



# **ACADEMIC CONDUCT GUIDELINES AND GRIEVANCE PROCEDURES FOR STUDENTS**

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## **Introduction and Purpose**

Academic Affairs facilitates the review of the MSU Billings Academic Policies and Procedures annually. As changes occur in the organization, operational, educational, and legal environments, the guide will be revised.

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## **100.00 Instruction Complaint Procedure**

### **110.00 Informal Resolution**

Students who have complaints about instructors should first attempt to resolve the situation directly with the instructor. If the complaint is not resolved by meeting directly with the instructor, the student should contact the instructor's Department Chair. If the student is uncomfortable doing this on his/her own, he/she may consult with the ASMSUB Student Resolution Officer (SRO), section 203, for advice and for suggestions as to who he/she might ask to attend such a meeting (including the SRO). Informal resolution may also include meeting with the Program Director or Clinical Supervisor.

### **120.00 Formal Resolution**

Students who have complaints about instructors, who are unable to resolve them through the informal complaint channels, may submit a formal complaint to the instructor's Department Chair. The complaint must be presented in writing to the Department Chair no later than the fifteenth day of university instruction of the following term. The Department Chair will address the

matters raised in the complaint with the instructor and will advise the student of his or her determination regarding the complaint within ten (10) business days. If the Department Chair fails to act or the student is dissatisfied with the Department Chair's action, the student may forward the complaint to the Dean of the College within five (5) business days of receipt of the Department Chair's determination. The Dean will submit a written decision to the student within ten (10) business days of the receipt of the appeal. If either party is dissatisfied with the decision of the dean, a written appeal must be submitted to the Provost's office within five (5) business days. The Provost (or designee) will submit a written decision within ten (10) business days of receipt of the complaint. The Provost's decision is the final decision of the university.

## 130.00 Student Resolution Officer

The Associated Students of Montana State University Billings (ASMSUB) employ a Student Resolution Officer (SRO) to assist students with various academic and non-academic questions and concerns. The purpose of the Student Resolution Officer is to help students resolve problems at the lowest possible organizational level, refer them to the appropriate University officer for assistance if necessary, and provide support and guidance to them as they follow the student complaint resolution procedure. The Student Resolution Officer (SRO) is located in the ASMSU Billings Student Senate Office in the Student Union Building, Room 213, and can be contacted at 657-2365.

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## 200.00 Student Responsibilities

### 210.00 Academic Expectations

Students must:

- A. Be prompt and regular in attending classes;
- B. Be well prepared for classes;
- C. Submit required assignments in a timely manner;
- D. Take exams when scheduled.
- E. Act in a respectful manner toward other students and the instructor and in a way that does not detract from the learning experience; and
- F. Make and keep appointments when necessary, to meet with the instructor. In addition to the above items, students are expected to meet any additional course and behavioral standards as defined by the instructor and listed in the syllabus.

#### 210.01

A student officially representing MSU Billings in athletic events, government, performance, or in similar official capacities, is entitled to the rescheduling of exams or important assignments due to required absences. Students are expected to provide course instructors with official notification of scheduled activity(ies) within the first two weeks of the semester.

Students participating in official MSU Billings activities should not expect any special accommodation for attendance at regularly scheduled practice sessions or meetings (i.e., the routine activities required for performance, athletic pursuits, etc.). The approval of such a request is entirely at the discretion of the instructor. The instructor must be notified at least ten days in advance. Students and instructors are encouraged to work with the Academic Support

Center to assist with any accommodations if alternate testing possibilities cannot be arranged readily within the program or department.

## 220.00 Evaluation of Faculty

Students should follow fair and appropriate procedures when evaluating their courses and instructors. Factors such as race, ethnicity, color, religion, sex/gender, sexual orientation or preference, age, national origin, disability, marital status, political beliefs, veteran status, or personal relationships may not be considered. Fair and appropriate procedures apply equally to the filing of a complaint.

