



Academic Integrity Policy

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1. Academic Integrity Regulations

The Faculty of Law policy and regulations pertaining to academic integrity are derived from and subject to the [Senate Policy on Academic Integrity](#) and [the Senate Policy on Academic Integrity Procedures-Requirements of Faculties and Schools](#).

2. Definition of Academic Integrity

- 2.1 Queen's University is dedicated to creating a scholarly community free to explore a range of ideas, to build and advance knowledge, and to share the ideas and knowledge that emerge from a range of intellectual pursuits. Queen's students, faculty, administrators and staff therefore all have responsibilities for supporting and upholding the fundamental values of academic integrity.
- 2.2 Academic integrity is constituted by the *five core fundamental values* of **honesty, trust, fairness, respect and responsibility** (see <http://www.academicintegrity.org/icaei/home.php>) and by the **quality of courage**. These values and qualities are central to the building, nurturing and sustaining of an academic community in which all members of the community will thrive. Adherence to the values expressed through academic integrity forms a foundation for the "freedom of inquiry and exchange of ideas" essential to the intellectual life of the University.
- 2.3 The following statements from "[The Fundamental Values of Academic Integrity](#)" (2nd edition), developed by the International Center for Academic Integrity (ICAI), contextualize these values and qualities:
 - 2.3.1 **Honesty:** Academic communities of integrity advance the quest for truth and knowledge by requiring intellectual and personal honesty in learning, teaching, research, and service.
 - 2.3.2 **Trust:** Academic communities of integrity both foster and rely upon climates of mutual trust. Climates of trust encourage and support the free exchange of ideas, which in turn allows scholarly enquiry to reach its fullest potential.
 - 2.3.3 **Fairness:** Academic communities of integrity establish clear and transparent expectations, standards, and practices to support fairness in the interactions of students, faculty, and administrators.
 - 2.3.4 **Respect:** Academic communities of integrity recognizes the interactive, cooperative, and participatory nature of learning. They honour, value, and consider diverse opinions and ideas.
 - 2.3.5 **Responsibility:** Academic communities of integrity rest upon foundations of personal accountability coupled with the willingness of individuals and groups to lead by example, uphold mutually agreed-upon standards, and take action when they encounter wrongdoing.
 - 2.3.6 **Courage:** To develop and sustain communities of integrity, it takes more than simply believing in the fundamental values. Translating these values from talking points into action – standing up for them in the face of pressure and adversity – requires determination, commitment and courage.
- 2.4 Students are responsible for familiarizing themselves with and adhering to the regulations concerning academic integrity. General information on academic integrity is available at

the [Academic Integrity @ Queens website](#).

3. Departures from Academic Integrity

3.1 Departures from Academic Integrity (DFAI)

Academic Integrity concerns refer to issues that may involve a departure from those fundamental values. These are termed "Departures from Academic Integrity (DFAI)". The following list is *not intended to be exhaustive*. Departures from Academic Integrity Include, but are not limited to, the following:

3.1.1 Plagiarism

Examples: copying and pasting from the internet, a printed source, or other resource without proper acknowledgement; copying from another student; using direct quotations or large sections of paraphrased material in an assignment without appropriate acknowledgement; submitting the same piece of work in more than one course without the permission of the instructor(s).

3.1.2 Use of unauthorized materials

Examples: possessing or using unauthorized study materials or aids during a test; copying from another's test paper; using an unauthorized calculator or other aids during a test; unauthorized removal of materials from the library, or deliberate concealment of library materials.

3.1.3 Facilitation

Deliberately enabling another's breach of academic integrity. Examples: knowingly allowing one's essay or assignment to be copied by someone else for the purpose of plagiarism; buying or selling of term papers or assignments and submitting them as one's own for the purpose of plagiarism.

3.1.4 Unauthorized collaboration

Working with others, without the specific permission of the instructor, on assignments that will be submitted for a grade. This applies to in-class or take-home tests, papers, or homework assignments.

3.1.5 Forgery

Submitting counterfeit documents or statements. Examples: creating a transcript or other official document; creating a medical note.

