility, and assigning sanctions. Where this document refers to a "designee," it means a staff or faculty member acting as a backup to the SCA.

REPORTING
PROCEDURES

Any College District employee with knowledge of potential scholastic dishonesty violations, must report all concerns by submitting a Scholastic Dishonesty Report through Maxient to document the incident.

The referral must establish the alleged violation with sufficient detail to support it, including a description of the incident, the alleged violation of College District policy or procedure, the involved parties and any potential witnesses, and any relevant evidence (for example, the assignment, the source material, or documentation of the conduct) when information is available.

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Timely reports are critical as delays may limit the College's ability to gather evidence, interview parties, or take responsive actions involving scholastic dishonesty violations. When possible, submission of a referral should occur within the semester of the alleged violation and as soon as reasonably practical. A delay in reporting does not, by itself, invalidate an otherwise substantiated allegation, provided the delay does not materially impair the student's ability to respond to the allegation or exercise applicable appeal rights.

ACCOMMODATIONS

Students with disabilities involved in the scholastic dishonesty process may request reasonable accommodations for any stage of the process. Students requesting accommodations will be referred to the Access Center to obtain an Accommodation Letter, which the student must include when submitting an accommodation request to the SCA.

INITIAL ASSESSMENT

Upon receiving a referral, the SCA or designee shall make an initial determination whether the allegations, if proven true, would constitute a scholastic dishonesty violation under College District policy. The SCA or designee may interview the reporting employee and other witnesses as appropriate. The SCA or designee shall meet with the accused student, describe the allegations, and provide the student an opportunity to respond.

If the SCA or designee determines that the allegations, if proven true, would not constitute a violation, the referral is dismissed, and the SCA or designee shall inform the reporting party and the accused student in writing, including the reason for dismissal. If the allegations would constitute a violation, a case is created and the matter proceeds under this regulation.

INVESTIGATION

Where the facts of an alleged violation are disputed or require further development, the SCA or designee may conduct an investigation before determining responsibility. The scope of the investigation is proportionate to the nature and severity of the alleged violation; many scholastic dishonesty matters are established on the face of the referral and its supporting materials and require little or no further investigation.

In conducting an investigation, the SCA or designee may:

- Review the referral, the assignment or assessment at issue, and any supporting materials submitted by the reporting employee (for example, source documents, originality or similarity reports, prior drafts, or records of authorized and unauthorized resources).
- Interview the reporting employee, the accused student, and any other witnesses with relevant knowledge.

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- Request that the accused student provide relevant evidence, including materials demonstrating their independent work or their understanding of the applicable standard.
- Determine whether the student has any prior scholastic dishonesty history, including prior Level 0 violations (described below).

The accused student will be given notice of the alleged violation and a meaningful opportunity to respond to the evidence before a determination of responsibility is made. The student may present relevant information, identify witnesses, and, consistent with FMA-R, be accompanied by an advisor of their choice; the advisor is not permitted to speak on behalf of or represent the student during the process.

Information gathered during the investigation is documented in Maxient and retained as part of the student's disciplinary record in accordance with the Disciplinary Records section. Investigative materials are treated as confidential and are disclosed only as permitted under applicable state and federal law.

Where an investigation develops facts indicating that the appropriate sanction may include suspension, expulsion, or revocation of a degree, the matter proceeds to the Lee College Appeals and Resolution Board (LCARB) for the formal hearing process under FMA-R, and the investigative record is provided to the hearing committee as set forth in FMA-R.

RESOLUTION

The institution bears the burden of establishing that a violation occurred by a preponderance of the evidence. Where a student seeks a more lenient outcome available under this regulation on the basis that the violation was unintentional, the student bears the burden of demonstrating that the violation resulted from a genuine and reasonable misunderstanding, as defined in this regulation.

This regulation applies a tiered violation system to scholastic dishonesty violations. Each successive violation carries progressively greater consequences, and a student's scholastic dishonesty history influences the outcomes of additional violations. The level of violation within the tiered system will be determined by the SCA or designee based on the circumstances of the violation and prior history of violations. The tiers are described in the subsequent sections of this document.

SANCTIONS

The disciplinary sanctions imposed under this regulation are the sanctions defined in FMA-R and carry the meanings given there. In addition to disciplinary sanctions, this regulation establishes educational and remedial requirements that are not among the

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sanctions listed in FMA-R. These requirements may be imposed in addition to any applicable FMA-R sanctions.