## 230.00 Academic Honesty

The integrity of the academic process requires that credit be given where credit is due. Accordingly, it is academic misconduct to present the ideas or works of another as one's own work, or to permit another to present one's work without customary and proper acknowledgment of authorship. Students may collaborate with other students only as expressly permitted by the instructor. Students are responsible for the honest completion and representation of their work, the appropriate citation of sources and the respect and recognition of others' academic endeavors. Students may not use work submitted in another class without the express permission of the instructor.

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## **300.00 Academic Misconduct & Classroom Disruption Procedures**

The administration, faculty and students of Montana State University Billings believe that academic honesty, integrity and appropriate behavior in the classroom are fundamental to the mission of higher education. The University has a responsibility to promote academic honesty and integrity and to assure the highest ethical and professional standards and behavior in the classroom. Accordingly, the University has developed procedures that address instances of academic misconduct and disruptions in the classroom. Students who violate these standards violate this policy and will be subject to academic and/or disciplinary sanctions. Please refer to the student code of conduct.

## **310.00 Academic Misconduct Policy**

Includes cheating, plagiarism, forgery, falsification, facilitation or aiding academic dishonesty; multiple submission, theft of instructional materials or tests; unauthorized access to, manipulation of or tampering with laboratory equipment, experiments, or computer programs, without proper authorization; alteration of grades or files; misuse of research data in reporting results; use of personal relationships to gain grades or favors, or otherwise attempting to obtain grades or credit through fraudulent means.

## **320.00 Description and Examples**

A description of some forms of academic dishonesty and some examples are provided to help the student understand their responsibilities for academic honesty:

**A. Cheating** - giving, using, or attempting to use unauthorized materials, information, notes, study aids or other devices in any academic exercise including unauthorized communication of information. Examples of cheating include copying from another student's paper or receiving unauthorized assistance during a quiz, test or examination; using books, notes or other devices such as calculators, unless authorized; acquiring without authorization copies of tests or examinations before the scheduled exercise; or copying reports, laboratory work or computer programs or files from other students.

**B. Falsification / Fabrication** - the invention or unauthorized alteration of any information or citation in an academic exercise. Examples of fabrication include inventing or counterfeiting data or research procedures to give the appearance of results being achieved from procedures that were not undertaken. Examples of falsification include the false citation of a source of information; altering the record of, or reporting false information about practicum or clinical experiences; altering grade reports or other academic records; submitting a false excuse for absence or tardiness; or altering a returned examination paper and seeking a better grade.

**C. Tampering** - interfering with, altering or attempting to alter university records, grades, assignments, laboratory experiments or other documents without authorization. Examples of tampering include using a computer or false-written document to change or affect the grade recorded for a student; forging the signature of a university official on a drop/add sheet or other official university record; erasing records or information of a student; unauthorized access to a university record by computer or unauthorized entry into an office or file; or obtaining information from the university without proper authorization.

**D. Plagiarism** - presenting the work of another as one's own without proper acknowledgment. Examples of plagiarism include

submitting as one's own work the work of another student, ghost writer or commercial writing service; directly quoting from a source without acknowledgment; paraphrasing or summarizing another's work without acknowledging the source; or using facts, figures, graphs, charts, or information without acknowledging the source. Plagiarism may occur orally or in writing and may involve computer programs and files, research designs, distinctive figures of speech, ideas and images or any other information that belongs to another person and is not acknowledged as such. Inadvertent or unintentional misuse or appropriation of another's work (such as relying heavily on source material that is not expressly acknowledged) is still considered plagiarism. It is also considered Plagiarism when collaborating on work with the knowledge that the collaboration is not authorized or will not be reported.

**E. Facilitating academic misconduct** - giving assistance or attempting to assist another in the commitment of academic misconduct.

**F. Multiple submission** - submitting the same paper or oral report for credit in two University courses without the instructor's permission; making minor revisions in a paper or report for which credit has already been received and submitting it again as a new piece of work.