3.1.6 Falsification

Misrepresentation of one's self, one's work or one's relation to the University. Examples: altering transcripts or other official documents relating to student records; impersonating someone in an examination or test; submitting a take-home examination written, in whole or in part, by someone else; fabricating or falsifying laboratory or research data.

4. Jurisdiction

- 4.1 This policy applies to academic integrity concerns arising in a Juris Doctor (JD) course or a course offered in the undergraduate Certificate in Law offered by the Faculty of Law, whether or not the student is admitted to the Certificate. Visiting students studying on exchange or letter of permission registered in JD courses or Certificate in Law courses are also subject to this policy.
- 4.2 Departures from academic integrity, other than a course-related issue (e.g. falsifying a transcript), are dealt with by the home Faculty in which the student is registered.
- 4.3 If academic integrity concerns arise in an undergraduate course in which a JD student is enrolled offered by a Faculty or School outside the Faculty of Law at Queen's, the Faculty of Law will be kept informed of the proceedings and outcome of the case. The procedures pertaining to Cross-Faculty Jurisdiction stated in Appendix B of the [Senate Policy on Academic Procedures-Requirements of Faculties & Schools](#) apply to JD students registered in undergraduate courses offered outside the Faculty of Law at Queen's University. The designate for consultation with the Faculty of Law will be the Associate Dean Academic for students registered in JD and combined JD programs and in the Certificate in Law.
- 4.4 Academic integrity concerns arising in respect to a JD student registered in a graduate course offered by another Faculty or School at Queen's are subject to the provisions of Part 11 of Appendix B to the [Senate Policy on Academic Procedures-Requirements of Faculties & Schools](#). The designate for consultation with the Faculty of Law will be the Associate Dean Academic for students registered in JD or combined JD programs who are registered in a graduate course outside the Faculty of Law at Queen's.
- 4.5 Academic integrity concerns arising in respect to graduate law students are governed by the academic integrity policy set forth in the [academic calendar of the School of Graduate Studies](#) and part 11 of Appendix B to the [Senate Policy on Academic Procedures-Requirements of Faculties & Schools](#). If an instructor makes a finding, but refers the issue of sanction, the referral should be to the Associate Dean Graduate Studies & Research in the Faculty of Law, unless the recommended sanction is beyond the range of sanctions permitted from an instructor, in which case, the referral should be to an Associate Dean in the School of Graduate Studies. If the instructor refers the case from the outset, then the Associate Dean Graduate Studies & Research in the Faculty of Law has responsibility to investigate the matter.
- 4.6 If the case pertaining to a graduate law student has been referred by the instructor or by the Associate Dean Graduate Studies & Research to the School of Graduate Studies, then an Associate Dean, School of Graduate Studies (SGS) will take on responsibility for investigating the matter. If a finding is made by an Associate Dean in the School of Graduate Studies, the Associate Dean (SGS) will consult the Associate Dean Graduate Studies & Research in the Faculty of Law before a sanction is imposed and will notify the student, instructor and the Faculty of Law of the finding and the sanction.

4.7 Academic integrity concerns arising in respect to a graduate student not registered in the School of Graduate Studies (e.g., Graduate Diploma in Legal Services Management) are considered law students registered in the home Faculty of Law for the purposes of this policy and procedures.

5. Faculty of Law Contact regarding Academic Integrity Concerns

5.1 The Faculty of Law contact person for questions about policies, procedures, forms, general advice and assistance to instructors and students regarding academic integrity concerns is the Academic Integrity Coordinator at lawacintegrity@queensu.ca.

5.2 Questions regarding policies, procedures, forms and general advice pertaining to academic integrity issues arising from courses offered in the undergraduate Certificate in Law should be addressed to the Academic Integrity Coordinator at lawacintegrity@queensu.ca.

6. Records of Departure from Academic Integrity

6.1 The Faculty of Law maintains a record of all cases in which a departure from academic integrity is found involving a student or students registered in the Juris Doctor or a combined Juris Doctor degree program (e.g. MA(Econ)-JD, MIR-JD, MPA-JD, JD- MBA, BCom-JD, GDB-JD, Civil Law-Common Law combined programs). These Records will be stored in a secure electronic format.

6.2 The Faculty of Law maintains a record of all cases in which a departure from academic Integrity is found involving a student or students registered in the undergraduate Certificate in Law. These records will be stored in a secure electronic format.

