

Audit Report

Academic Integrity - Student Discipline

July 2022

Summary – Academic Integrity - Student Discipline

We recently completed an audit of the student discipline process for academic integrity violations at the University of Texas at Arlington (UTA). The background, audit objective, scope, and ratings are detailed on page 20 and 21 of this report. Overall, the audit identified the need to improve processes and policies. Specific observations from the audit are provided below:

Recommendations	Rating	Count
<h1>6</h1>	Priority	0
	High	2
	Medium	4
	Low	0

Observations	Recommendations	Rating	Page
A. Case File Documentation	1. The Office of Student Conduct should ensure student discipline case files adequately document what occurred and the basis for decisions.	High	3
B. Case and Appeal Times	2. The Office of Student Conduct should implement strategies to reduce case times by establishing realistic standards and developing investigation protocols.	High	7
C. Policy Updates	3. The Office of Student Conduct should update the Student Conduct and Discipline Policy to reflect the actual processes, requirements, and responsibilities of involved parties.	Medium	12
D. Faculty Reporting	4. The Office of Student Conduct should update processes and develop a communication strategy to increase faculty reporting of academic integrity violations.	Medium	14
E. Communication of Student Conduct and Discipline Policy	5. The Office of Student Conduct should develop a communication strategy to help promote academic honesty and ensure student awareness of processes and penalties for academic dishonesty.	Medium	17
F. Policy Approval	6. The Chief Legal Officer should continue to work with UT System to obtain approval of the Student Conduct and Discipline Policy.	Medium	19

Further details can be found on the following pages. Other less significant opportunities were communicated to management separately.

We appreciate the outstanding courtesy and cooperation received from the Office of Student Conduct.

According to the Student Conduct and Discipline policy (Policy), the Office of Student Conduct (OSC) will investigate allegations that a student engaged in conduct that violates the Policy. This process includes sending a summons letter to the student accompanied by the evidence supporting the allegation and having the student meet with a Conduct Officer to discuss the allegations.

The student can either resolve the case with the Conduct Officer or, depending on the severity of the proposed sanctions, request a formal hearing. Afterwards, the Conduct Officer and the student have the option to appeal the finding or the sanction. Cases for students with multiple referrals are typically combined and considered as a whole. The OSC uses a third-party software to manage and document student discipline cases.

From September 2020 to November 2021, the OSC opened and resolved 2,252 cases for allegations of academic integrity violations. We judgmentally selected 66 cases to review based on case characteristics, such as cases that had formal hearings or appeals, in order to look at a wide range of case types. In our review of these cases, we noted several opportunities for improvement, including the following:

- For 13 of 58 (22.4%) applicable cases, sanctions assigned in the case deviated from the precedence chart and there was no explanation for the basis of the sanction in the case file. In general, the precedence chart is used by the OSC and Conduct Officers to help ensure cases are resolved in a fair and consistent manner.
- For 9 of 61 (14.8%) applicable cases, documentation was not available to demonstrate that the evidence supporting the allegation was provided to the student for their review.
- For 6 of 57 (10.5%) applicable cases, there was a lack of documentation demonstrating that the case was investigated. In these instances, no summons letter was sent, it appeared other contact was not made with the student or, based on the timing of events within the case records, it appeared cases were combined with another case that was already resolved.
- For 4 of 66 (6.1%) cases, the case resolution appeared contradictory to the evidence within the case file. However, there was no explanation for the basis of the finding in the case file.

Appeals

Appeals must be requested within 5 days of an administrative disposition or within 10 days of a hearing decision. Additionally, the Policy states that some decisions are final and cannot be appealed, for instance, if the student:

- Waives their right to a hearing or appeal, then the administrative disposition is final.
- Appeals the finding or sanction, the decision of the Appeal Official is final.

However, we noted 4 of 17 (23.5%) appeals were accepted late, averaging 23.5 days after the deadline. Additionally, in 3 of these appeals, the Appeal Officials overturned the finding after it was final. For these cases, reasons for accepting late appeals were not adequately documented. Without appropriate explanation and/or documentation, participants or observers could perceive inequities in the appeal process.

To help ensure consistency and fairness, late appeal requests should not be accepted unless there are extenuating circumstances, and in those instances, the extenuating circumstances should be clearly documented. Additionally, if Appeal Officials are not following policy and overturning findings, then they should be required to attend training or be excluded from the program. More importantly though, the Appeal Official needs to be making the right decision. If an Appeal Official sees something that is wrong, then an exception to policy would be warranted. In those instances, they should contact the CLO or other appropriate party to resolve it and then clearly document the basis for overturning the decision in the case file.

