

It is important that teaching assistants and faculty members become familiar with university policies and ethics that relate to teaching. The following topics-academic honesty, privacy of student records, sexual harassment, copyright laws, and Americans with Disabilities Act guidelines-should help beginning instructors avoid problems and difficulties.

## *Academic Honesty*

It is expected that students of the University will conduct themselves in accordance with the highest standards of academic honesty and integrity. Forms of academic dishonesty in higher education include, but are not limited to, the following:

- Violations of procedures which protect the integrity of a quiz, examination, or similar evaluation;
- Plagiarism or violations of procedures prescribed to protect the integrity of an assignment;
- Cooperation with another person in academic dishonesty, either directly or indirectly as an intermediary agent or broker;
- Knowingly destroying or altering another student's work;
- Aiding, abetting, or attempting to commit an act or action which constitutes academic dishonesty.

For a more complete description of each category above, see the Faculty and Professional Personnel Handbook ([www.bsu.edu/it/faculty/handbook](http://www.bsu.edu/it/faculty/handbook)) or the Code of Student Rights and Responsibilities ([www.bsu.edu/sa/dean/stucode](http://www.bsu.edu/sa/dean/stucode)).

A student who has committed or attempted to commit academic fraud, or who has been a party to academic fraud is subject to disciplinary action by the University. Penalties include, but are not limited to, one or more of the following:

- A grade of failure for the work concerned;

- A grade of failure for the course;
- Suspension from the University;
- Expulsion from the University;
- Revocation of a previously awarded degree.

## *Procedures for Dealing with Academic Dishonesty*

The following is taken from the "Student Academic Ethics Policy" found in the Faculty and Professional Personnel Handbook ([www.bsu.edu/it/faculty/handbook](http://www.bsu.edu/it/faculty/handbook)) and includes the essential elements of the University's ethics policy.

Before any disciplinary action for academic dishonesty is taken against a student, the concerned faculty member must inform the student of the alleged violation and discuss it with him or her in a private conference. If no solution is found, the faculty member may bring formal charges, in writing, against the student and inform the department chair. It is recommended that graduate and doctoral assistants consult with their supervisor for guidance.

If the student admits, in writing, that s/he committed the conduct constituting academic dishonesty, the faculty member may either impose punishment or refer the matter to the University Academic Ethics Committee for dispensation. A student upon whom punishment has been imposed may appeal the appropriateness of the penalty. If the student denies the accusation, the faculty member may refer the matter to the University Academic Ethics Committee for resolution. The faculty member's referral must be in writing and submitted within fifteen school days after the date the student denied the accusation. If the faculty member does not refer the matter to the University committee, the student is considered innocent of the accusation of academic dishonesty.

### *Prevention*

Probably the best way to deal with academic dishonesty is to prevent or limit the opportunities in which students may be tempted. The following methods may help prevent academic dishonesty:

- Include guidelines for academic dishonesty in your syllabus.
- Increase the number of tests given so less pressure exists to excel on any given examination.
- If adequate seating is available, require students to sit in every other seat during examinations. Make sure that all books, notes, and materials are placed under desks or seats-not on the vacant seat between students.
- Before administering the first examination, explain academic dishonesty policies to the students and what kinds of behavior, e.g., wandering eyes or talking, will not be tolerated. Whatever policy is chosen, enforce it swiftly and consistently.
- Be present at all times during the examination or make sure a proctor is present. Be especially diligent toward the end of the test and as students are handing in their work.
- Make sure students understand if an exam is to be open or closed book before the exam takes place.
- If teaching a large class, reduce the possibility of substitutes taking exams for students by requiring all students to present identification before allowing them to receive or hand in their exams.
- Although time consuming, instructors should consider designing alternate forms of the test if many sections of a course are scheduled to take the exam at different times. However, make sure that each exam is of equal difficulty.
- Make two copies of the same exam and rearrange the order of the questions. Distribute exams so that students sitting next to each other have different formats of the common exam.
- Since many students cannot distinguish between paraphrasing and plagiarism, spend some time

explaining proper reference procedures or provide written examples. Also provide the student with guidelines about writing a paper.

- If there is suspicion regarding a written assignment, check the student's footnotes at the library, on the web, or ask the student to submit drafts or note cards along with the paper.

### *Privacy of Student Records*

The disclosure or publication of student information is governed by the policies of the University within the framework of the Family Educational Rights and Privacy Act of 1974. This Act provides students the opportunity to review their own records and limits disclosure of student information to others.