6.3 Access to the electronic academic integrity records will be allocated on the basis of role-based duties and responsibilities. Those with access include the Dean of Law, the Assistant to the Dean, the Associate Dean (Academic), the Associate Dean (Graduate Studies & Research), the Assistant Dean of Students and the Chair of the Academic Standing and Policies Committee in the Faculty of Law.

6.4 Instructors seeking confirmation of whether a law student has a previous finding of departure may be obtained through the Academic Integrity Coordinator.

7. Guidelines for Investigation, Decision Making, Referral and Notification

7.1 Instructor Procedures

7.1.1 The course Instructor has the responsibility to initiate the investigation of a potential departure from academic integrity in a course. For courses in which teaching assistants are used, the instructor carries responsibility for managing all aspects of academic integrity.

7.1.2 If at any point the instructor believes the case to be particularly serious, complex or prolonged, he/she shall refer the case to the Associate Dean (Academic) in the Faculty

of Law.

7.1.3 Preliminary Investigation: Collection of Initial Information

- a) To begin investigating a possible departure from academic integrity, the instructor should assemble all evidence related to the case. Illustrative examples of relevant evidence include:
 - i. The work submitted by the student for academic credit which is relevant to the alleged departure;
 - ii. The unacknowledged or poorly attributed sources from which the work submitted by the student is apparently derived;
 - iii. The instructions describing the nature of the work to be done and any restrictions relevant to the alleged departure;
 - iv. Any communications between the instructor and the student relating to the work which are relevant to the alleged departure;
 - v. Any documents or materials used by the instructor or his/her Program or the Faculty of Law communicating policies on departures from academic integrity;
 - vi. Written statements from witnesses and any other materials related to the alleged departure.
- b) When discussing possible departures from academic integrity, the instructor should ensure that the student's identity remains confidential, pending a finding of a departure from academic integrity.
- c) While the case is under investigation, the instructor should address all matters to the student as "possible" or "potential" departures from academic integrity.
- d) Should the instructor decide that the evidence is insufficient to proceed with further investigation, all documents related to the allegation should be destroyed.
- e) Should the instructor decide that the evidence merits further investigation, he or she should continue with the processes outlined below.

7.2 Notice of Investigation, Investigation and Meeting

- 7.2.1 Where a possible departure from academic integrity within a course is identified, the instructor must advise the student in writing. Instructors must use the **Notice of Investigation Form** and ensure that the student receives all documents relevant to the investigation (i.e. those gathered in 6.1.3. (a) above).
- 7.2.2 Instructors must complete the Notice and email it to the student as a password protected attachment or provide a hardcopy to the student. The Notice provides the student with all of the information required by the Senate's Academic Integrity Policy. Timelines indicated below are meant to ensure that the notification is made expeditiously and that there is reasonable time granted to respond. The instructor and

student can agree mutually to reasonable time extensions as circumstances or the timing within the academic year require.

The Notice of Investigation will include the following information:

- (i) A space where the instructor must insert a summary of the allegations and the instructor's basis for them.
- (ii) The evidence upon which the alleged departure is based, including, if relevant, a copy of the student's work in question.
- (iii) To ensure that the student receives the Notice and additional relevant materials in a timely manner, the instructor should email the student, using the student's queensu email address with all the materials attached as password protected documents or provide a direction to pick up the materials in person.
- (iv) A statement about the student's right to respond to the allegation in writing or in person. The notice will invite the student to attend an investigative meeting with the instructor, which will be scheduled **within 10 working days** of the date on which the Notice is emailed to the student. If possible, the Notice should state the date and time of the meeting.
- (v) A statement that if the student does not wish to respond to the Notice by attending the investigative meeting, he/she may provide a written response to the instructor and that the written response must be received by the instructor **within 10 working days** of the date on which the Notice was emailed to the student.
- (vi) A statement about the student's right to be accompanied by one person for support and/or advice if he/she chooses to attend the investigative meeting and information about the availability of advice and support from the Office of the University Ombudsman. a note that the student must inform the instructor not less than 2 working days before the meeting if he/she intends to bring an advisor to the meeting, who the advisor will be, and the advisor's relationship to the student (e.g. friend, parent, dispute resolution advisor from the Ombudsman's Office, etc.)
- (vii) If the student does not respond to the invitation to a meeting, and does not make a written submission within the time period, the process will continue without the student's input.
- (viii) A statement about the fact that the student cannot drop the course nor withdraw from the program once he/she has received a Notice of Investigation.
- (ix) A list of possible sanctions if a finding of a departure from academic integrity is made.