Each Conduct Officer, Hearing Officer, and Appeal Official will reach their own conclusion based on the information in the case file, their interpretation of the policy, and their own personal beliefs and experiences. Adequately documenting all actions, events, and the basis for decisions related to a case reduces the risk of liability if someone were to question the process or outcome of a case.

Recommendation:

We recommend that the Office of Student Conduct clarify processes and documentation requirements within policy and in training to help ensure there is adequate documentation of what occurred and the basis for decisions in all case files. Consideration should be given to establishing minimum documentation standards and implementing periodic reviews to ensure standards are consistently met.

Management Response:

All decisions from Hearing Officers and Appeal Officials have documented rationale found in their decision letters which is communicated to the student and involved parties, including faculty who have referred. This is a focused portion of training for decision makers and is found in the templates approved by Legal Affairs for decision letters. Similarly, for conduct officers a written rationale should be included in the Case Resolution Form. Maxient Software has a feature where this will also produce in the outcome letter sent to student and faculty.

All exceptions or extensions for late appeals, hearing decisions, sanction deadlines have been documented outside of the Case File and found in email exchanges or phone calls. A request for a late appeal to be considered is sent to an appeal official to review, with a request to deny or accept, this includes a written rationale of this acceptance. Ensuring all communication is found in case file as a part of the student record will be added into our standard protocol.

Appeal Officers have the authority to overturn and modify decisions in question, this includes the finding of responsibility and the severity of the sanctions. Rationales and basis for decision are provided in the template created by Legal Services but the staff will review to assure that every appeal officer has included a rationale in the letter.

The Office of Community Standards already requires all staff to thoroughly document case files however what constitutes thorough documentation will be emphasized in staff, hearing officer and appeal training. Moving forward this will be a written policy that this documentation include notes of steps taken, notes/rationales for decisions and sanctions, and any other case notes involving interaction with the student. This training has previously been verbally communicated to all staff during their training period. These standards will be added to the written training regarding case processing and will be reviewed annually thereafter.

Observation 1 – Case File Documentation (Continued)

High

Target Implementation Date:

May 1, 2023

Responsible Party:

Director for Student Conduct and Associate Director for Student Conduct

Observation 2 – Case and Appeal Times

High

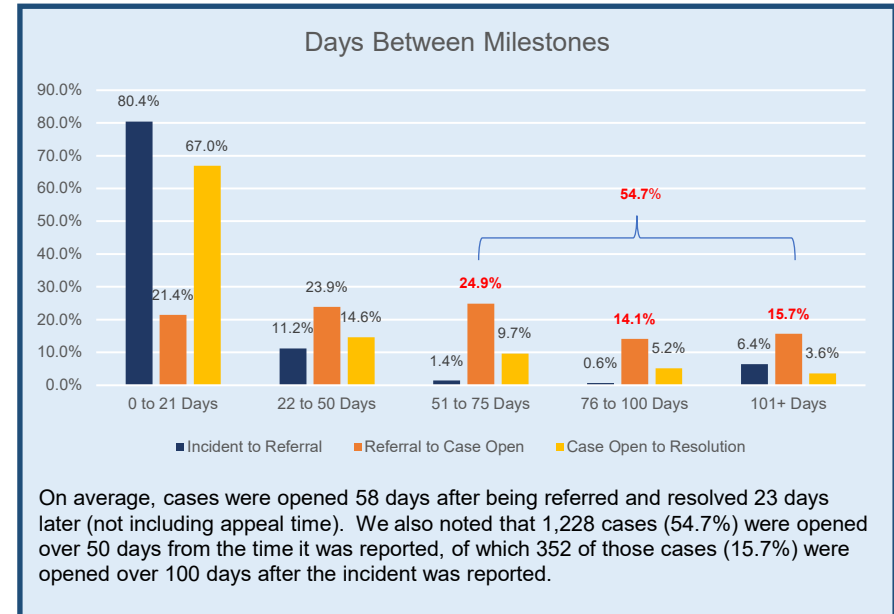
The student discipline process involves a number of steps and, depending on when an incident occurs, can result in cases often being resolved in a subsequent semester. This can create hardships for the student as it can impact registering for classes, having to retake prerequisites, or delaying graduation.

In analyzing 2,252 cases that were opened and resolved from September 2020 to November 2021, we noted that cases were resolved an average of 113 days after the incident occurred (approximately the same number of days as a Fall or Spring semester). However, this does not include the additional time needed if the case is appealed. Although appeal times are not captured within the case management system, for the 17 appeals in our sample, this added an additional 56 days to the case resolution time.