To review educational records, students may simply contact the area within the University that stores the records in which they are interested. The student's written consent is required for the disclosure or publication of any information that identifies the student and is part of the educational record. Exceptions to the types of information that can be disclosed and access to that information are allowed within the regulations of the Family Educational Rights and Privacy Act. A list and explanation of these exceptions is found in the [Faculty and Professional Personnel Handbook](http://www.bsu.edu/it/faculty/handbook) ([www.bsu.edu/it/faculty/handbook](http://www.bsu.edu/it/faculty/handbook))

### *Sexual Harassment*

Ball State University regards harassment on the basis of sex as a form of illegal sex discrimination. Sexual harassment in employment violates Title VII of the Civil Rights Act of 1964. Although the issue is not specifically mentioned in Department of Education regulations, the few courts that have addressed it have held that sexual harassment applies to education programs and activities and violates Title IX of the Education Amendments of 1972.

The [Faculty and Professional Personnel Handbook](http://www.bsu.edu/it/faculty/handbook) ([www.bsu.edu/it/faculty/handbook](http://www.bsu.edu/it/faculty/handbook)) contains the following policy statement on the subject of sexual harassment:

*Ball State University will not tolerate sexual harassment of students or employees by members of its faculty or staff, or by other agents of the University, and will respond in a suitable manner to every complaint. To be sure the University is free of sexual harassment in work and study, appropriate sanctions will be imposed on offenders over whom the University has jurisdiction.*

### *Definition*

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made, either explicitly, or implicitly a term or condition of an individual's employment or participation in a University-sponsored education program or activity;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive working or educational environment.

### *Complaints*

Complaints of sexual harassment are investigated by the Office of University Compliance. The University administration strongly urges all members of the Ball State University community to report incidents in which they believe they have been sexually harassed, or in which they have acquired knowledge of an act of sexual harassment that violates University policy. The Executive Director of University Compliance will refer the matter to appropriate administrative personnel and/or to an appropriate existing grievance committee within the University

### *Copyright Laws*

The University encourages its instructors to use supplementary materials such as off-air recordings of television programs, DVDs, VHS tapes, sound recordings, 35 mm slides, pictures, graphics, and journal articles, etc., in their classes. Instructors are reminded, however, that problems could arise in the misuse of copyrighted material for instructional purposes.

On January 1, 1978, the Copyright Revision Act of 1976, the first major change in the copyright law since 1909, went into effect. Copies of the Copyright Revision Act of 1976 can be found in Bracken Library. The purpose of the copyright law is to protect the interests of the creators of literature, audio-visual works, artwork, photographs, articles, sound recordings, etc., and balance ownership with limited educational use. This act officially recognizes the "fair use exception" for the use of material without the permission of the copyright holder and defines four factors to be considered if "fair use" is to apply.

Whether copies of a work may be used for instruction, the Copyright Revision Act notwithstanding, is still a matter for the courts to decide, and recent court rulings seem to favor the copyright owners over the instructors who used the materials outside of fair use. It is suggested that all instructors acquaint themselves with the regulations of the law to adhere to them and allow greater lead time in obtaining permission to duplicate materials before their use in the classroom.

Assistance with copyright issues and additional copyright information can be obtained online from the University Copyright Center:

[www.bsu.edu/library/collections/copyright/](http://www.bsu.edu/library/collections/copyright/)

### *Students with Disabilities*

Disabled Student Development (DSD) puts into action the University's commitment to offer equal opportunity in higher education to qualified students with disabilities. For these students, the campus offers physical and technological access, as well as pre-admission visits, orientation and mobility assistance, academic and testing accommodations, accessible shuttle bus service, Braille and large-print maps of

campus, equipment repair services, and a user-friendly adaptive computer technologies lab. In addition, provisions are made as needed for note takers, interpreters, and readers. Learning Center resources are available to all students, regardless of disability status. A campus organization for students with disabilities is only one of many opportunities for improving leadership skills and enhancing personal growth and development.

Disabled students attending Ball State University are integrated as completely as possible into the university community. Ball State does not offer a specialized curriculum for students with disabilities nor does it assume the role of a rehabilitation center. The University seeks input from students for modifying campus facilities and programs to meet individual needs. Students with disabilities at Ball State are given access to the tools and resources that will enable them to manage day-to-day life in college.

### *Reasonable Accommodation and Equal Access to Education*

Section 504 of the Rehabilitation Act of 1973 states that "no otherwise qualified handicapped individual shall, solely by reason of the handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." In 1990, the Americans with Disabilities Act (ADA) was signed. It is based on the same principles of the 504 regulations, but is much broader in scope and stronger in language.

