 Policies & Procedures	# Pages: 12	Policy Number: AC-02-09
	Approved by: Learning Council	
Section: Academic - Faculty	Effective Date: February 21, 2023	
Title: Academic Integrity – Faculty and Staff	Replaces: NEW	

POLICY STATEMENT

The University College of the North (UCN) requires that all members of the UCN community be committed to academic integrity in their educational and professional activities. UCN faculty and staff are responsible for teaching, modeling, and upholding academic integrity.

PURPOSE OF POLICY

This policy sets out procedures to address instances where a breach of academic integrity is alleged against a UCN faculty or staff member.

A breach of academic integrity is an offence which violates the academic integrity of the learning environment. Breaches may include but are not limited to, plagiarism, deception, fabrication, bribery, falsification, and/or undisclosed conflict of interest.

DEFINITIONS

Academic Integrity is the commitment to and demonstration of moral behaviour and the expectation of honesty, trust, fairness, respect, and responsibility in an academic setting.

Appellant refers to the complainant or respondent who has appealed the Investigating Committee decision and/or penalty imposed.

Complainant means the person making an allegation of inappropriate conduct related to academic integrity.

Respondent means the person accused by the complainant of inappropriate conduct related to academic integrity

PRINCIPLES

1. The privacy and confidentiality of all parties shall be protected. Privacy and confidentiality shall be protected as much as possible, given the need for due process in pursuing an enquiry and reporting the findings.

2. All parties involved in these proceedings are charged with protecting the privacy and confidentiality of the individuals involved.
3. All records will be stored in the Office of the VPAR. All records must be retained in accordance with appropriate record authority schedules available from UCN's Archivist/Access and Privacy Officer.
4. Staff members accused of breaching academic integrity must not retaliate against a person(s) who acted in good faith and provided information about alleged misconduct.
5. It shall be a violation of this policy to allege, file or raise a claim that is malicious in nature and lacks good faith belief as to its truthfulness against members of UCN faculty and staff. If a violation of this principle is committed, UCN may initiate any and all appropriate action, including but not limited to disciplinary action against an employee.

PROCEDURES

1. The privacy and confidentiality of all parties shall be protected. Privacy and confidentiality shall be protected as much as possible, given the need for due process in pursuing an enquiry and reporting the findings.
2. Investigation of Complaint

Level 1 – Complaint Process (Dean, Supervisor or Designate)

- a) The complainant shall submit, in writing, an allegation of a breach of academic integrity involving a UCN faculty or staff member to the respondent's Dean, supervisor or designate. The Dean, supervisor or designate shall notify the VPAR and applicable Dean, supervisor or designate (if different from the respondent's Dean, supervisor or designate) for information.
 - i. The written complaint, outlining the specific details of the allegation, must be dated. All relevant documentation supporting the allegation must be appended to the complaint.
 - ii. The Dean, supervisor or designate shall review the complaint and may, within three (3) working days of receipt of the complaint, choose to meet with the complainant to discuss the allegation. At this point, the complainant may wish to withdraw the complaint.
 - iii. Within three (3) working days of receipt of the complaint or meeting with the complainant, the Dean, supervisor or designate may meet with the respondent to discuss the allegation.
 - iv. Within three (3) working days of receiving the complaint or meeting with the complainant and/or respondent, the Dean, supervisor or designate shall determine if the complaint will be dismissed or if it warrants further investigation by an Investigating Committee.
 - v. Such complaints shall be kept confidential.
- b) If the complaint is dismissed, within two (2) working days, the Dean, supervisor or designate shall notify the complainant, respondent, the applicable Dean, supervisor or designate (if different from the respondent's Dean, supervisor or designate) and the VPAR.

- c) If the complaint is not dismissed, within two (2) working days, the Dean, supervisor or designate shall notify the complainant, respondent, the applicable Dean, supervisor or designate (if different from the respondent's Dean, supervisor or designate) and the VPAR that further investigation is warranted, and;
- d) The Dean, supervisor or designate shall establish an Investigating Committee within five (5) working days.

Level 2 – Complaint Process (Investigating Committee)

- a) Where the Dean, supervisor or designate has determined that further investigation is warranted, they shall establish an Investigating Committee within five (5) working days:
 - i. The Investigating Committee shall be comprised of three (3) independent individuals to conduct the investigation.
 - ii. The members of the Investigating Committee shall:
 - Be full-time instructors, faculty members, staff and administrators;
 - Not be a member of the faculty/department involved;
 - Have no actual, apparent, reasonable, perceived, or potential conflict of interests or bias; and
 - Jointly have appropriate subject matter expertise and administrative background to evaluate the allegation.