7.3 Initial meeting between instructor and student:

7.3.1 The initial meeting, while investigatory, is not intended to be a legal proceeding. The

meeting may be convened by telephone, or by tele- or video conference, if necessary. The instructor should ask the Academic Integrity Coordinator or faculty colleague or assistant to attend to take notes of the meeting.

- 7.3.2 At the meeting, the instructor and student will discuss the allegation(s), the basis for the allegation(s), and the instructor's supporting evidence. This meeting is the student's opportunity to respond and state his/her position with respect to the allegation(s) and the supporting evidence. For students who are not resident locally, the meeting may take the form of a tele-or video conference.
- 7.3.3 Although a student is permitted to bring one advisor or support person to the meeting, the student is expected to respond directly to the instructor concerning the allegation(s) of a departure from academic integrity. *An advisor/support person is not permitted to respond on the student's behalf at the meeting.* Legal counsel is not normally permitted to attend the meeting.
- 7.3.4 The student may provide additional information/documents to the instructor in advance of the meeting or may present such information at the meeting. If the student's response (written or oral) includes new information that could, if validated, clear the student of wrongdoing, the instructor must follow-up on that information **before** making a decision.
- 7.3.5 During the meeting the instructor will review with the student the possible sanctions if a finding of departure from academic integrity is made.

7.4 Implications of an Academic Integrity Investigation for the student

- 7.4.1 The student may not drop the course nor withdraw from the program once a Notice of Investigation has been delivered, regardless of the drop deadline. If an instructor becomes aware that a student under investigation has dropped the course or withdrawn from the program, the instructor should alert the Assistant Dean of Students at lawados@queensu.ca who will ensure the registration of the student in the course and program pending the outcome of the case. Otherwise, if a finding is made, then the registration status will be reinstated at that time, as necessary.
- 7.4.2 If an investigation is initiated near the end of the course or otherwise cannot be resolved prior to the grade submission deadline, the instructor should assign an IN (incomplete) grade notation to hold the final grade in abeyance until the investigative process has been concluded. Once the investigation is concluded, the instructor must submit a change of grade.
- 7.4.3 While an academic integrity investigation is ongoing, the student involved cannot graduate, even if academic credit for the course(s) under investigation is not required to complete a degree. In cases where an investigation is initiated during the student's final year of study or involves a course required to graduate, the Faculty of Law will make reasonable attempts to expedite the investigation process before the expected

Convocation date.

- 7.4.4 No student who has been required to withdraw due to a departure from academic integrity may apply to graduate nor be approved to graduate during the period of the sanction.

7.5 Instructor decision possibilities:

- 7.5.1 Following the conclusion of the investigation, the instructor can make one of the following decisions:
- (i) A decision that there has been **no departure from academic integrity**. If this is the case, all documents related to the investigation, including the Notice of Investigation and all email correspondence between the student and instructor related to the investigation, will be destroyed. The student will be informed of the decision in writing (See *Section 6.9* below). A notice of file closure will be made to the Academic Integrity Coordinator to facilitate the annual tracking of incidents and investigations.
 - (ii) A decision that there has been a **departure from academic integrity**. If after the investigation of the evidence and consideration of the response by the student, the instructor determines that there is sufficient and persuasive evidence on which to make a finding of a departure from academic integrity, the instructor must then proceed to establish the appropriate sanction. The student should receive the instructor's written decision on the finding as per section 6.9 below, subject to any referral as to sanction.

