

# Pace University Academic Integrity Code

## I. Philosophy of Academic Integrity and the Academic Integrity Code

The Academic Integrity Code supports Pace University's commitment to academic honesty and creates a culture at the University that emphasizes high standards of academic integrity, ethical behavior, and responsible conduct.<sup>1</sup> The purpose of the Code is to educate students about what constitutes academic misconduct, to deter cheating and plagiarism, and to create a fair process and a set of procedures to handle cases of academic misconduct including documentation and application of sanctions. Academic integrity is defined as honesty and ethical conduct in learning and the educational process. The educational environment is enhanced when students believe that their academic competence is being judged fairly and that they will not be at a disadvantage because of the dishonesty of another. All members of the University community are expected to uphold the highest standards of academic integrity.

The Academic Integrity Code applies to all undergraduate and graduate students at all campuses of Pace University (except the Law School). It supersedes the academic integrity policies of the different schools within Pace University. All students registered for classes in the University are subject to the terms of this Code, expected to be familiar with the Code, and to abide by the policies, procedures, and sanctions of this Code.

## II. Academic Misconduct and Violations of this Code

Violations of the Academic Integrity Code are considered to be acts of academic misconduct and are serious offences to the Pace academic community. Academic misconduct may also violate the law and be the basis for criminal prosecution outside the University. A fundamental assumption underlying this Code is that faculty possess full authority and responsibility for the conduct of their classes of instruction in accordance with University policy. Faculty, students and all members of the University community who in good faith have reason to believe that a violation of this Code has occurred, have a moral obligation to report this information to a course instructor, proctor, or the Chair of the Academic Conduct Committee. All forms of academic dishonesty and misconduct violate this Code. It is not possible to list definitively every type of academic misconduct, hence, the following violations are set forth as examples of proscribed conduct and are not to be considered complete or exclusive:

- A. Cheating. Intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise. The term academic exercise includes all forms of work submitted for credit or hours.
- B. Fabrication. Intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
- C. Facilitating academic dishonesty. Intentionally or knowingly helping or attempting to help another to violate any provision of this Code.
- D. Plagiarism. The adoption or reproduction of ideas or words or statements of another person as one's own without acknowledgment. This would include, for example, copying the answers of another person or copying or substantially restating the published, unpublished, or on-line work of another person without appropriate attribution, or collaborating with another person on an academic endeavor without the prior knowledge of the instructor or without proper acknowledgment of the other person's contribution.
- E. Misrepresentation. Any act or attempted act of knowingly presenting false information or data related to academic work as genuine information or data.
- F. Unauthorized possession or use of academic materials. Wrongfully obtaining, possessing, using, or distributing to others, examination or other materials that have not been officially released by the instructor.

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<sup>1</sup> This Academic Integrity Code is modeled in part on the Code of the College of Arts and Sciences at Boston University, University of Maryland, College Park, and other academic institutions. It was adopted by Pace University on September 1, 2017.

- G. Unauthorized communication. Any form of communication (except with the instructor or proctor) during an examination, or knowingly informing another of the content of an examination not officially released by the instructor.
- H. Forgery or alteration. Placing any unauthorized signature on any school-related document or making any unauthorized change to an examination or other work product, grade, grade list, official University record or document (including but not limited to transcripts, letters of recommendation, degree certificates, or other school-related documents).
- I. Theft or destruction of academic materials. Removing or destroying examinations, examination books or similar materials, or any work product before or after submission, including wrongfully altering evidence of possible poor performance.
- J. Duplicative work. Submitting the same or substantially the same work product in response to a subsequent assignment. It is expected that students produce new coursework for each assignment; material produced for credit prior to a course may not be submitted for credit to another instructor without his or her prior knowledge and consent, nor may a student submit the same or substantially the same work product simultaneously to two different course instructors for credit.
- K. Acts that are harmful or unfair to other students. Unauthorized removing, damaging, or altering materials from libraries, classrooms, or offices; altering or destroying another student's work or records; inappropriately permitting another student to use one's knowledge, information, or work product; or in any way interfering with the work of another so as to impede the other's academic performance or the fair judgment thereof.
- L. Making or offering any false statements to the Academic Conduct Committee regarding any Academic Conduct Committee matter.
- M. Other violations.<sup>2</sup> Violation of any other University rule, regulation, policy or sanction, relating to matters of academic integrity.

