

 CAPILANO UNIVERSITY		PROCEDURE	
Procedure No.		Officer Responsible	
S2017-05-01		Vice-President Academic and Provost	
Procedure Name			
Academic Integrity			
Policy This Procedure is Under			Date of Next Policy Review
S2017-5 Academic Integrity			March 2027
Date Issued	Date Revised	Date in effect	Related Policies
January 2018	March 5, 2024	Sept. 1, 2024	S2017-05 Academic Integrity Policy B.109 Student Appeals Policy B.109.1 Student Appeals Procedure

1. PURPOSE

- 1.1. The procedures outlined in this document are designed to support S2017-05 Academic Integrity Policy (“the Policy”) and inform all employees and Students at Capilano University (“the University”) who are involved in the Student Academic Integrity process about the steps to be followed in the implementation of the Policy.
- 1.2. The definitions as found in the Policy are used in this Procedure.

2. REPORTING

Any Member of the University Community who observes a suspected incident of failure to uphold Academic Integrity should make a report to the relevant Instructor, chair, coordinator, convenor or dean. If the individual who observes a suspected incident or receives a report of a suspected incident is not the Instructor, they should notify the relevant Instructor as soon as possible.

3. INSTRUCTOR DETERMINATION

- 3.1 Instructors who observe or receive reports that a Student’s engagement with an academic activity/work does not demonstrate Academic Integrity will first collect relevant evidence to make an initial determination on whether Academic Misconduct has likely occurred.
- 3.2 The Instructor may meet with the Student, in a timely manner, to inquire about the Student’s intent, thinking process, gaps in knowledge and/or use this meeting as an opportunity to collect further evidence (i.e., Student admission/taking accountability, an impromptu writing test).
- 3.3 If, considering the available evidence and weighed against the balance of probabilities, the Instructor determines that an instance of Academic Misconduct has occurred, the Instructor will determine the classification (i.e., Tier One, Tier Two, or Tier Three).

- 3.4 When determining the classification of the infraction and the appropriate outcome, the Instructor is encouraged to take a holistic approach that takes into account Student intent, accountability, mitigating and aggravating factors, context, Student learning, nature of the Academic Misconduct, and its level of impact.
- 3.5 If the Instructor determines the incident to be an instance of Tier One Academic Misconduct, the Instructor may assign one or more of Remedial Outcomes as per Policy Section 10.2. For a Tier One Academic Misconduct Incident, there is no requirement to meet with the Student nor report to the Office of Student Affairs.
- 3.6 If the Instructor believes the incident to be an instance of Tier Two Academic Misconduct, the Instructor will meet with the Student(s) to discuss the matter in a timely manner within the term in which the problem emerges.
- 3.7 Based on the gathered evidence and meeting with the Student, if the Instructor determines the incident to be an instance of Tier Two Academic Misconduct, the Instructor may assign a Remedial and/or Punitive Outcome as per Policy Section 10.2 and 10.3.
- 3.8 Within five (5) business days after the meeting with the Student and determining the instance to be Tier Two Academic Misconduct, the Instructor must:
 - a) inform the Student via the Student's official Capilano University email of the nature of the Remedial or Punitive Outcome to be imposed; and
 - b) inform the Office of Student Affairs of the infraction and the assigned outcome. The Office of Student Affairs will notify the dean if the Student has a previous report of Tier Two Academic Misconduct.
- 3.9 If the Instructor determines the incident to be an instance of Tier Three Academic Misconduct, the Instructor will report the incident to the Office of Student Affairs. The Office of Student Affairs will inform the dean for assessment and investigation.

4. DEAN DETERMINATION OF TIER THREE ACADEMIC MISCONDUCT

- 4.1 Upon receiving an incident report from the Office of Student Affairs, the dean will determine if an investigation is required based upon confirmation of previously reported Academic Misconduct or the seriousness of the infraction.
- 4.2 If the dean determines that an investigation is not required, the dean will inform the Instructor and the Office of Student Affairs within five (5) business days.
- 4.3 In cases of Tier Three Academic Misconduct that results from repeated Tier Two Academic Misconduct, if the dean determines that an investigation is not required, the dean will inform the Instructor that the Instructor-assigned Tier Two outcome will be maintained.
- 4.4 If the dean determines that an investigation is required, the investigation must be initiated no more than five (5) business days after the Office of Student Affairs has provided communication to the dean.