To help prevent delays in the process, the Policy requires steps related to hearings and appeals be completed within certain timeframes: hearing decisions must be made within 10 days, appeals must be requested within 5 days of an administrative disposition or within 10 days of a hearing decision, and appeal decisions must be made within 30 days.

However, in our review of 66 cases, we noted:

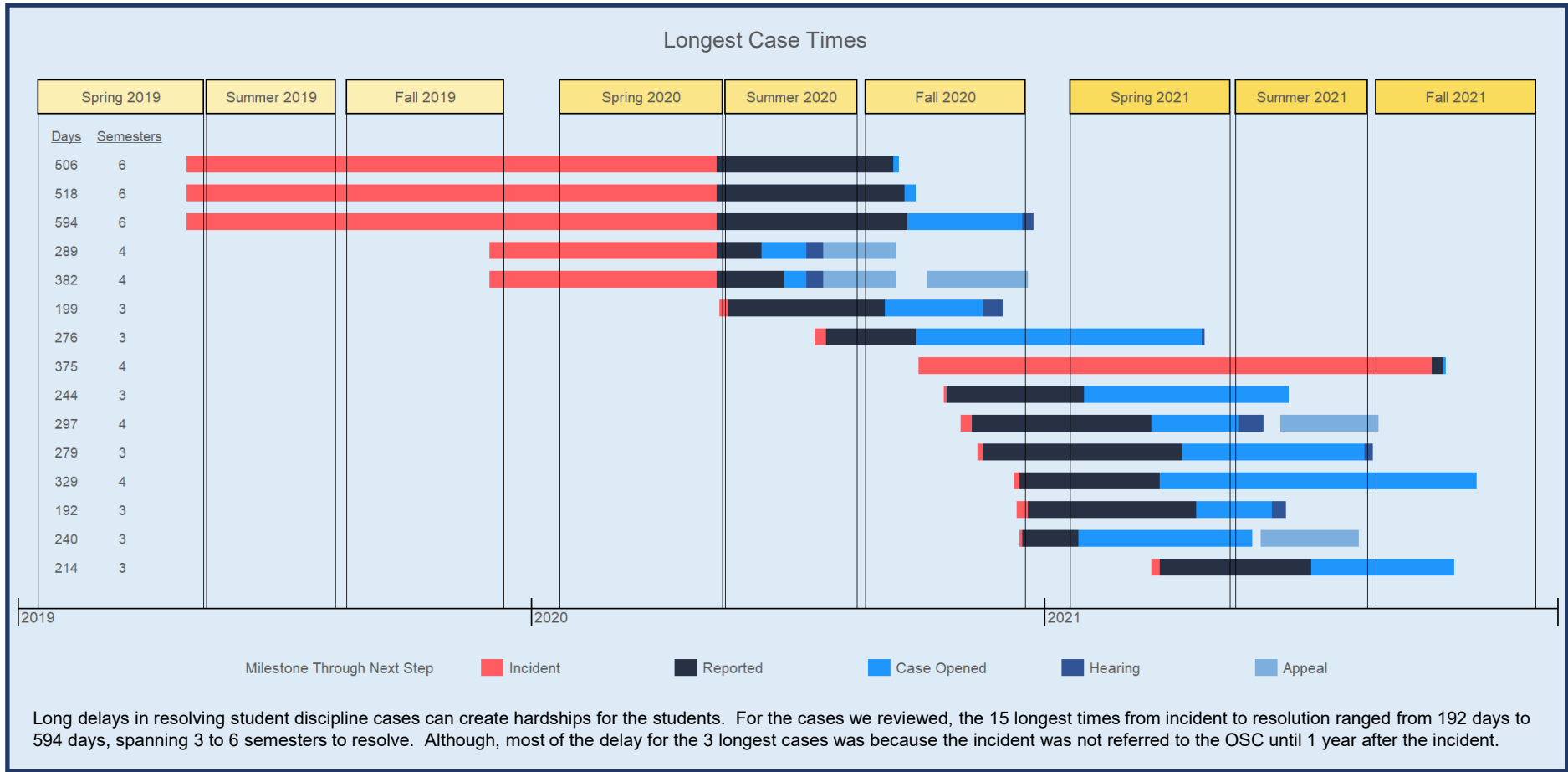
- For 4 of 18 (22.2%) cases that went to a formal hearing, the hearing decision was not made within 10 days. On average, these late hearing decisions were provided to the OSC 14.3 days after the hearing, with the longest being 18 days after the hearing.
- For 13 of 17 (76.5%) appeals, the appeal decision was not communicated to the student within 30 days, excluding holidays. On average, these late appeal decisions were communicated to the student 54.6 days after the appeal was submitted, with the longest being 70 days after the appeal.