**G. Other Academic Misconduct** - Examples of academic misconduct include allowing another student to copy from one's paper during an examination or test; distributing test questions or substantive information about the material to be covered on a test before the scheduled exercise; or taking an examination or test for another student or signing a false name on an academic exercise.

## **330.00 Academic Misconduct Procedures**

### **331.00 Instructor Adjudication**

If an instructor has reason to believe that a student has engaged in academic misconduct, the following procedures apply.

### **332.00 Informal Meeting**

The instructor must attempt to personally, and privately, meet with the accused student and explain that there is reason to believe that the student has allegedly committed an act that constitutes academic misconduct. During this informal meeting, the accused student is allowed a reasonable opportunity to respond or explain the circumstances that lead to the accusation. If, after hearing the student's response (if any is provided), the instructor continues to believe the student engaged in academic misconduct, they will inform the student of their determination of any intended sanction(s).

The instructor is encouraged to file a report on Academic Misconduct to the Provost's office.

The Academic Misconduct Reporting report shall be kept for seven years from the date of receipt.

### **333.00 Instructor Imposed Sanctions**

The following sanctions may be imposed by instructors when a finding is made that academic misconduct has occurred.

- A. Oral reprimand.
- B. Written reprimand.

- C. An assignment to repeat the work or an alternate assignment.
- D. A lower or failing grade on the assignment or test.
- E. A lower grade or failing grade in the course.

## 334.00 Additional Sanctions under Student Code of Conduct

### 334.01 Referral by Instructor

Student behavior in the academic setting will be managed by the Instructor; however, if the behavior is egregious enough to be a potential violation of the student code of conduct, the Instructor may refer the case to the Dean of Students Office. In this case, the policies and procedures within the Student Code of Conduct will be followed.

### 334.02 Recurrence of Academic Misconduct

A student who receives a second or subsequent instructor imposed academic sanction from any instructor will be referred to the appropriate Department Chair the Dean of the College. The student may be subject to additional disciplinary sanctions, including but not limited suspension or expulsion.

## 340.00 Appeal of Instructor – Imposed Academic Sanctions

### 341.00 Right to Appeal

A student who receives a sanction for Academic Misconduct may appeal the instructor's determination that academic misconduct occurred using the procedure outlined later in this policy.

## 350.00 Requesting an Incomplete

Incomplete “I” Grade: An Incomplete is given only when a student has been in attendance for at least three-fourths of the semester and has completed all other work on time but has been prevented by circumstances beyond his/her control from completing all of the requirements of the course. A student must provide adequate evidence to the instructor as to the reason why he/she was unable to complete the requirements for the course. If a grade of “I” Incomplete has been given, the instructor shall advise the Registrar’s Office in writing what the student must do to remove the deficiency.

An Incomplete must be made up within one calendar year after the semester in which the course was first taken. An “I” grade is not included in the computation of the GPA. An “I” grade not made up in the prescribed length of time automatically becomes an “F” grade. Once the “I” grade has been converted to an “F” grade, the course must be repeated.

Access to the course in the Learning Management System (LMS) should be requested to the instructor, who should then contact the registrar.

## 360.00 Disruptive Student Behavior

### 361.00 Policy Purpose

Though students and faculty share the responsibility for maintaining professional relationships based on mutual trust and civility, the primary responsibility for managing the classroom environment rests with the instructor. The purpose of this policy is to offer guidance to instructors for maintaining order in the classroom, laboratory, during academic field trips, and throughout the educational process.

Disruptive behavior is defined as any behavior that a reasonable instructor believes substantially interferes with the teaching or learning process, whether in a classroom or other learning environment (such as an online course, laboratory, field experience, internship, instructor’s office, computer lab, or other

setting whether it is an on-campus or off-campus location) and continues after an instructor's request to cease. Examples of disruptive behavior include, but are not limited to:

- Verbal or written communication threatening the instructor or other students.
- Damaging classroom furniture or property.
- Creating excessive noise.
- Refusal to comply with instructor direction.
- Persistently speaking without being recognized or called upon.
- Refusing to be seated.
- Unauthorized use of cell phones, laptops, or other relevant technology.
- Smoking or vaping in the classroom; and
- Disrupting the class by repeatedly leaving and entering the room without authorization.