### III. Procedures

It is the goal of this Code to establish procedures that are fair for both students and faculty, and that will be followed and applied in good faith by the University.

Course instructors and other school officials, who have knowledge of an act or acts which they deem constitute academic misconduct, hereafter shall follow the procedures set forth in this Code, to include the obligation to document and report such misconduct to the Chair of the Academic Conduct Committee. The Pace University community, its students, faculty, staff, and administration, encourages all course instructors to make full use of this Code and to use the procedures outlined below to help promote academic honesty and ethical conduct within the University. An examination proctor, if aware of an act or acts of academic misconduct, is obligated to report this information to the course instructor.

If a student or another member of the Pace community is aware of an act or acts of academic misconduct, he/she shall contact the course instructor and/or the Chair of the Academic Conduct Committee who shall thereafter consult with the course instructor.

In furtherance of the objectives of fair and expeditious resolution of matters of possible violations of this Code, two forms of resolution are available: Direct Resolution and Resolution by the Academic Conduct Committee. In cases involving issues of academic integrity, the following procedures shall be applied:

#### A. Direct Resolution

##### 1. If:

- (a) the person initiating the charges (hereafter referred to as the complainant) is a

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<sup>2</sup> If the matter concerns student academic integrity, it shall be reported by the instructor or complainant to the Chair of the Academic Conduct Committee. See the procedures outlined in Section III. If the matter concerns behavioral conduct, the matter shall be adjudicated under appropriate policies and procedures set forth in the Student Handbook. If the matter introduces multiple concerns (for example, academic integrity, behavioral conduct, discrimination, the Title IX Coordinator/Affirmative Action Officer and/or any other appropriate University Official, the Chair of the Academic Conduct Committee, and the Dean for Students, shall coordinate the procedures.

- course instructor, and
  - (b) the alleged academic misconduct relates directly to a course taught or an examination monitored by the instructor or a proctor, and
  - (c) neither the student's official academic record or the file of the Academic Conduct Committee contains evidence of any instances of prior academic misconduct, then the complainant, in his or her sole discretion, shall have the option of attempting Direct Resolution of the matter. If the instructor as complainant has a legitimate educational interest in a student's educational records, he or she may consult either the student's official academic record or the file of the Academic Conduct Committee to determine whether there have been any previous violations of the Code by the student.<sup>3</sup> (If the complainant determines that the student has previously violated the Code, he or she must notify the Chair of the Academic Conduct Committee as described in Section III.B.)
2. As soon as practicable, the complainant shall inform the student suspected of academic misconduct of that person's observations, conclusions, and the proposed sanctions to be imposed.
  3. The student will be given a reasonable time, but not less than twenty-four hours, to consider the accusations and proposed sanctions and can consult with anyone he or she wishes about these matters.
  4. If the student accepts the proposed sanction, the matter may be resolved between the student and the complainant. All violations of the Code shall be documented and reported to the Chair of the Academic Conduct Committee. The complainant shall submit to the student the standard form entitled Documentation of Direct Resolution. The form shall be completed by the complainant and then signed by both parties. The complainant shall submit the form to the Chair of the Academic Conduct Committee, who will send/place the form in the Committee's file located in the Office of Provost on each campus. The Chair of the Academic Conduct Committee is also encouraged to send a copy to the student's academic advisor.
  5. If, after discussion between the complainant and the student, the student does not contest the charges but is, for any reason, unavailable to sign the Documentation of Direct Resolution form, the complainant shall notify the Chair of the Academic Conduct Committee (as described in Section III.B.2).
  6. If a student feels that he or she is unsatisfied with the outcome of the Direct Resolution process, or that he or she has been unjustly accused and/or penalized by an instructor for alleged academic misconduct, the student may follow the Student Grievance Procedure outlined in the Student Handbook. If the matter concerns a grade, the student may follow the Grade Appeal Procedure outlined in the University Catalog. If the Dean for Students, Assistant Dean for Community Standards and Compliance, or the Dean of the College in which the course was taught, determines that the matter is primarily an issue of student academic integrity, the Dean or Assistant Dean for Community Standards and Compliance may refer the matter to the Chair of the Academic Conduct Committee for consideration.
  7. If the alleged violation of the Code takes place during the months of June, July, or August, the complainant may resolve the matter through Direct Resolution or may contact the Committee Chair by telephone or e-mail. If the matter can not be resolved through Direct Resolution, either through the complainant or the Committee Chair (as also described in Section III.B.3), the matter shall be postponed until the fall semester, when a Committee hearing may be convened, if necessary.