Observation 2 – Case and Appeal Times (Continued)

High

Also, looking further at some of the 85 total appeals that occurred for these cases, we identified an additional 27 appeal decisions that were not communicated to the student within 30 days, averaging 61 days and the maximum being 100 days. Also, we found that 5 of these appeal requests were submitted and accepted after the deadline to appeal. The appeal decisions are typically made quickly; however, there are several steps throughout the appeal process and even reasonable delays between each step can result in late appeal decisions.

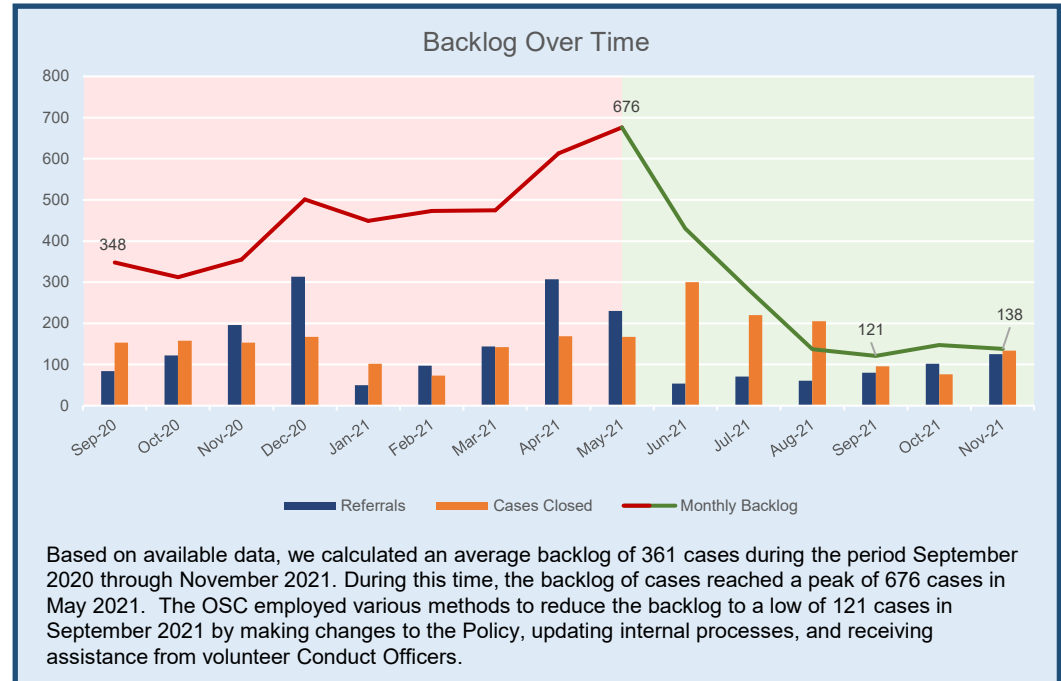


Observation 2 – Case and Appeal Times (Continued)

High

According to the OSC, there were several factors that resulted in lengthy case times:

- OSC has been understaffed since 2018 and available positions were occasionally vacant, or the employee was out on extended leave.
- The pandemic put a lot of faculty and students into online classes who were not accustomed to that modality, resulting in an increase in referrals.
- A large case was referred in May 2020 involving 354 students in which suspension was recommended for all students and required a substantial amount of time to complete.



Recommendation:

We recommend the Office of Student Conduct implement strategies to reduce case times by establishing realistic standards for case timeframes and developing investigation protocols that balance the extent of investigation with the prevalence of the evidence. Case times should be tracked and periodically reviewed to ensure standards are consistently met. Additionally, the OSC should evaluate whether staffing needs are adequate to help ensure case times are maintained within established standards.

Management Response:

Case turnaround time as measured in this audit was impacted by a number of important factors. The audit window was in the middle of the COVID 19 work from home restrictions while staff were managing conflicting responsibilities of children at home/fully remote expectations/etc. During this timeframe, there were 2 vacant positions, and a staff member was on leave for about a month. In addition, the impact of fully remote coursework increased the numbers of academic integrity violations being reported by 50% (over 1,000 cases). Finally, a significant large scale “work for hire” scheme was identified in a COBA Management course that resulted in more than 350 cases being referred/identified dating back several semesters. Getting through these cases which were already several semesters delayed in being discovered resulted, in a delayed timeline for the resolution of other cases.