It must be emphasized that this provision is not designed to be used to punish classroom dissent. The expression of disagreement with the instructor or classmates is not in itself disruptive behavior. Disruptive behavior also does not include appropriate demonstration of disagreements or differences of opinion, cultural differences, differing values or beliefs, or needing extra time or attention based on reasonable accommodation for disabilities.

**\*\*Disruptive Behavior –can be referred to the Dean of Students Office and a violation of the Student Code of Conduct can/may be charged against the student(s).**

370.00 Dismissal from a Course

371.00 Temporary dismissal from a course

When a student engages in disruptive behavior, instructors should warn the student the behavior is disruptive and must cease or the student may face removal from the class. Instructors should document incidents of disruptive behavior as they arise, even though they may appear to be minor at the time.

If a student continues to engage in disruptive behavior, the instructor may direct the student to leave the class for the remainder of the class period. In such instances, and no later than one working day after the dismissal, instructors must report the temporary dismissal to their Department Chair and the Office of the Dean of Students. If a student is instructed to leave a class while instruction is ongoing, the student must immediately comply.

### 372.00 Permanent dismissal from a course

If a student's disruptive behavior is extreme or continuous, instructors may dismiss students from participating in a course for the remainder of the semester. The procedure for an instructor to permanently dismiss a disruptive student is as follows:

1. The instructor must prepare a Statement of Observations (SOO). The SOO must include:
  1. The name of the individual student engaging in disruptive behavior.
  2. The details of the disruptive behavior or incident that justify the proposed dismissal.
  3. Any applicable dates, times, and locations.
2. Prior to the class period immediately following the disruptive incident, the SOO must be submitted to the instructor's Department Chair and the student. The student will have five days to respond to the SOO in writing to explain the disruptive behavior and the student's position

on dismissal from the course. The department chair will review all evidence. The department chair will then approve or deny the permanent dismissal, with a copy of the SOO, the student's written response, and the decision sent to the College Dean's office. The Department Chair's decision must be communicated to the instructor and the student within two business days of receiving the student's written response to the SOO.

3. A student dismissed from a course by an instructor may not continue to attend the course while awaiting a final determination from the Department Chair or a final determination of any appeals; however, the student shall be permitted to submit assignments, tests, and other work as appropriate so long as the student does not engage in any disruptive behavior during such submissions. The instructor will facilitate access to necessary materials for homework and tests.

## 373.00 Appeal of Instructor-Imposed Dismissal from a Course

### 373.10 Right to Appeal

A student who is dismissed from a course under Sec. 372.00 may appeal the determination using the procedure outlined below.

### 373.20 Instructor-Imposed Course Dismissal Appeal Procedure

#### A. Dean's Review for Students

The student may present a formal appeal in writing to the instructor's Dean (or designee) no later than five (5) business days after receiving the department head's approval of the dismissal for disruptive behavior. The student must provide evidence that the

dismissal was incorrect, and the precise relief sought by the student. The student may attach copies of any relevant documents or evidence. The student shall send a copy of the appeal to the instructor.

The instructor shall have five (5) business days to respond in writing to the Dean after receipt of the appeal. The instructor shall present their evidence that the charged student committed extreme or continuous disruptive behavior justifying a dismissal from the course. The instructor shall send a copy of the response to the student.

The Dean will receive and review all evidence provided by the student and instructor, and at the Dean's discretion may interview either or both parties. The Dean shall render a written decision within five (5) business days of receipt of the instructor's response.

The Dean's decision may uphold, amend, or overturn the instructor's-imposed sanction. However, the Dean may not impose a higher sanction than the sanction originally imposed by the instructor, unless new information is found through the appeal process. If a higher sanction is appropriate, the Dean shall refer the matter to the Provost. If the student or instructor disagree with the Dean's decision, they can file an appeal with the Provost office. They must submit a written appeal within 5 business days of the decision.