7.6 Notification of Associate Dean (Academic), Faculty of Law; Check of Departures Record

- 7.6.1 If the instructor makes a finding that a departure from academic integrity has occurred, ***prior to making a decision about the appropriate sanction***, the instructor must contact the Assistant Dean of Students or the Academic Integrity Coordinator to determine if there have been any previous finding(s) of departure from academic integrity in respect to the student.
- 7.6.2 If no such previous departure finding(s) has been made against the student, the instructor has the authority to determine the sanction. The student and the Academic Integrity Coordinator are to be notified of the instructor's decision through the reporting mechanism outlined in *Section 6.9 below*.
- 7.6.3 If a previous departure finding has been made against the student, the sanctioning process ***must be referred*** by the instructor to the Associate Dean (Academic) in the Faculty of Law (see *Section 7 below*).

7.7 Sanctions an Instructor may assign:

- 7.7.1 The instructor should consult **Section 6.8 below which outlines the Factors to**

Consider When Assigning a Sanction before making a decision about the appropriate sanction.

- 7.7.2 If the case arose in a course, offered by the Faculty of Law, but this is not the student's home Faculty, the instructor must consult with the student's home Faculty Office about the appropriate sanction before deciding on a sanction (See [Senate Policy, Appendix B](#)).
- 7.7.3 The instructor has the authority to impose the following sanctions:
- (i) An oral or written warning; and/or,
 - (ii) A requirement that the student attend and complete an educational program/workshop; and/or,
 - (iii) A requirement that the student submit a revised or new piece of work; and/or,
 - (iv) A partial or total loss of marks for the originally submitted piece of work; and/or,
 - (v) A reduction of the final grade in the course, which may include failure of the course. If the penalty amounts to a failure in the course, the student may not drop the course, regardless of the deadlines to drop a course.
- 7.7.4 If the instructor decides that a more serious sanction is warranted, then the sanctioning process should be referred to the Associate Dean (Academic).

7.8 Factors to Consider When Assigning a Sanction

- 7.8.1 Any sanction should reflect the extent and severity of the departure from academic integrity, and precedents for dealing with such issues in the Faculty of Law, taking into account mitigating circumstances (see 6.8.3. below).
- 7.8.2 Factors that should be considered in assigning a remedy or sanction include:
- (i) Evidence of a deliberate attempt to gain advantage;
 - (ii) The seriousness of the departure having regard to its actual or potential consequences;
 - (iii) The extent to which the work or conduct in question forms a significant portion of the final grade and whether the extent of the departure is substantial as demonstrated by the work or conduct in question;
 - (iv) Injury to another student or to the institution;
 - (v) Multiple departures within a single incident or multiple departures discovered at one time, rather than an isolated aberration;
 - (vi) Whether the departure has been committed by a student who ought to be familiar with the expectations for academic integrity in the study of law or as adopted by the Faculty of Law for application to undergraduate courses in law;

(vii) Conduct that intimidates others or that provokes misconduct by others.

7.8.3 Mitigating Circumstances:

Mitigating circumstances do not exonerate or excuse the finding of a departure from academic integrity, but these factors may be taken into account to ensure that the imposed sanction is fair, reasonable and proportionate to the gravity of the departure found. The decision must outline the evidence supporting reliance on the mitigating circumstances. The onus is on the student to adduce evidence of mitigating circumstances, which may include the following:

- (i) Documented evidence from an appropriate health professional of factors directly compromising the student's capacity to adhere to the standards of academic integrity at the relevant time;
- (ii) Prompt admission by the student to the departure from academic integrity, and the expression of contrition and willingness to undertake educative programs and/or complete remedial work
- (iii) Evidence that reasonable steps were not taken in the circumstances to bring the standards and expectations regarding academic integrity to the attention of the student at the relevant time.

7.9 Completing the Decision and Reporting Form which notifies the student of the decision:

- 7.9.1 The instructor must report the result of the investigation, and the sanction(s) (if any) on the *Finding of a Departure from Academic Integrity* ("Reporting Form").
- 7.9.2 This form is to be completed within 14 calendar days, or as soon as reasonably possible given the complexity of the case, following the conclusion of the instructor's investigation and decision on the sanction, if the decision on sanction has not been referred. **The Reporting Form must be emailed to the student's @queensu.ca email address, as a password protected attachment, or must be provided in hardcopy to the student.**
- 7.9.3 The Reporting Form contains information about the student's right to appeal the decision.
- 7.9.4 The Reporting Form will be placed in the student's Faculty file.
- 7.9.5 If the instructor made a finding of a departure from academic integrity then a copy of the Reporting Form, as well as the original Notice, must also be provided to the Academic Integrity Coordinator.