Irrespective of these challenges, the office plans to implement the following changes/updates as a result of this audit. Case turnaround times are currently tracked on a semesterly basis. They are in the Office of Community Standards KPIs, which are updated at the end of each semester (fall, spring, and summer).

The Office of Community Standards cannot control reporting timelines. Delayed reporting timelines contributed to the timelines from incident date to reported date. However, we will incorporate into our standard faculty training a statement encouraging them to report as quickly as possible.

During new and returning hearing officer training, we will review and stress the 10-day deadline for providing their hearing decision to the Office of Community Standards.

Maxient has a feature for timeline, deadlines. An OCS staff member is currently attending Maxient Software training and will return with implementation ideas to track this information. We will explore using these milestones and task lists features in Maxient to better review case timelines.

Case report to case creation timeline will be reduced to no more than a one-week window. This will be done by effectively utilizing administrative and student/GA staff to create the cases within Maxient. The reduction of case creation timeline will not negatively impact case turnaround time from case creation to case closure. This will require OCS staff to more effectively manage length/depth of investigation in order to meet the case numbers.

Observation 2 – Case and Appeal Times (Continued)

High

The department has seen an increase in appeals the past few years which results in a back log of cases needing to be reviewed, this directly impacts the timeline for final case resolution. This is due in part to our forms, including Case Resolution Forms, Form 1's, Online response Form not matching policy. Students currently do not execute a written waiver of both the hearing and appeal when meeting with faculty to resolve (Form 1), when they complete an Online Response Form, nor when they meet with a Conduct officer and complete a Case Resolution Form. These forms need to be updated to accurately reflect policy and clear language to ensure students have full knowledge of this agreement. By including the written waiver of BOTH hearing and appeal this will reduce the number of appeals.

Target Implementation Date:

August 1, 2023

Responsible Party:

Director for Student Conduct

Observation 3 – Policy Updates

Medium

All students, faculty, staff, affiliates and visitors to the University are governed by UTA's Handbook of Operating Policies. These policies set clear expectations in terms of behavior, actions, and processes, and creates consistency throughout UTA. Updating policies as requirements and procedures change helps ensure compliance with requirements and consistency in applying the policy. In our review of the student discipline process, we noted several areas of the Policy that should be updated to reflect those processes and requirements.

Conflicts of Interest

The Policy states that the Hearing Officer is the sole judge of whether they can serve with fairness and objectivity. It also allows for the accused student to challenge the impartiality of the Hearing Officer. However, there wasn't a similar provision within the Policy for Appeal Officials. Conversely, the appeal decision letter begins with a statement of independence, but a similar statement is not included in the hearing decision letter. The OSC should update the policy and the hearing decision letter template to address conflicts of interest for both Hearing Officers and Appeal Officials.

Hearing Decisions

The Policy requires appeal decisions to be provided to the student and the OSC within the required timeframe. However, we noted the Policy only requires hearing decision to be provided to the OSC within the required timeframe. For the 18 hearing decisions we reviewed, it took an average of 1.8 additional days for the student to be informed of the decision. In one case, the decision was made the same day as the hearing; however, the outcome letter with the hearing decision was not provided to the student until 9 days after the decision was made. The policy should be updated to state that hearing decisions be provided to students within 10 days to help ensure there are no delays from the when the hearing decision is received by the OSC and when it is sent to the student.

Appeal Officials

The Policy states that appeals will be heard by the Vice President of Student Affairs (VPSA) or his/her designee. However, the Chief Legal Officer currently selects and trains Appeal Officials and provides a list of Appeal Officials to the OSC to draw from when someone submits an appeal. While the Appeal Official is technically the VPSA designee, the policy should be updated to reflect the current process of selecting and designating Appeal Officials.

Observation 3 – Policy Updates (Continued)

Medium

Recommendation:

We recommend that the Office of Student Conduct update the Student Conduct and Discipline Policy to reflect the actual processes and requirements, and to add clarification regarding the role and responsibilities of involved parties.

Management Response:

Appeal officials and hearing officers are volunteer staff and faculty who provide time outside of their job duties and may not be available or have the time to commit to reviews. Expectations and time commitments need to be communicated out prior to volunteers accepting this role.

Currently the HOP has no documentation requirements within policy, though OCS has clear practices and procedures in place for documenting communication, including phone calls, email exchanges, student traffic; documentation is an administrative and operational procedure not currently found in policy. Maxient software has multiple features including timelines, tasks, merge of emails that facilitates clear documentation. OCS will need to develop a Procedure Manual for training and consistency. This procedure manual will include that the date of their outcome letters is the date they send the outcome letter to the Office of Community Standards. This will also be added to new and continuing hearing officer training.