The Provost shall send a copy of his/her final decision to the student, the instructor, and the Dean of Students' Office within five business days of receipt of appeal. The decision of the Provost is the final decision of the University in the matter for students.

### **380.00 Recurrent or Multiple Disruptions**

A student who is dismissed from a course after multiple disruptive

incidents will be referred to the Dean of Students and may be subject to additional disciplinary sanctions, including but not limited suspension or expulsion.

## **390.00 Prohibited Retaliation**

Retaliation against an individual who takes any action in accordance with this policy, including but not limited to witnesses or a student reinstated after appeal, is prohibited. Concerns of retaliation should be reported to the Department Chair or Dean. If the Department Chair or Dean are alleged to have engaged in retaliatory conduct, the matter should be reported to the Associate Provost.

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## **400.00 Student Academic Grievance Procedures**

### **410.00 Introduction**

Students who disagree with an academic decision made by an instructor, including the assignment of grades or decisions about program or degree requirements or eligibility, may file a grievance under these procedures.

### **420.00 Academic Decisions Reviewed**

These procedures are available only to review allegedly unfair academic decisions and not mere differences of opinion regarding the professional judgment of the instructor in evaluating a student's work or making an academic decision. The academic decision, including the assignment of a grade, will be considered unfair if the decision is made:

- A. On some basis other than performance in the course and/or compliance with course assignments and requirements;
- B. By more exacting or demanding standards than were applied to other students in the same section;
- C. By a substantial departure from the instructor's, department's, college's or university's announced standards as articulated in the course syllabus, catalog descriptions and/or other written materials.

## 430.00 Student Academic Grievances

### 431.00 Procedures

Students are strongly encouraged to contact the Student Resolution Officer through the Associated Students of Montana State University Billings (ASMSUB) prior or during the grievance procedure for information and guidance. A student who wishes to grieve an academic decision must proceed as follows:

#### 431.01 Informal Meeting

The student should attempt to resolve the matter directly with the instructor or administrator through a personal conference as soon as possible after the academic decision is known.

#### 431.02 Department Chair Review

If the student and instructor cannot reach a mutually satisfactory resolution to the problem, the student may file a formal grievance. The grievance must be presented in writing to the instructor's Department Chair no later than the fifteenth day of university instruction of the following term, including Summer (example, if a student has a grievance with a Spring grade, that grievance must be filed within 15 days of the beginning of the first summer term).

Students are encouraged to prepare their written grievance prior to the 15<sup>th</sup> day should any final decisions or outcomes impact their plans of study for the following term. The student must describe the grievance, the date(s) of occurrence, why the student believes the decision was unfair, the student's attempts to resolve the grievance informally and the precise relief sought by the student. The student may attach copies of any relevant documents.

The student shall send a copy of the grievance to the instructor. The instructor shall have ten (10) business days to respond to the student and Department Chair after receipt of the grievance.

The Department Chair will receive and review all evidence, interview each party, if possible, and render a written decision with recommendations as to resolution within ten (10) business days of receipt of the instructor's response. If the grievance is not concluded within this time, the student may carry it forward to the Dean for resolution.

### 431.03 Dean's Review

Either party may appeal the Department Chair decision in writing to the instructor's College Dean, with copies to the instructor, student, and the Department Chair. Such appeal will be filed within ten (10) business days of receipt of the Department Chair's determination. The Dean will submit a written decision to the student, instructor, and the Department Chair within ten (10) business days of receipt of the appeal.

### 431.04 Provost's Review

Either party may appeal the Dean's decision in writing to the Provost's office with copies to the instructor, student, department chair and Dean. Such appeal must be filed within ten (10) business days of receipt of the appeal.

The decision of the Provost's office is the final decision of the University and must be made within ten (10) business days of receipt of the appeal.

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