## **B. Resolution by the Academic Conduct Committee**

If the complainant is a school official other than a course instructor, or the complainant elects not to attempt Direct Resolution, or the student and the complainant can not within a reasonable period of time reach an accord; or the matter is not subject to Direct Resolution by the

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<sup>3</sup> The University and this Code adhere to the Family Educational Rights and Privacy Act of 1974 as Amended.

complainant (for example, if the student's official academic record or the file of the Academic Conduct Committee contains a record of a prior instance of academic misconduct), the following procedures shall apply.

1. The complainant shall notify the Chair of the Academic Conduct Committee in writing:
  - (a) describing the alleged act of academic misconduct (including the date, time, witnesses if any, and other details);
  - (b) enclosing and/or describing relevant evidence, if any;
  - (c) describing any discussions between the complainant and the student;
  - (d) requesting that the matter be addressed by the Academic Conduct Committee (hereafter referred to as the Committee).

Upon receipt of written notification from the complainant, the Committee Chair may, in his or her sole discretion, attempt to resolve the matter between the complainant and the student, within a reasonable period of time, before convening the Committee. The Committee Chair may only impose the sanctions described in Section V of this Code. If the Committee Chair successfully resolves the matter, the Documentation of Direct Resolution form shall be completed and signed by the complainant, the student, and the Committee Chair. If the matter is not so resolved by the intervention of the Committee Chair, he or she shall cause the Academic Conduct Committee to be convened.

### **C. The Academic Conduct Committee**

1. Two Academic Conduct Committees shall report to the Provost. One Committee shall handle cases that occur in Westchester and the other shall handle cases that occur in New York City. Membership of each Committee shall consist of eleven persons including the Chair: six faculty members and five students. The six faculty members on each Committee will serve for terms of two years, which will be staggered so that each spring three faculty members shall be elected at large by each Location Council of the Joint Faculty Council to serve on the Committee. The students shall serve on the Committee for a term of one year. Each spring, five students shall be elected at large through the Student Government Associations on each campus, New York City and Westchester, to serve for the following academic year. Service on the Committee shall begin on the first day of the fall semester and continue through May of the spring semester. Each year, at the first meeting of the Committee, the Committee members shall elect a Chair who must be a faculty member. A faculty member may serve as Chair for more than one year if he or she is reelected by the Committee. The Committee Chair, in addition to serving on the Committee from September through May, shall make himself or herself accessible by telephone or e-mail during the summer months.
2. Members of the Committee shall notify the Committee Chair, and shall be excused, if they are unable to attend a hearing or if any particular matter involves an actual or potential conflict of interest between the member of the Committee and the complainant or the student.
3. The Committee Chair may, but shall not be required to, appoint pro tempore members to replace members of the Committee who have been excused because of their inability to attend or to participate.
4. The Committee Chair shall:
  - (a) arrange for the Committee to be convened as soon as practicable, and
  - (b) submit to the Office of the Provost the following information: the names of the complainant, the student, and the date, time, and location of the hearing.
5. The Committee Chair shall inform the accused student (by letter, sent by certified mail, return receipt requested, at least ten days prior to the hearing) of the following:
  - (a) The alleged violation of the Code;
  - (b) That the student is requested to attend the hearing and the date, time and location thereof;
  - (c) That the student may request the Committee Chair to reschedule the hearing for a reason deemed justifiable in the sole discretion of the Committee Chair;