8. Faculty of Law Guidelines for Cases Referred to the Associate Dean Academic

8.1 Reasons for referring a case to the Associate Dean (Academic):

8.1.1 Cases of departure are to be referred to the Associate Dean (Academic) as follows:

- (i) At any point in the investigation if the instructor decides that the case is particularly serious or complex, he or she can refer the case to, the Associate Dean (Academic), who will assume responsibility for investigating the matter.
- (ii) A previous finding of departure from academic integrity has been made in respect to the student.
- (iii) If the Associate Dean Academic is the instructor in the course in which the case arose and there is a previous finding of departure from academic integrity in respect to the student, then the Dean may appoint the Associate Dean (Graduate Studies & Research) or another former Associate Dean (Academic) to complete the process of sanctioning.

8.2 Informing the student:

The student must be notified in writing (“**Referral Notice**”) that the case has been referred to the Associate Dean (Academic). This should normally be done **within 10 working days** of the date on which the instructor decided to make the referral and must include the reason for making the referral (See *Section 7.1* above).

8.3 Referral of serious/complex case

8.3.1 If the instructor referred the case to the Associate Dean (Academic) because the instructor determined that the case is particularly serious or complex, the Associate Dean (Academic) will assume responsibility for investigating the matter.

8.3.2 The Associate Dean (Academic) will first meet with the instructor and separately with any witnesses. These meetings should normally be completed within **10 working days** of the date on which the matter was referred to the Associate Dean (Academic).

8.3.3 Everyone invited to such a meeting with the Associate Dean (Academic) must be notified, in writing, of the date and time of the meeting. The written invitation will advise the individual that:

- (i) He/she may bring one advisor or support person to the meeting.
- (ii) He/she must inform the instructor not less than 2 working days before the meeting who the advisor will be and the advisor’s relationship to the individual (*e.g.* friend, colleague, parent, Ombudsman’s advisor, union representative, *etc.*).
- (iii) Legal counsel is not normally permitted to attend the meeting.

8.4 Referral because of previous finding of Departure from Academic Integrity

- 8.4.1 When a case has been referred to the Associate Dean (Academic)¹ because the instructor made a finding of departure and the student's record contains a previous finding of departure, the role of the Associate Dean (Academic) is limited to determining the appropriate sanction in the matter. This will require the Associate Dean (Academic) to familiarize him/herself with the instructor's findings and reasons, but does not include investigation by the Associate Dean (Academic).
- 8.4.2 If the case arose in a Faculty of Law course, but this is not the Student's home Faculty, the Associate Dean must consult with the student's home Faculty Office about the appropriate sanction before making any decision with respect to sanction (See [Senate Policy, Appendix B](#)).
- 8.4.3 The Associate Dean (Academic) has the authority to issue a decision regarding sanction in accordance with the range of sanctions outlined in **Section 6.7** above. The Associate Dean (Academic) will issue a decision regarding sanction in accordance with **Section 6.8** above.

8.5 Investigation meeting with the student:

Normally within 10 business days after concluding the meeting(s) with the instructor and any witnesses, the Associate Dean (Academic) will provide the student with written notice of the investigation, which shall contain all information required in **Section 6.2** above.

8.6 Decision of Associate Dean (Academic):

Following the conclusion of the investigation the Associate Dean (Academic) can make one of the decisions described in **Section 6.5** above.

8.7 Possible sanctions imposed by Associate Dean (Academic):

- 8.7.1 The Associate Dean (Academic) should take into account the relevant factors and evidence of mitigating circumstances as per **Section 6.8** above before making a decision about the appropriate sanction.

If the case arose in a Faculty of Law course, but this is not the student's home Faculty, the Associate Dean must consult with the student's home Faculty Office about the appropriate sanction before making any decision with respect to sanction (See [Senate Policy, Appendix B](#)).

The Associate Dean (Academic) has the authority, without consulting SCAP, to impose the sanctions listed in **Section 6.7** above.