Educational and remedial sanctions include:

Required Trainings - academic honesty and subject-specific trainings delivered through the SCA and Learning Support Services.

Tutoring and Study Hall Requirements - required tutoring sessions or study hall hours through Learning Support Services.

Cohort Check-In Sessions and Completion Meeting - group accountability sessions and an individual completion meeting.

LEVEL 0 VIOLATIONS

A Level 0 Violation occurs when a student engages in conduct that is inconsistent with the Scholastic Dishonesty Policy, but the circumstances indicate that:

- The student did not gain or attempt to gain an unfair academic advantage; and
- The student did not know, and could not reasonably have been expected to know, that the conduct was prohibited.

If the student neither knew nor reasonably should have known the standard, and gained no unfair advantage, the incident is appropriately handled as a Level 0 Violation and remediation may be considered. If the student gained or attempted to gain an unfair advantage, the incident is treated as at least a Level 1 Violation, regardless of intent

A student's scholastic dishonesty violation may be resolved at Level 0 no more than twice; a third Level 0 Violation is automatically escalated to a Level 1 Violation. The SCA or designee may also escalate a Level 0 Violation to a Level 1 Violation following review, where the pattern or circumstances warrant the escalation.

A Level 0 Violation does not affect a student's conduct standing with the College. A student found responsible for a Level 0 Violation remains in good conduct standing, meaning the student is not considered to have an active disciplinary status or sanction as a result of the violation. However, a prior Level 0 Violation may be considered if the student is subsequently found responsible for a Level 1 or higher violation.

Examples of appropriate outcomes for Level 0 Violations:

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- Requiring the student to redo or resubmit the assignment for full credit (a remediation, not a penalty).
- Assigning designated scholastic dishonesty training and education trainings.
- Escalating the incident to a Level 1 Violation after review of the incident.

LEVEL 1
VIOLATIONS

A Level 1 Violation occurs when a student does not have a prior Level 1 Violation and the violation does not meet the criteria set forth for a Level 0 Violation or when the student has already received two Level 0 Violations. All Level 1 Violations result in mandatory training through Learning Support Services and a meeting with a faculty/staff designee. The SCA or designee in collaboration with the faculty member will determine if a grade penalty is warranted. If the violation is intentional, the SCA or designee may assign a zero for the assignment; if unintentional, the SCA or designee may deduct a number of points from the originally assigned grade. Required training sessions, tutoring or study hall requirements, and completion deadlines may be assigned by the SCA or designee.

LEVEL 2
VIOLATIONS

A Level 2 Violation occurs when a student has already had a Level 1 Violation and automatically results in a failing grade in the course, regardless of intent. Additionally, the student may receive further sanctions including disciplinary probation, enhanced training, and ongoing support and monitoring requirements.

LEVEL 3
VIOLATIONS

A Level 3 Violation occurs when a student has already had a Level 2 Violation and automatically proceeds to the formal hearing process before the LCARB as set forth in FMA-R. The recommended sanction for a Level 3 Violation is expulsion. However, the hearing committee may impose a lesser sanction, including suspension, where warranted by the circumstances, such as the student's intent and history. A finding of responsibility for a Level 3 Violation results in a failing grade in the course regardless of other sanctions. A student who is not expelled or suspended remains subject to, at minimum, the sanctions and monitoring requirements of a Level 2 Violation.

HOLDS AND NON-
COMPLIANCE

Students found in violation will have a hold placed on their account preventing registration for future classes until all assigned sanctions are completed. The SCA or designee may allow registration and defer completion of sanctions to a future semester at their discretion. Students must complete sanctions within one semester after the semester in which the violation occurred. A student who leaves the College District before completing sanctions retains the hold if they return. Failure to complete

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assigned sanctions will result in a referral to student conduct for non-compliance with a College District directive, which may result in additional sanctions.

APPEALS

The standard appeal process set forth in FMA-R applies to all academic integrity incidents. A student may appeal a decision or recommended sanction in writing within the deadline and on the grounds stated in FMA-R, including new evidence, procedural error resulting in material harm, or a sanction excessive in relation to the violation. The decision of the Vice President, Student Affairs, or their designee is final.

DISCIPLINARY
RECORDS

The College District maintains a disciplinary record for every student alleged or determined to have violated the Scholastic Dishonesty policy, reflecting the charge, its disposition, and any sanction assessed. The disciplinary record is separate from the student's academic record and is treated as confidential; its contents are not available except on request of the student or in accordance with applicable state or federal law.