The following process will be followed:

- 4.5 The dean will appoint an investigator.
- 4.6 The dean will notify the Student via the Student's official Capilano University email that they are suspected of Tier Three Academic Misconduct, copying the Office of Student Affairs and the Instructor, and that the investigator's investigation is pending.
- 4.7 The investigator will conduct the investigation in a timely manner, and may include, but is not limited, to:
 - a) discussing the details with the dean who received the alleged infraction,
 - b) gathering information from the Instructor and/or others who may have knowledge of the alleged infraction,
 - c) performing online searches,
 - d) discussing the details with the Student, and/or
 - e) asking the Student to submit rough notes and/or other proof of composition.
- 4.8 After the investigator's investigation is complete, the investigator will write a report that includes a summary of the information and recommended outcomes and will provide it to the dean.
- 4.9 If, as a result of the investigation, the alleged infraction is deemed to be without merit, the Dean will dismiss the alleged infraction, and the dean will notify the Instructor, in writing, of the reason(s) for the dismissal. The dean will also notify the Student of the dismissal through their official Capilano University email.
- 4.10 If, as a result of the report, the alleged infraction is not dismissed, the Student will meet with the investigator. This meeting will normally take place within ten (10) business days from the completion of the investigation. At this meeting, the investigator will discuss the report and their findings with the Student. The investigator will add a summary of the meeting to the report with recommended outcomes and provide same to the dean. The report is the property of the University, and the Student will receive a copy of the summary of the meeting.
- 4.11 The Student is entitled to be accompanied by a support person during the meeting. The support person will not be permitted to speak on behalf of the Student. See B.701 Student Code of Conduct for more information on Student supports.
- 4.12 Based on the findings of the investigation, the dean will determine on the balance of probabilities whether the Student is more likely than not responsible for Tier Three Academic Misconduct.
- 4.13 If the dean finds that the Student did not engage in Tier Three Academic Misconduct, the dean will inform the Instructor and the Student through their official Capilano University email of this determination within five (5) business days of the dean making the decision.
- 4.14 If the dean finds that the Student engaged in Tier Three Academic Misconduct, the dean will engage the Student in a collaborative determination of outcomes as per Section 5 below or assign Remedial and/or Punitive Outcomes as per Section 6 below.

5. COLLABORATIVE DETERMINATION OF OUTCOMES FOR TIER THREE ACADEMIC MISCONDUCT

- 5.1 In cases where a Student has accepted responsibility for their actions in a case of Tier Three Academic Misconduct, the Student may be provided the opportunity to participate in a collaborative determination of outcomes process.
- 5.2 The collaborative determination of outcomes process serves as an opportunity for the Student, the investigator, and dean to work together to develop a mutual agreement that effectively and appropriately responds to the impact of the Student's actions.
- 5.3 The University recognizes that collaborative determination of outcomes may not be appropriate in all circumstances. The investigator or the dean may revoke the opportunity to participate in the process, or may not extend the opportunity at all if the circumstances are deemed inappropriate.
- 5.4 If the investigator or the dean offer the opportunity to participate in the collaborative determination of outcomes process, and the Student chooses to participate, the investigator will schedule a meeting with the Student. The investigator and the Student may agree to any of the outcomes listed in Section 10 of the Policy as well as any additional terms that are both appropriate and agreed upon during the process.
- 5.5 The collaborative determination of outcomes process is available only in certain circumstances and will not be available as an option if any of the following circumstances exist:
 - a) The Student is not or is no longer willing to participate in the collaborative determination of outcomes process;
 - b) The Student is not or is no longer willing to take responsibility for their actions;
 - c) The Student and the dean are unable to reach a mutually agreed-upon resolution;
 - d) The nature of the incident(s) may require severe outcomes (e.g., temporary or permanent suspension);
 - e) The nature of the evidence, infraction, or related details requires a higher-than-typical degree of adjudication or confidentiality; or,
 - f) The Student has previously participated in the collaborative determination of outcomes process for a similar incident.
- 5.6 If one or more of the above circumstances exist before or during the collaborative determination of outcomes process, the investigator will provide to the dean the investigative report and other relevant information, including reasons why collaborative determination of outcomes is not possible. The dean will then become responsible for the adjudication and determination of outcomes.
- 5.7 At the conclusion of the collaborative determination of outcomes process, the Student and the investigator will draft a letter of agreement, which includes the outcome(s) and provide it to the dean. If the dean agrees with the outcome(s), the dean will sign the letter and send it back to the investigator. The investigator will arrange for the Student to sign the letter of agreement within seven (7) calendar days. Failure to adhere to the terms of this agreement is an infraction of B.701 Student Code of Conduct Policy and may result in action by the Office of Student Affairs and/or the forwarding of the matter to the Vice-President Academic and Provost's Office.