The Office of Community Standards will add a statement regarding conflict of interest/independence to hearing officer decision letter templates (similar to that in the appeal officer decision letter template).

Target Implementation Date:

August 1, 2023

Responsible Party:

Director for Student Conduct

Observation 4 – Faculty Reporting

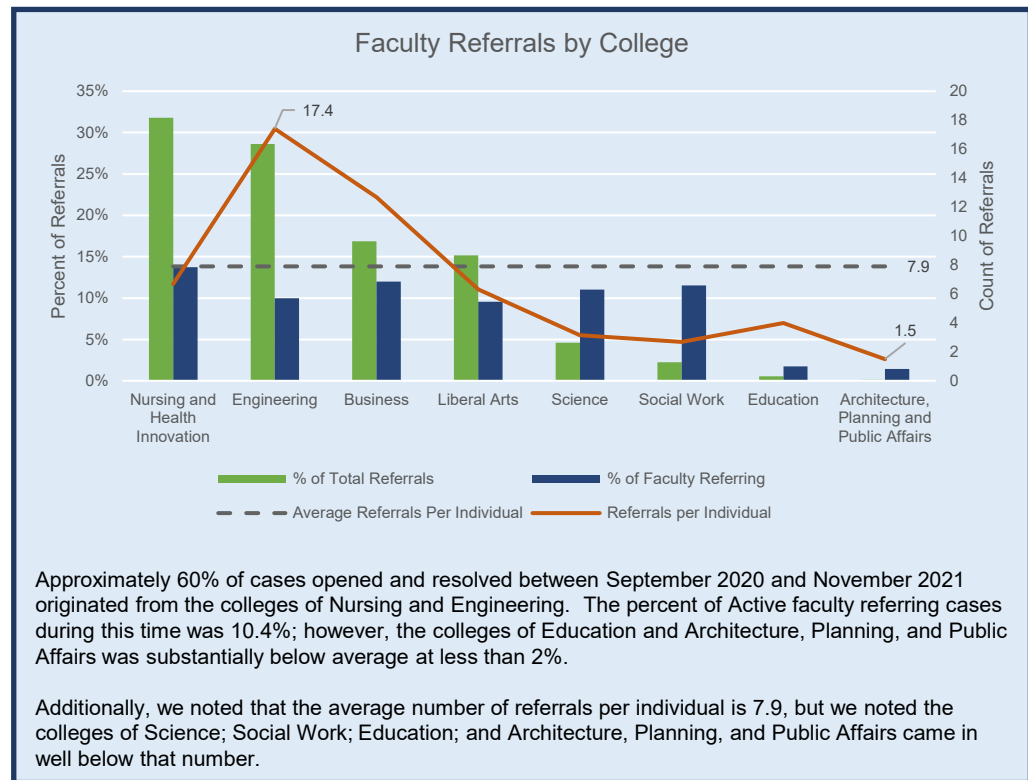
Medium

The Policy states that a faculty member who believes that a student has engaged in a violation of the University's policy on academic dishonesty will initiate and follow reporting procedures of the OSC. This includes completing the Academic Integrity Referral Form and meeting with the student to discuss the alleged violation of the student code of conduct.

In our analysis of 2,251 cases opened and resolved between the period of September 2020 and November 2021, we found that approximately 10% of active faculty during this time frame referred cases to the OSC. However, our discussions disclosed that UTA faculty do not consistently refer instances of academic dishonesty to the OSC. Reasons given for not reporting academic integrity incidents include the following:

- The process is burdensome on the faculty member and can result in a significant increase in workload.
- Some faculty may prefer to handle particular violations themselves.
- Faculty worry about the negative impact on a student and how the conduct process could impact the student's career.
- Faculty believe reporting academic dishonesty could result in lower student survey scores.

Receiving faculty support for submitting academic integrity violations to the OSC would increase reporting, as well as help ensure students receive fair, consistent, and impartial due process. Additionally, referring academic integrity violations to OSC helps ensure that past violations the referring faculty member may not be aware of are considered in sanctioning.



Observation 4 – Faculty Reporting (Continued)

Medium

Recommendation:

We recommend that the Office of Student Conduct consider ways to increase faculty reporting, including but not limited to:

- Streamlining the reporting process.
- Reducing severity of sanctions for a first-time offense.
- Offering student tutoring and support activities as an option versus additional assignments.
- Removing survey scores from students found responsible for academic integrity violations.