¹ All references to the Associate Dean (Academic) include a reference to the Dean or an alternate Associate Dean as appointed by the Dean, as applicable.

8.7.2 Finding of Departure from Academic Integrity - Serious penalty warranted:
In severe or egregious cases, the Associate Dean (Academic) may make one of the following recommendations to the Senate Committee of Academic Procedures ("SCAP")

The Associate Dean (Academic) must consult with the SCAP *before* determining whether to recommend any of the following sanctions

- (i) That the student be required to withdraw from the University for a specified period of time (Sanction #6 in the [Senate Policy](#))
- (ii) That the student's degree be rescinded² (Sanction #7 in the [Senate Policy](#))
- (iii) That a notation be made on the student's Internal Academic Record or Official Transcript (Sanction #8 in the [Senate Policy](#)).

8.8 Completing the Decision and Reporting form which notifies the student of the decision:

The result of the investigation and the sanction(s) (if any) must be reported on the Reporting Form, in accordance with the procedure set out in **Section 6.9** above.

9. Appealing a Decision regarding a Departure from Academic Integrity:

9.1 Right to Appeal;

The student has the right to appeal a finding that he/she engaged in a departure from academic integrity and the sanction imposed. The appeals process is governed by the [Senate Policy on Academic Integrity Procedures – Requirements of Faculties & Schools and Appendices A and B to that policy](#).

For law students registered in the Faculty of Law:

- (i) an appeal from an instructor's decision will be heard by an Associate Dean in the Faculty who has not been involved with the investigation or the decision; this will normally be the Associate Dean (Academic), except in circumstances described in **Section 7** above. This appeal will proceed as a hearing de novo.
- (ii) An appeal from the decision of an Associate Dean (Academic) or other Associate Dean delegated by the Dean to make the decision on departure or sanction will be heard by the non-student members of the Academic Standing and Policies Committee in the Faculty of Law who had no prior involvement with the case. This appeal will proceed as a hearing de novo
- (iii) Any subsequent appeal will be to the University Student Appeal Board and will take

² <http://queensu.ca/secretariat/policies/senate/policy-rescinding-degrees>

the form of a review of the prior appeal decision at the faculty level (it will not be a hearing de novo).

(iv) Sections 8.4 and 8.4 below provide the details of the appeal procedure.

9.2 Cross-Faculty Jurisdiction Appeals:

Students registered in another Faculty or School at Queen's (the Home Faculty) against whom the finding of a departure from academic integrity arises from a law course (offered in the Certificate in Law, for example) may appeal the instructor's decision to the designate in the student's Home Faculty (but not the same designate consulted during the initial decision), in accordance with the Senate Policy on Academic Procedures - Requirements of Faculties and Schools, Appendix B Section I subsection 3. The Home Faculty regulations may specify that the first level of appeal is to a Committee established by the Home Faculty to hear academic integrity matters.

Any subsequent appeal will be to the University Student Appeal Board and will be a review of the prior appeal decision at the home faculty level.

9.3 Grounds for Appeal

The grounds are limited to those listed in [Section 4.4 of the Senate Policy on Academic Integrity Procedures – Requirements of Faculties and Schools](#) as follows:

- (i) A failure to follow the rules or regulations by the relevant decision-making body/person (procedural error); or
- (ii) failure to follow the rules of natural justice (see Senate Policy, s. 3.1.1); or
- (iii) A violation of University policies; or
- (iv) A decision made that is not found to be reasonable (see Senate policy s, 4.4). A reasonable decision is one that is supported by logical inferences from accepted premises and facts. If there is more than one conclusion that may be drawn from the same premises and facts, the choice of one conclusion over another does not make the decision unreasonable.

9.4 Appeal of Instructor Decision to Associate Dean (Academic)

9.4.1 A student against whom a departure from academic integrity has been found and a sanction decided by the instructor must notify the Associate Dean (Academic) in writing, through the Academic Integrity Coordinator at lawacintegrity@queensu.ca of his or her intention to appeal normally no later than 7 working days from the date that the decision was received.

9.4.2 The student has an additional 14 working days from the date the notice was

provided in which to submit his or her formal written Notice of Appeal. The Notice of Appeal will require the student to outline the grounds of the appeal, the evidence relied upon in support of the grounds and the reasons for challenging the instructor's decision.