Persons external to UCN may be appointed at the discretion of the Dean, supervisor or designate.

The Dean, supervisor or designate forming the Investigating Committee may consult with Deans or other senior academic leaders regarding appointments to the Investigating Committee, with the understanding that the privacy and confidentiality of all parties shall be protected.

- iii. Once the committee is established and within three (3) working days, the Dean, supervisor or designate shall notify the complainant and respondent of the Investigating Committee members.
- iv. The complainant and respondent shall have three (3) working days to challenge the suitability of any member of the Investigating Committee based on a reasonable apprehension of a conflict of interest and/or bias against the complainant's or respondent's case. The challenge, including the grounds, shall be made in writing to the Dean, supervisor or designate. Normally the complainant and respondent shall be limited to one such challenge.
- v. Where a conflict of interest and/or bias is found, the Dean, supervisor or designate shall replace the Investigating Committee member and all parties notified of the new member within five to ten (5-10) working days of being advised of the conflict of interest and/or bias.
- vi. The Dean, supervisor or designate shall provide the following in writing to the members of the Investigating Committee:
 - Rationale for establishing an Investigating Committee;
 - Rationale for Investigating Committee membership;
 - Role of the Investigating Committee;

- All relevant documentation related to the complaint;
 - Confirm established timelines for the investigation, and
 - Expectations with respect to confidentiality.
- b) The Investigating Committee shall report to the Dean, supervisor or designate. The Dean, designate or supervisor shall meet with the Investigating Committee to review procedures for conducting the investigation. The Dean, supervisor or designate shall be available for subsequent consultation as the investigation proceeds.
- c) The Investigating Committee shall begin by selecting a Chair from amongst the members of the Investigating Committee.
- d) The investigation and Final Report, must be concluded within ninety (90) working days from the date of creation of the Investigating Committee.
- e) The Investigating Committee shall meet with the complainant and respondent to discuss the complaint.
- Both the complainant and respondent shall be available to engage in the process within the established timelines.
- f) The investigation may include but is not limited to:
- Interviews with parties germane to the matter;
 - Supplemental documentation; and/or
 - Literature review.
- g) The Investigating Committee shall submit a Final Report to the Dean, supervisor or designate which shall include:
- Recommendation to uphold or dismiss;
 - Summary of allegations;
 - Composition of the Investigating Committee and rationale for composition of same;
 - Investigative methods;
 - Persons interviewed or supplying information;
 - Evidence considered;
 - Summary of findings;
 - Findings;
 - Mitigating factors (if applicable);
 - Bibliography and/or list of references; and
 - Other relevant details.
- h) Within five (5) working days of submitting the Final Report, the Investigating Committee shall meet with the Dean, supervisor or designate to review the report. The Dean, supervisor or designate shall render a decision to either uphold or dismiss the complaint.
- If the complaint is upheld; the Dean, supervisor or designate shall within twenty (20) working days:
- i. Communicate the decision in writing to the complainant, attaching a copy of the Final Report.
 - ii. Communicate the decision in writing to the respondent and VPAR, attaching a

copy of the Final Report and any actions to be taken.

If the complaint is dismissed, the Dean, supervisor or designate shall within five (5) working days:

- i. Communicate the decision in writing to the complainant, respondent and VPAR, attaching a copy of the Final Report.