6. DETERMINATION OF OUTCOMES

- 6.1 Where an incident of Tier Three Academic Misconduct cannot be resolved through collaborative determination of outcomes, or collaborative determination of outcomes is not possible, the dean will make a determination based on the investigation findings of the appropriate outcome as per Policy Section 10.
- 6.2 If the dean finds that the outcome(s) should include temporary or permanent suspension, the dean will forward the report and all other relevant information for review and final determination. In accordance with B.701 Student Code of Conduct, recommendations involving suspension or permanent suspension will be first reviewed by the Associate Vice President of Student Success and Vice President of Strategic Planning, Assessment and Institutional Effectiveness, who will then forward the investigation report and recommendations to the President for final review. The President has the authority to suspend Students under 61(1) of the *University Act* and may choose to accept or modify the recommended outcome.
- 6.3 The dean may also choose to meet with or invite a written statement from the Student for the purposes of evaluating the weight of the outcome. The Student is entitled to be accompanied by a support person during the meeting. Refer to B.701 Student Code of Conduct for details on involving a support person.
- 6.4 The dean or the president will inform the Instructor and the Student of the outcome(s) in writing to their official Capilano University email within five (5) business days of their determination.
- 6.5 The dean or president will inform the Office of Student Affairs, the Vice-President Academic and Provost, the Registrar, and any other person necessary, of the nature and the means for the applied outcome(s).
- 6.6 The Office of Student Affairs will note the outcome in the Student's file.

7. FAILURE TO FOLLOW OUTCOMES

- 7.1 Failure to complete or abide by assigned or agreed-upon outcomes is a violation of B.701 Student Code of Conduct Policy
- 7.2 Alleged failure to follow outcomes may be entered as a new complaint to the Office of Student Affairs. A full record of the initial complaint, investigation and determination of the dean and/or the president, and/or collaborative determination of outcomes process will be made available to the adjudicator or adjudicating body in addition to any new evidence.
- 7.3 Failure to follow outcomes may lead to the application of new or escalated outcomes up to and including temporary or permanent suspension as found in B.701.3 Student Code of Conduct Procedure.

8. DISPUTES AND APPEALS

- 8.1 Students may dispute remedial outcomes for Tier One Academic Misconduct to the convenor, coordinator, or chair. Agreed collaborative outcomes may not be appealed or disputed.

- 8.2 Students may dispute the allegation of Tier Two Academic Misconduct, or the severity of the outcome determined by the Instructor by contacting their dean.
- 8.3 The dean may request available evidence from the Instructor and may request a meeting with the Student or the Instructor to determine on balance of probabilities whether an infraction occurred and whether the assigned outcome is appropriate.
- 8.4 If the dean determines that an infraction did not occur, or that that the determined outcome needs to be adjusted, they will inform the Student, the Instructor, and the Office of Student Affairs about their decision.
- 8.5 If the dean determines that the infraction has occurred and the Instructor's assigned outcome is appropriate for the nature of the infraction, the dean will inform the Student and the Instructor of their decision.
- 8.6 Students may appeal the allegation of Tier Three Academic Misconduct, or the outcome determined by the dean, by submitting a Student appeal application to the Registrar as per B.109 Student Appeals Policy. Agreed collaborative outcomes may not be appealed.

9. RECORD KEEPING

- 9.1 The Office of Student Affairs confidentially maintains investigative reports and will keep records relating to Academic Integrity proceedings for a period of no less than seven (7) years following the completion of all actions pertaining to a particular incident. After this time, if the Office of Student Affairs deems it necessary, they may continue to keep records on file, but will otherwise confidentially destroy them.
- 9.2 Records are not available to be copied or viewed by members of the University Community unless required by the procedures listed in this document or for the purposes of external legal proceedings.

10. DESIGNATED OFFICER

The Director, Teaching and Learning is responsible for the development, subsequent revisions to and operationalization of this Procedure under the oversight of the Vice President Academic and Provost.