- 9.4.3 The Associate Dean (Academic) will review the written appeal and then convene a meeting with the student (and his or her representative), the instructor (and his or her representative) and other parties as required to consider the merits of the appeal. For students who are not resident locally, the meeting may take the form of a tele- or video- conference. The investigation may involve written submissions and/or oral evidence or presented by witnesses to the alleged departure from academic integrity.
- 9.4.4 The student and the instructor must be notified in writing, of any meeting to be convened on the case, invited to appear at the meeting and be advised of the right to have representation at the meeting.
- 9.4.5 If any new or other material additional to the evidence that was considered by the instructor is to be considered on appeal, then the student has the right to see this material at least 10 working days prior to the meeting.
- 9.4.6 After the meeting and review of the evidence, the Associate Dean (Academic) must inform the student and the instructor in writing of the decision to uphold or deny the Appeal, including the reasons for this decision. Normally the decision on the appeal should be rendered within 10 working days of the meeting or within a reasonable period of time as demanded by the complexity of the case.
- 9.4.7 If the decision on appeal is to deny the appeal, the student must be informed of the opportunity to appeal to the *University Student Appeals Board (USAB)* according to the grounds for appeal set out in the [Senate's Policy on Student Appeals, Rights and Discipline](#). The student must also be informed of the date by which a notice of appeal must be filed and the student's right to utilize the services provided by the [University Ombudsman](#).

9.5 Appeal of Associate Dean (Academic) decision to the Academic Standing and Policies Committee

- 9.5.1 A student against whom a departure from academic integrity has been found and/or a sanction decided by the Associate Dean (Academic) must notify the Academic Integrity Coordinator at lawacintegrity@queensu.ca in writing of his or her intention to appeal normally no later than 7 working days from the date the decision was received. The Academic Integrity Coordinator will notify the Chair of the Academic Standing and Policies Committee and its non-student members of the student's intention to appeal.
- 9.5.2 The student has an additional 14 working days from the date the notice was provided in which to submit his or her formal written Notice of Appeal. The Notice of Appeal

will require the student to outline the grounds of the appeal, the evidence relied upon in support of the grounds and the reasons for challenging the Associate Dean's decision.

- 9.5.3 The Chair of the Academic Standing and Policies Committee will review the written appeal and then convene a meeting with the student (and his or her representative), the Associate Dean (Academic) (and his or her representative) and other parties as required to consider the merits of the appeal. For students who are not resident locally, the meeting may take the form of a tele- or video-conference. The investigation may involve written submissions and/or oral evidence or presented by witnesses to the alleged departure from academic integrity.
- 9.5.4 Such an appeal will be heard by the non-student members of the Academic Standing and Policies Committee, with no prior involvement.
- 9.5.5 The student and the instructor must be notified in writing, of any meeting to be convened on the case, invited to appear at the meeting, and be advised of the right to have representation at the meeting.
- 9.5.6 If any new or other material additional to the evidence that was considered by the Associate Dean (Academic) is to be considered on appeal, then the student and the Associate Dean (Academic) have the right to see this material at least 10 working days prior to the meeting.
- 9.5.7 After the meeting and deliberation upon the merits of the appeal, the Chair of the Academic Standing and Policies Committee will inform the student and the Associate Dean (Academic) in writing of the decision to uphold or deny the Appeal, including the reasons for this decision. Normally the decision on the appeal should be rendered within 10 working days of the meeting, or within a reasonable period of time, as demanded by the complexity of the case.
- 9.5.8 If the decision on appeal is to deny the appeal, the student must be informed of the opportunity to appeal to the **University Student Appeals Board (USAB)** according to the grounds for appeal set out in the [Senate's Policy on Student Appeals, Rights and Discipline](#). The student must start an appeal to USAB by a Notice of Appeal (Form 26(a)) filed with the Secretary of USAB within two weeks of receipt of the decision. The Notice of Appeal Form 26(a) is appended as Appendix D to the Senate Policy on Student Appeals, Rights and Discipline.
- 9.5.9 The student has a right to utilize the services provided by the [University Ombudsman](#).