3. Appeals Under this Policy

- a) The complainant and/or respondent represented by the Collective Agreement (CA), may grieve the Dean, supervisor or designate's decision regarding the complaint by using the grievance procedure set out in the CA.
- b) Appeals under this policy may be requested by UCN employees who are not represented by the Collective Agreement (CA).
- c) Either the complainant or respondent may appeal the decision and/or penalty imposed within two (2) and no more than five (5) working days of the date of the decision letter by delivering a letter of appeal to the Dean, supervisor or designate.
- d) The letter shall include a written statement of appeal that indicates the grounds on which the appellant intends to rely, any evidence the appellant wishes to present to support those grounds, and (where relevant) what remedy or remedies the appellant believes to be appropriate.
- e) An appeal shall be considered only on one (1) or more of the following grounds:
 - That the Investigating Committee had no authority or jurisdiction to recommend the decision it did;
 - That there was a reasonable apprehension of bias or conflict of interest on the part of a member or members of the Investigating Committee;
 - That the Investigating Committee made a fundamental procedural error that seriously affected the outcome; or
 - That new evidence has arisen that could not reasonably have been presented during the investigation and would likely have affected the recommendation of the Investigating Committee.
- f) Upon receipt of a letter of appeal, the Dean, supervisor or designate shall review the written statement of appeal and within five (5) working days, determine whether or not the grounds for appeal are valid.
- g) If the Dean, supervisor or designate determines that there may be valid grounds for an appeal, then the Dean, supervisor or designate may reexamine and make different recommendations within five (5) working days.
- h) If the Dean, supervisor or designate determines that there are no valid grounds for an appeal, the appeal is denied. The Dean, supervisor or designate shall notify the appellant in writing within five (5) working days that the appeal is denied.
- i) Within five (5) working days of the date of the letter from the Dean, supervisor or designate denying the appeal, the Appellant may respond, in writing, to the Dean, supervisor or designate indicating that they wish to have the matter referred to an Appeals Board.
- j) Within two (2) working days, the Dean, supervisor or designate shall provide notice of

the Appellant's request to refer the matter to an Appeals Board to the VPAR or designate. The VPAR or designate shall convene an Appeals Board per the procedures below.

3.1 Appeals Board

- a) The Appeals Board shall be constituted by the VPAR or designate within twenty-one (21) working days of receipt of the notice to appeal and shall be composed of three (3) independent members of UCN or another academic institution. Individuals involved in the original hearing of the case shall be excluded from serving on the Appeals Board.
- b) One (1) member of the Appeals Board shall be named chair.
- c) The members of the Appeals Board shall have no actual, apparent, reasonable, perceived, or potential conflict of interests or bias and will jointly have appropriate subject matter expertise and administrative background to evaluate the appeal and the response to it.
- d) The appellant and the Dean, supervisor or designate shall have five (5) working days to challenge the suitability of any member of the Appeals Board based on a reasonable apprehension of conflict of interest and/or bias. The challenge, including the grounds, shall be made in writing to the VPAR or designate. Normally, the appellant and Dean, supervisor or designate shall be limited to one such challenge.
- e) Where a conflict of interest and/or bias is found, the VPAR or designate shall replace the Appeals Board member and all parties notified of the new member within five to ten (5-10) working days of being advised of the conflict of interest and/or bias.

3.2 Appeals Procedures

- a) The Appeals Board shall convene to hear the appeal within fifteen (15) working days of being constituted.
- b) Written notice of the hearing, along with a copy of these procedures and of the written statement of appeal, shall be delivered by the Chair of the Appeals Board to the appellant; the Dean, supervisor or designate; and to members of the Appeals Board. Where possible and reasonable, the schedules of all parties shall be accommodated and notice of the time and location of the hearing shall be provided at least five (5) working days in advance.
- c) If any party to these proceedings does not attend the hearing, the Appeals Board has the right to proceed with the hearing and may accept and consider the written Final Report of the Investigating Committee and the written statement of appeal as evidence.
- d) The Appeals Board is not bound to observe strict legal procedures or rules of evidence but shall establish its own procedures subject to the following principles:
 - i. The Appeals Board, under these regulations, shall not hear the case again, but is limited to determining:
 - That the Dean, supervisor or designate had no authority or jurisdiction

- to make the decision or recommendation(s) it did;
- That there was a reasonable apprehension of conflict of interest and/or bias on the part of the Dean, supervisor or designate and a member or members of the Investigating Committee;
- That the Dean, supervisor or designate or the Investigating Committee made a fundamental procedural error that seriously affected the outcome; or
- That new evidence has arisen that could not reasonably have been presented during the investigation and that would likely have affected the decision of the Dean, supervisor or designate or Investigating Committee.

- ii. Except as provided for under 3.2 (d) (i) above, no new evidence shall be considered at the hearing. The Final Report of the Investigating Committee, a copy of all material submitted by all parties during the original investigation, and the written statement of appeal, will form the basis of the evidence considered by the Appeals Board.
- iii. It shall be the responsibility of the appellant to demonstrate that the appeal has merit.
- iv. The hearing shall be restricted to persons who have a direct role in the hearing. Witnesses will not normally be called, but the appellant may request the presence of an advocate.
- v. The appellant and the Dean, supervisor or designate shall be present before the Appeals Board at the same time.
- vi. Both the appellant and the Dean, supervisor or designate shall have an opportunity to present their respective cases and to respond to questions from the members of the Appeals Board.