Reasonable accommodation in higher education refers to an "otherwise qualified" disabled student's ability to fulfill course requirements in the classroom when faculty and staff accomplish this in the following ways:

- Providing alternative ways to fulfill course requirements;
- Using innovative teaching techniques;
- Providing supervised tutorial assistance and use of technology;
- Tailoring requirements to individual needs;

- Adapting tests to assure measurement of a disabled student's knowledge, not the disability.
- Reasonable accommodation is complex and not clearly defined. When in doubt, instructors should contact Disabled Student Development ([www.bsu.edu/dsd](http://www.bsu.edu/dsd)). This applies to doubt about approving or disapproving an accommodation request. An institution is not required to make an accommodation that would alter the "fundamental nature" of the course, major, degree, etc., but at the same time, instructors must be able to describe and defend their requirements.

### *How Do Faculty and Staff Provide Reasonable Accommodation?*

Students with disabilities at Ball State are expected to take an assertive role in talking with faculty and staff members about their disability, adaptation, and accommodation needs. Instructors need to be concerned about offering reasonable accommodation. Ball State has a history of graduating successful students with disabilities and a commitment to continue to do so. A statement concerning accommodations should be included in the course syllabus. When faculty members make the initial overture during the first class session to encourage students to make an appointment to discuss disability needs, the groundwork is laid for establishing a good partnership (see chapter 9 of this volume, [Interacting with Students](#)).

The first step is to talk with the student. The instructor should encourage a comfortable exchange of ideas and information by establishing open, honest communication and by indicating a willingness to be partners in this process. Some students, especially those with less obvious disabilities (such as learning disabilities or hearing impairments), may choose not to disclose or discuss their disabilities. Instructors should respect a student's choice regarding disclosure and need not feel responsible for that which is not requested.

### *Selected Aspects of Section 504 and the Americans with Disabilities Act*

To ensure equal opportunity, the educational experience of students with disabilities must be comparable to that of their able-bodied counterparts. The following are some aspects of Section 504 and the ADA concerning higher education. Most related practices at Ball State preceded the legislation and, in fact, have often been more proactive in creating a climate of inclusion for students with disabilities:

- Quotas or special admission criteria for persons with disabilities are ruled out, as are pre-admission inquiries regarding an applicant's disability.
- Institutions must assure "program accessibility" of activities and programs to disabled students and employees. The institution is not expected to make all of its buildings completely accessible, although new construction must be fully accessible. Accessibility may be achieved by rescheduling classes in accessible locations or by taking other steps to ensure program accessibility. Students with disabilities should have the same options available to them as others in selecting courses and housing.
- Institutions must offer the same opportunities for qualified disabled students as for able-bodied students to participate in campus programs and activities, including academics, research, occupational training, counseling programs, housing, health services, student services, physical education, transportation, field trips, and extracurricular activities.
- Students with impaired sensory, manual, language, or processing skills must be allowed to use educational auxiliary aids. Such aids may include taped texts, readers, interpreters, note takers, tape recorders, adapted classroom equipment, and other similar services or equipment. Depending on the circumstances, the provision of such aids may be the responsibility of Vocational Rehabilitation, the individual, or the University. Institutions cannot impose rules limiting the use of such aids in the classroom, although institutions are not required to provide

services or equipment of a personal nature or those that are personally prescribed (e.g., wheelchairs, attendants, prosthetic equipment or devices, crutches, canes, hearing aids).

- Modification of academic requirements may be necessary to accommodate qualified disabled students. Modification, if necessary or appropriate, may include changes in the time permitted for completion of degree requirements, substitution of specific required courses, and adaptations in the manner courses are conducted or learning is demonstrated. Requirements essential to the program of instruction or related to licensing requirements are not regarded as discriminatory.
- Tests that the institution uses must not discriminate against disabled students. Tests must be selected and administered so that results for students with impaired sensory, manual, or speaking skills are not distorted and so that they measure the students' aptitudes or achievement levels rather than the functional limitations of their disabilities.
- In meeting the requirements, institutions must take care not to isolate or segregate disabled students from able-bodied persons wherever integration is feasible.

The above list includes only selected aspects of disability legislation. Disabled Student Development and the Office of University Compliance can supply additional details. DSD has a comprehensive website ([www.bsu.edu/dsd](http://www.bsu.edu/dsd)) that explains how a student can receive disability-related accommodations; it also provides links to valuable resources both on and off campus. Students and prospective students are strongly encouraged to visit this website. DSD can be contacted by phone (765-285-5293), TDD (765-285-2206), email ([dsd@bsu.edu](mailto:dsd@bsu.edu)), or in person (Student Center 307).