- (d) That the student shall have the right to have access to and to obtain copies of any documents intended to be used as evidence at the hearing as well as the names of any witnesses who may testify at the hearing;
  - (e) That the student shall be allowed to address the Committee and to produce witnesses on his or her behalf;
  - (f) That the student shall have the right to question the complainant and the right to question any witnesses;
  - (g) That at the hearing, the student shall be permitted to be accompanied by one person of his or her choosing, for example, a faculty advisor or an attorney, whose participation is limited to advising the student. The University neither provides nor pays for such advisors or attorneys.
  - (h) University Counsel may attend the hearing and advise the Committee Chair and members of the Committee.
6. At least ten days prior to the hearing, the Committee Chair shall send a copy of the letter described in Section III.C.5 to the complainant.
  7. The Committee Chair may submit a written request to the student asking him or her to provide any copies of relevant documents and a list of any potential witnesses that the student may present in his or her defense at the hearing. The student may be requested to submit such material to the Committee Chair at least three business days before the hearing.

#### **D. The Hearing**

1. A quorum shall consist of seven members of the Committee, at least four of whom must be faculty members.
2. The Chair shall preside at the hearing, shall determine the scope of the hearings, and shall control all procedural aspects of the hearing in order to maintain fairness and decorum.
3. A majority vote of the Committee members present shall be required to render a judgment and impose a sanction. Votes of the Committee shall be by secret ballot and the Chair shall vote only to break a tie.
4. The hearing may proceed in the absence of the accused student if the Chair is satisfied that proper notice of the hearing was given to the student and, in the sole discretion of the Chair, there is no legitimate reason for the student's absence.
5. The order of the hearing shall be as follows:
  - (a) Statement of charges by the Chair;
  - (b) Presentation of evidence and examination of witnesses by the Chair. At the discretion of the Chair, members of the Committee may directly question the complainant, the student (if he or she elects to testify), and witnesses;
  - (c) Presentation of evidence and examination of witnesses by the student (may be waived by the student);
  - (d) Statement by the accused student (may be waived by the student);
  - (e) Deliberation shall take place only among Committee members;
  - (f) As soon as possible but not more than fourteen days after the hearing, the Committee shall determine whether the charges have been sustained and, if so, the appropriate sanction.
6. The hearings (but not the deliberations) of the Committee shall be recorded and preserved in the Office of the Provost. A copy of the recording may be obtained by the student from the Office of the Provost.
7. The Committee shall not be bound by judicial rules of evidence.
8. The burden of proof is on the University to establish that the student has violated the Code; the burden is satisfied based on a preponderance of the evidence.
9. The burden of proof is on the student to establish that any mitigating circumstances may be partly responsible for his or her actions or may warrant leniency on the part of the Committee; the burden is satisfied based on a preponderance of the evidence.
10. The complainant shall make himself or herself available for appearance before the Committee.

11. The accused student, the complainant, and all witnesses appearing at the hearing, will be requested to make an oral affirmation that all testimony given at the hearing is truthful. This attestation will include an acknowledgment that any false statements made during the hearing may result in a charge of academic misconduct and a possible sanction for presenting false information to the Committee. If a witness testifies but is unwilling to make the oral affirmation, the Committee may draw adverse inferences from his or her refusal to do so. Witnesses to the alleged academic misconduct may be requested to provide a written report and, if requested, to make themselves available for appearance before the Committee.
12. The hearing shall be closed to the public. At the discretion of the Chair, witnesses may be excluded from attending parts of the hearing and any examination of other witnesses.
13. The hearing may be recessed and reconvened by the Chair if, in his or her sole discretion:
  - (a) additional evidence or witnesses are necessary or appropriate, or
  - (b) a fair hearing can not be held because of lack of decorum, disturbances, illness, or other causes.
14. A past incident of academic misconduct is not evidence of guilt on a pending charge, and previous violations may not be considered by the Committee to determine a possible subsequent violation of this Code. Such past incidents may only be considered to determine an appropriate sanction.
15. If, after a hearing, it is determined that a student did not violate this Code, all records of the Committee's proceedings shall be kept in a separate and closed file in the Office of the Provost. Only the Committee Chair, the Provost, and other authorized persons, shall have access to these closed files.
16. The University shall take all reasonable steps to insure the confidentiality of all proceedings and the records produced therefrom. However, should any matter developed during the course of the proceedings become public knowledge, the University reserves the right to issue appropriate statements.