3.3 Disposition by the Appeals Board

- a) After all questions have been answered and all points made, the Appeals Board shall meet in camera to decide whether to uphold, overturn or modify the decision of the Dean, supervisor or designate. The deliberations of the Appeals Board are confidential.
- b) The Appeals Board may, by majority,
 - i. Conclude that the original decision is upheld; or
 - ii. Conclude that the appellant did not receive a fair hearing, and dismiss or modify the original decision and/or recommendations; or
 - iii. Order that a new Investigating Committee is struck to re-investigate the case. This provision will be used only in rare cases such as when new evidence has been introduced that could not reasonably have been available to the original Investigating Committee and is in the view of the Appeals Board significant enough to warrant a new investigation.

3.4 Reports

The chair of the Appeals Board shall prepare a report of the board's decision based

on the evidence presented at the hearing. No later than five (5) days after the hearing, the chair shall deliver a copy of the report to the appellant, Dean, supervisor or designate, and VPAR or designate.

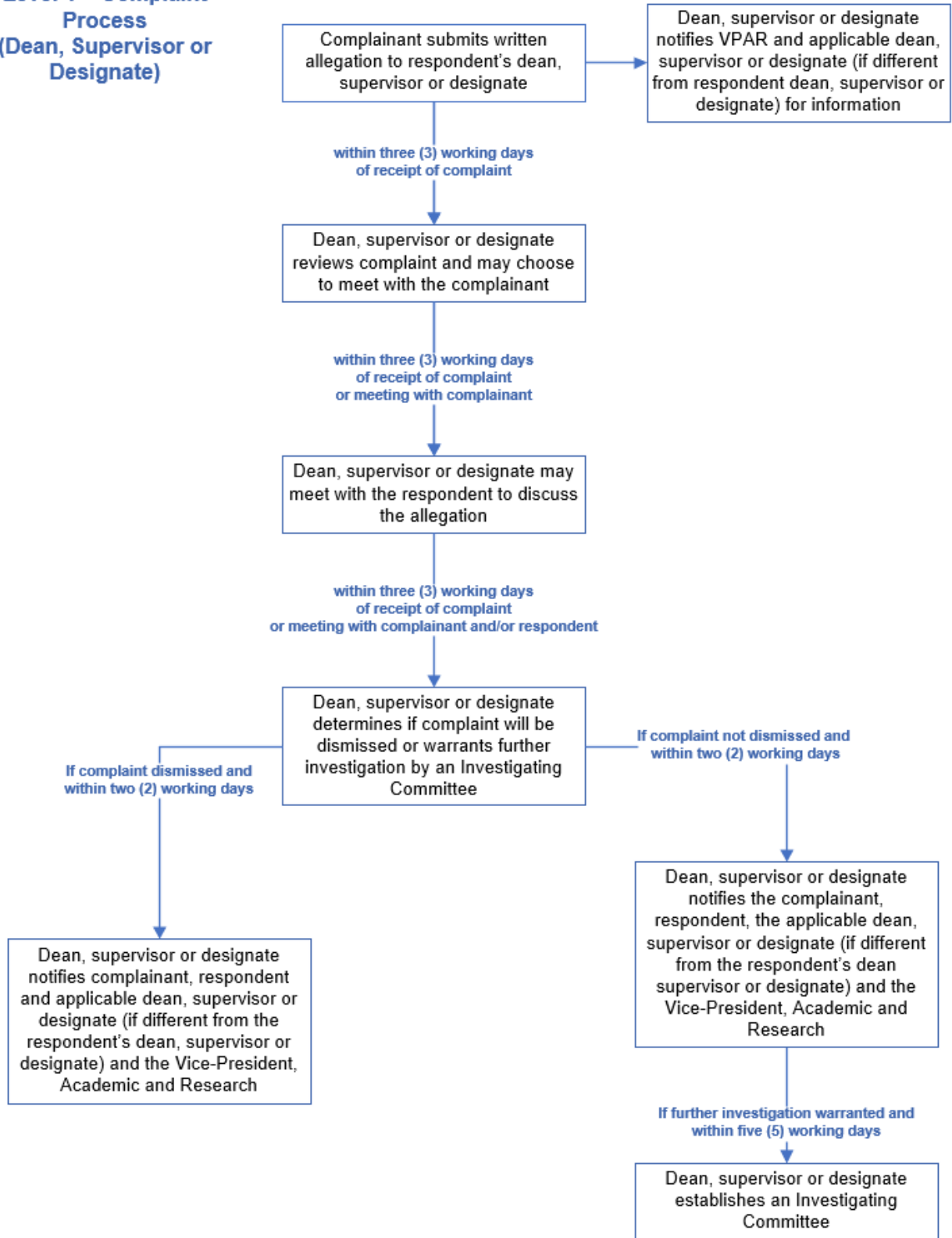
3.5 No Further Appeal

The findings and ruling of the Appeals Board shall be final with no further appeal.

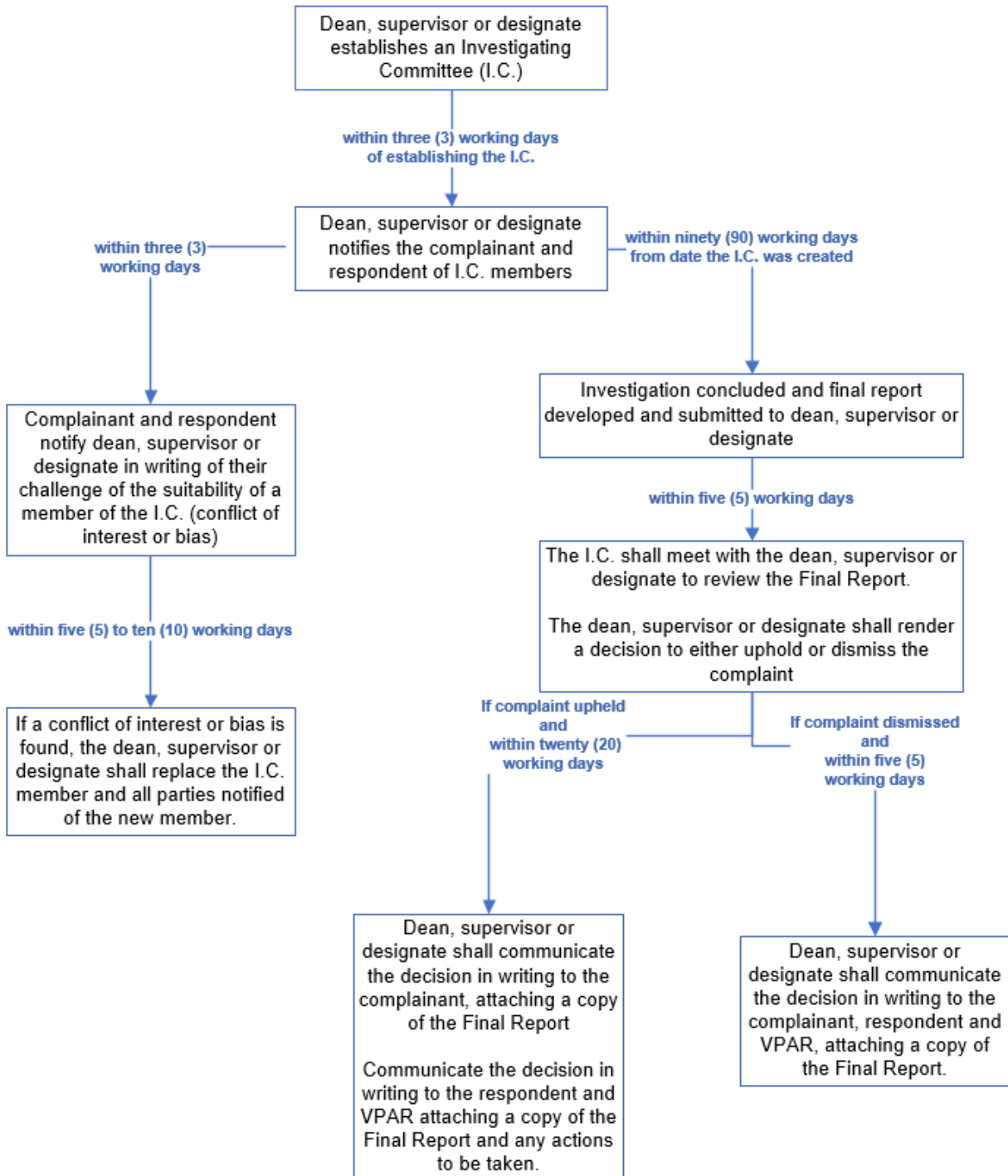
Related Policy:

AC-04-02 Integrity in Research and Scholarly Activity

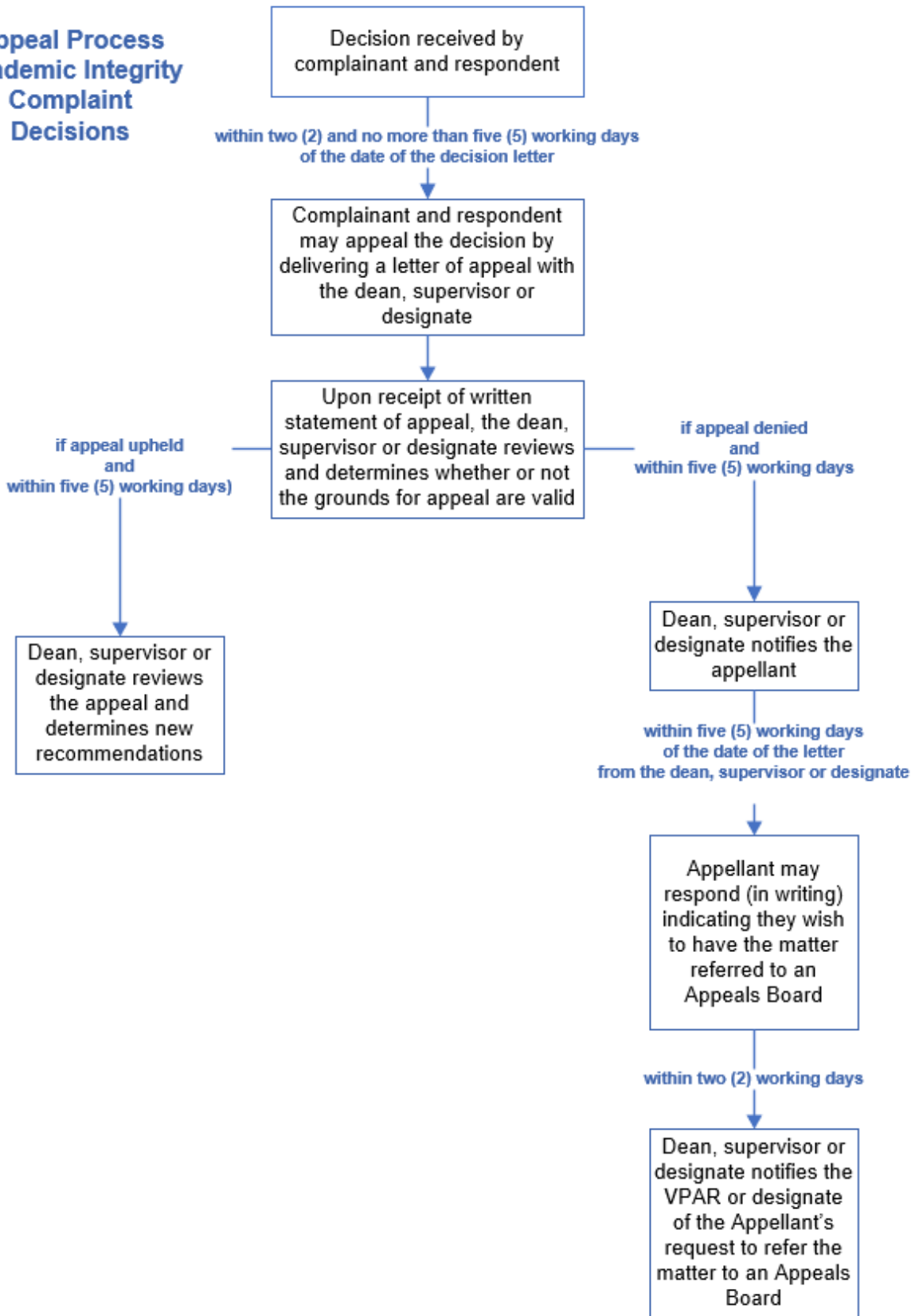
**Level 1 – Complaint Process
(Dean, Supervisor or Designate)**



Level 2 – Complaint Process (Investigating Committee)



**Appeal Process
Academic Integrity
Complaint
Decisions**



**Appeal Process
(Appeals Board)
Academic Integrity
Complaint
Decisions**