Additionally, the Office of Student Conduct should develop a communication strategy with faculty to remind them of their responsibilities to report academic dishonesty, and the purpose and benefits of referring students to the OSC.

Management Response:

The university has implemented an Associate Dean's taskforce that developed an Academic Integrity Communication Plan. Recommendations for Faculty Orientation have been made but a more strategic partnership with Academic Affairs/Provost's Office and Community Standards needs to be made.

OCS will incorporate a recommendation to reduce severity of sanctions and improve reporting process for Faculty including updating Form 1's, creating a script for faculty to use when addressing academic misconduct, and a checklist so faculty provide evidence and basis for the referral. This will assist with timeline and conduct officers in adjudicating these cases.

First time low-level violations should be official warnings, more severe first-time violations or second violations should result in probation and only repeat offenders who have been through the process and received education to mitigate the behavior or those with serious/significant violations which impact the integrity of their degree or the degree of others will be suspended from the University.

While the Office of Community Standards does not offer student tutoring as this is already provided to students by Student Success, utilizing Student Success tutoring as a sanction is possible but will require larger conversations with Student Success regarding how best to implement or if this makes sense.

Observation 4 – Faculty Reporting (Continued)

Medium

The Office of Community Standards does not handle faculty survey scores and cannot implement the removal of survey scores for students found responsible for academic integrity violations. We believe student surveys are anonymous so this may not be feasible. We will provide this feedback to the Academic Affairs office.

Target Implementation Date:

August 1, 2023

Responsible Party:

Associate Director for Student Conduct

Observation 5 – Communication of Student Conduct and Discipline Policy

Medium

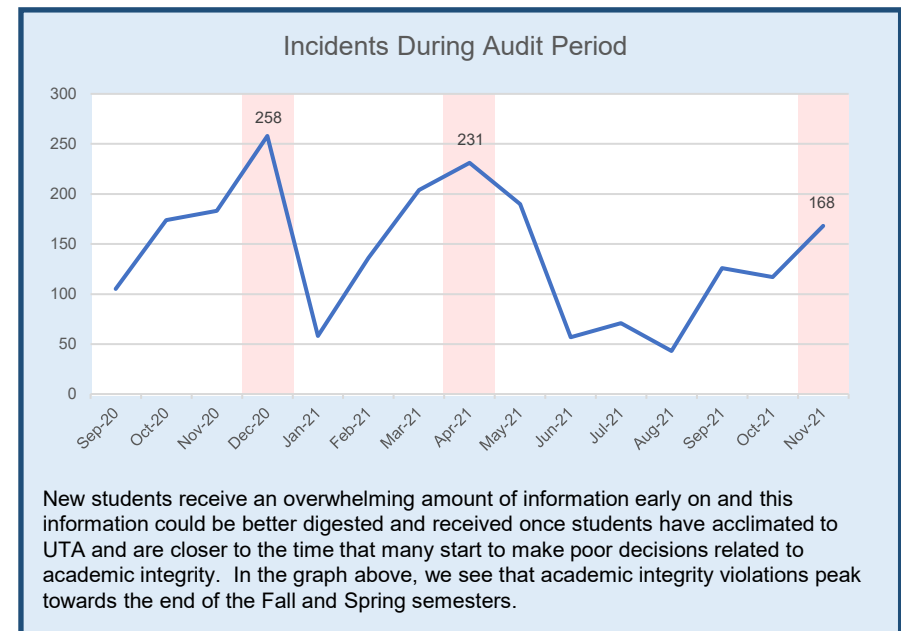
Expectations for conduct are grounded in UTA's Principles of Community, Code of Conduct, and the University Honor Code. The Policy prescribes the standards of conduct expected of UTA students, specifies disciplinary sanctions which can be imposed when conduct does not conform to the prescribed standards, and establishes due process procedures for the imposition of such sanctions.

However, this information is not directly communicated to students at a University-wide level. Student conduct and discipline information was covered in New Maverick Orientation; however, it was removed in 2015 primarily due to time constraints. Additionally, the Academic Responsibilities included this information as part of the Registrant's Responsibilities, which students must agree to prior to enrolling in classes; however, it was removed from the Registrant's Responsibilities in Spring 2020.

Proactively communicating the Policy with new and existing students could help reduce the number of academic integrity violations, resulting in better outcomes for students and more manageable case loads.

Recommendation:

We recommend that the Office of Student Conduct develop and execute a communication strategy to help promote academic honesty and ensure student awareness of processes and penalties for academic dishonesty. This communication strategy should include reminders prior to finals and end of term assignments.