#### **E. The Report**

1. A report of the Committee including statements of the charges, evidence, findings, and sanctions, shall be written by the Committee Chair and sent to the Provost as soon as practicable after the hearing.
2. The Office of the Provost shall notify the student (by letter sent by certified mail, return receipt requested) of the nature of the report, the sanction or sanctions, and the right of the student to, and the procedure for, an appeal. If the sanction is a File Notation (see Section V.A.4), the letter shall also notify the student of the procedure for removing the File Notation from the student's file.
3. The Office of the Provost shall send a copy of the letter described immediately above to the Committee Chair, the complainant, and the Dean of the school in which the student is enrolled.
4. The Office of the Provost shall retain the authority to instruct other offices of the University as required to administer the outcome of the hearing and any sanctions.

#### **F. Self-Referral**

Students who commit acts of academic misconduct may demonstrate their renewed commitment to academic integrity by reporting themselves in writing to the Chair of the Academic Conduct Committee. The student's admission and self-referral may be considered a mitigating circumstance for purposes of determining a sanction. If it is determined by the Committee Chair or the Academic Conduct Committee as a whole, through investigation, through direct resolution, or through resolution by the Academic Conduct Committee, that a suspicion of academic misconduct existed at the time the student admitted the act, then the matter will be resolved in accordance with the normal procedures specified in this Code for resolving allegations of academic misconduct.

## IV. Appeal to the Provost

- A. Time for Appeal. A student may appeal the findings and/or the sanction(s) within fourteen days of the sending of the letter (described in Section III.E.2) to the student by the Office of the Provost.
- B. Nature of Appeal. An appeal to the Provost shall be in writing, setting forth the basis of the appeal and whether the student is appealing the findings, the sanction(s), or both. The Academic Conduct Committee is not an advisory Committee to the Provost. The judgment of the Committee is conclusive and definitive. The judgment of the Committee may be modified by the Provost only for causes related to substantial prejudicial error in the Committee procedure or abuse of discretion on the part of the Committee.
- C. Scope of Review. The Provost shall review the Committee's report and may review the recordings and evidence presented at the hearing. If new evidence emerges at this time, the Provost may send the matter back to the Committee for reconsideration.
- D. Decision of the Provost. The Provost shall render a decision by written notice to the student within a reasonable time but not more than thirty days. Copies of the decision shall be sent to the Committee Chair, the complainant, and to the Dean of the school in which the student is enrolled. If Provost modifies the Committee's judgment, the Provost shall communicate his or her reasons for doing so, in writing, to the Committee Chair with his or her decision.

## V. Sanctions

If it is determined that a student violated this Code, the following sanctions may be imposed by the Chair of the Academic Conduct Committee, as appropriate, depending upon the circumstances and the gravity of the misconduct, including but not limited to any one or combination of the following:

### A. File Notation

- 1. For a very minor or technical violation.
- 2. The violation shall be noted in the student's official academic record and the Committee's file but shall not be recorded on the student's permanent transcript.
- 3. The violation shall not be disclosed when transcripts or other records are requested, except to a Pace school official who has a legitimate educational interest in the student's education records. This would include an instructor who believes the student has violated the Code and who wishes to consult the student's official academic record to determine if the student has previously violated the Code.
- 4. The notice of violation shall be removed from the student's official academic record:
  - (a) if no further violations of this Code are committed by the student for a period of two years after the end of the semester in which the violation occurred, and
  - (b) thereafter, a letter is sent by the student to the Provost stating: the nature and date of the violation, that two years have passed since the end of the semester in which the violation occurred, that the student has not during that period violated the Code, and requesting that the notice of the violation be removed from the student's official academic record.
- 5. A File Notation shall place no restrictions on the student's participation in academic or non-academic activities.