Observation 5 – Communication of Student Conduct and Discipline Policy (Continued)

Medium

Management Response:

The Office of Community Standards will develop a communication strategy for students. The current communication strategy already includes suggested syllabus language on the University's syllabus template and information incorporated into all UNIV courses. The communication strategy will include communication and/or events to occur at key times in the semester, such as close to first exams and just before final exams. In addition, the Office will embark upon an educational campaign related to "Know the Code" which reminds students of the Student Code of Conduct and the expectation that they know the code.

The Office of Community Standards will amend the use of our time at new student orientation to include an overview of academic integrity policies and a reminder of the "Know the Code" expectation.

Target Implementation Date:

August 1, 2023

Responsible Party:

Associate Director for Student Conduct

Observation 6 – Policy Approval

Medium

UT System Board of Regents Rule 50101 requires each institution's student conduct and discipline policy be in accordance with the UT System model policy. These institutional policies become effective upon review and approval by the Executive Vice Chancellor for Health Affairs or the Executive Vice Chancellor for Academic Affairs, as appropriate, and by the Vice Chancellor and General Counsel. While there were no significant departures in UTA's Policy from the model policy, we noted that the current version of the Policy had not been reviewed and approved by UT System.

The Policy was amended twice since it was last approved by UT System in 2015; however, due to a misunderstanding, these changes were not submitted to UT System for review and approval at the time the changes were made. Importantly, the CLO is already working with UT System to obtain approval of the current Policy. UT System's approval of the Policy would reduce the risk of liability to UTA for Policy provisions that may not conform to State and federal law, Regents' Rules, and UT System policies.

Recommendation:

We recommend the Chief Legal Officer continue to work with UT System to obtain approval of the Student Conduct and Discipline Policy. Additionally, a process should be established to help ensure Policy updates are reviewed and approved by UT System.

Management Response:

We will send the policy to UT System for review and approval following any necessary updates and approval by the HOP Committee. Notes have been added to this policy in our Doc Tract policy software as a reminder that this policy must be reviewed and approved by UT System.

Target Implementation Date:

August 1, 2023

Responsible Party:

Chief Legal Officer

Background, Audit Objective, and Scope & Methodology

Background

Any student or organization that engages in conduct that is prohibited is subject to disciplinary action regardless of whether such conduct takes place on or off the campus or whether civil or criminal penalties are also imposed for such conduct. The Dean of Students has primary authority and responsibility for the administration of student discipline. UTA's expectations for conduct are grounded in the University's Principles of Community, Code of Conduct and the University Honor Code. The OSC will investigate allegations that a student has engaged in conduct that violates this policy.

Audit Objective

The objective of the audit was to determine whether processes were in place to help ensure an adequate focus on scholarly ethics and academic excellence. Specifically, we determined whether:

- Student discipline policies and procedures were sufficiently comprehensive and communicated to students and faculty.
- Student discipline cases followed the appropriate policies and procedures.

Audit Scope and Methodology

The scope of the audit included student discipline cases opened and resolved for allegations of academic integrity violations from September 2020 to November 2021 and select cases outside of this period, as well as a review of current practices, policies, and procedures.

Audit methodology included interviewing key personnel, reviewing processes, performing analytical procedures, and testing of supporting documentation.

Our examination was conducted in accordance with guidelines set forth in the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

Ranking Criteria – Academic Integrity - Student Discipline

Ranking Criteria

All findings in this report are ranked based on an assessment of applicable qualitative, operational control and quantitative risk factors, as well as the probability of a negative outcome occurring if the risk is not adequately mitigated. The criteria for these rankings are as follows:

Priority	An issue identified by an internal audit that, if not addressed on a timely basis, could directly impact achievement of a strategic or important operational objective of UTA or the UT System as a whole.
High	A finding identified by an internal audit that is considered to have a medium to high probability of adverse effects to UTA either as a whole or to a significant college/school/unit level.
Medium	A finding identified by an internal audit that is considered to have a low to medium probability of adverse effects to UTA either as a whole or to a college/school/unit level.
Low	A finding identified by an internal audit that is considered to have minimal probability of adverse effects to UTA either as a whole or to a college/school/unit level.

None of the findings from this review are deemed as a “Priority” finding.

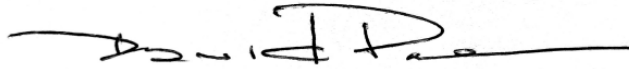
Distribution – Academic Integrity - Student Discipline

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