### B. Reprimand

- 1. For violations of a minor nature or mitigated by extenuating circumstances.
- 2. A copy of the Reprimand will remain in the student's official academic record and the Committee's file but shall not be recorded on the student's permanent transcript.

3. A Reprimand shall not be disclosed when transcripts or other records are requested, except to a Pace school official who has a legitimate educational interest in the student's education records. This would include an instructor who believes the student has violated the Code and who wishes to consult the student's official academic record to determine if the student has previously violated the Code.
4. A Reprimand shall place no restriction on the student's participation in academic or non-academic activities.

#### **C. Academic Disciplinary Probation**

1. For violations deemed serious enough to warrant modification or termination of the student's right and privileges.
2. Probation shall be imposed for a specified period of time.
3. Probation shall be noted in the student's official academic record, the Committee's file, and on the student's permanent transcript.
4. Probation shall bar the student from participation in any recognized extracurricular, co-curricular, or intercollegiate activities during the probation period.

#### **D. Suspension**

1. For violations deemed sufficiently serious to warrant separation of the student from the University community for a specified time, but not serious enough to warrant expulsion.
2. Suspension shall be recorded in the student's official academic record, the Committee's file, and on the student's permanent transcript.
3. Suspension shall bar the student from participation in any academic or non-academic activities.

#### **E. Expulsion**

1. For extremely serious academic misconduct.
2. Expulsion is the permanent separation of the student from the University. Expulsion shall be recorded in the student's official academic record, the Committee's file, and on the student's permanent transcript.

#### **F. Additional Sanctions**

In addition to the foregoing sanctions, other sanctions may be imposed including but not limited to the following: financial aid from the University may be withdrawn, a previously granted degree may be revoked, and the Committee Chair may submit a written recommendation to a course instructor regarding a student's grade. The course instructor has the sole authority to determine a student's grade subject to the University's Grade Appeal Procedure. The Committee Chair may only recommend to an instructor that a student's grade be changed, for example, on an assignment, examination, or for the final grade in a course.

### **VI. Time Periods**

Any period of time set forth herein, except time periods for sanctions, may be extended by the Committee Chair for just cause or because the date for performance falls on a day upon which the University does not conduct regular classes.

### **VII. Amendments and Modifications**

This Academic Integrity Code may be amended or modified according to the same procedure required for making a change in the Faculty Handbook. In addition to this process, the student body shall be informed through its Student Government Association representatives of proposed amendments or modifications to the Code and be given a reasonable amount of time to present its views. Any such amendments or modifications shall be deemed effective upon the first day of the semester following the semester in which the changes are approved. Students shall be informed of any changes made to the

Academic Integrity Code and all students are subject to the Academic Integrity Code that is current.

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## Documentation of Direct Resolution Regarding the Violation of the Pace University Academic Integrity Code

Student's name \_\_\_\_\_  
 Student University Identification Number \_\_\_\_\_  
 Instructor or Complainant \_\_\_\_\_  
 Course name and number \_\_\_\_\_  
 If not a course, please describe \_\_\_\_\_  
 Date on which the violation occurred \_\_\_\_\_

Describe the nature of the student's violation of the Academic Integrity Code:

Describe the sanction, arrived at through Direct Resolution, between the student and the instructor or person initiating the charges:

Both parties, the student and the instructor or person initiating the charges, are required to sign below.

I, (student's name) \_\_\_\_\_, acknowledge that the above statements are true and agree to the proposed sanction.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, (Instructor's name) \_\_\_\_\_, acknowledge that the above statements are true and approve of the proposed sanction.

Signature of instructor or person initiating the charges:

\_\_\_\_\_ Date: \_\_\_\_\_

\* If the charges described above have been discussed with the student and the student does not contest the charges, however, the student thereafter is not available to sign this form, this form may be filled out by the person initiating the charges and sent to the Chair of the Academic Conduct Committee. Please explain the circumstances below:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Academic Conduct Committee Chair signature, if required \_\_\_\_\_ Date: \_\_\_\_\_