



Revision of the Code of Academic Integrity (Senate Document #17-18-08)

TO Wallace D. Loh | President

FROM Christopher Walsh | Chair, University Senate

I am pleased to forward the accompanying legislation for your consideration and approval. Fuller Ming, Chair of the Student Conduct Committee, presented the Revision of the Code of Academic Integrity (Senate Document #17-18-08), which the University Senate approved at its meeting on December 4, 2018. Please inform the Senate of your decision and any administrative action related to your conclusion.

Approved:

Date:

12-11-2018

Wallace D. Loh
President

Copies of this approval and the accompanying legislation will be forwarded to:

Mary Ann Rankin, Senior Vice President and Provost
Reka Montfort, Executive Secretary and Director, University Senate
Michael Poterala, Vice President and General Counsel
Cynthia Hale, Associate Vice President for Finance and Personnel
John Bertot, Associate Provost for Faculty Affairs
Elizabeth Beise, Associate Provost for Academic Planning & Programs
Sylvia B. Andrews, Academic Affairs
Andrea Goodwin, Director, Office of Student Conduct
James Bond, Assistant Director, Office of Student Conduct
Steve Fetter, Associate Provost and Dean, Graduate School
Jeffrey Franke, Assistant Dean, Graduate School
William Cohen, Dean, Undergraduate Studies
Fuller Ming, Chair, Student Conduct Committee

**REVISION OF THE *CODE OF ACADEMIC INTEGRITY*****PRESENTED BY** Fuller Ming, Chair**REVIEW DATES** SEC – November 16, 2018 | SENATE – December 4, 2018**VOTING METHOD** In a single vote**RELEVANT POLICY/DOCUMENT** [III-1.00\(A\)](#) – *University of Maryland Code of Academic Integrity***NECESSARY APPROVALS** Senate, President**ISSUE**

In August 2017, the Office of Student Conduct (OSC) submitted a proposal to the Senate Executive Committee (SEC) recommending revisions to the *Code of Academic Integrity*. The proposal noted the importance of periodically reviewing the *Code* to ensure that best practices in the fields of student affairs and student conduct are being implemented at the University. The proposal suggested revisions in a few key areas, including in provisions related to record keeping, appeals processes, and sanctions. The SEC reviewed the proposal at its meeting on August 29, 2017. The SEC noted that a recent Senate action had requested that the Student Conduct Committee be charged with a review of the Honor Pledge and its role in fostering a climate of academic integrity on campus. The SEC voted to charge the Student Conduct Committee (SCC) with review of the proposal and consideration of the Honor Pledge.

RECOMMENDATION(S)

- The Student Conduct Committee recommends that the *Code of Academic Integrity* (III-1.00[A]) be revised as indicated in the policy document immediately following this report.
- The Student Conduct Committee recommends that the revisions to the *Code* become effective on January 1, 2019.
- The Student Conduct Committee recommends that the Faculty Handbook, Undergraduate Catalog, Graduate Catalog, and any other resources that discuss the *Code* or the Honor Pledge be updated to align with the new language of the *Code*.
- The Student Conduct Committee recommends that all University policies and procedures that reference the *Code* be revised to include accurate information and citations.
- The Student Conduct Committee recommends that the Graduate Council consider how its policies and the *Code of Academic Integrity* interact, and that the Council report back to the Senate on any issues or concerns with the *Code* or its implementation that need to be addressed further.
- The Student Conduct Committee recommends that the University consider ways to increase the use of the academic integrity tutorial for undergraduate and graduate students, and should consider making the tutorial a mandatory part of the academic experience for all students on campus, once the University has the technical infrastructure to support such a requirement.

COMMITTEE WORK

The Student Conduct Committee (SCC) began its review in February 2018. It consulted with representatives from the Office of Student Conduct (OSC), the Office of General Counsel, the Graduate School, and the Senate Student Affairs Committee, which has representation from the Student Government Association (SGA) and Graduate Student Government (GSG).

The SCC developed its revisions to the *Code* with the intent of providing clarity on student rights, prohibited conduct, and the academic integrity process. Upon reviewing the current *Code* and the proposal, the SCC determined that structural and organizational revisions were needed. The SCC consolidated information, clarified definitions and terms, presented key details early in the document, and clearly outlined four different types of resolution. The SCC also determined that it is unrealistic and inappropriate to ask students to review both the *Code of Academic Integrity* and the *Code of Student Conduct* in order to fully understand the academic integrity process, and subsequently added a great deal of information to the *Code of Academic Integrity*.

The SCC considered a few key changes to the conduct process as it developed its revisions. The SCC's proposed revised *Code* includes a new definition for self-plagiarism. An additional route for resolving academic dishonesty allegations through a Disciplinary Conference Board has been added. The proposed revised *Code* also clarifies the role of the Honor Pledge and how it should be used in coursework submitted for assessment. The SCC discussed the standard of evidence and the normal sanctions, but felt that changes were not necessary at this time.

During its review, the SCC discussed in detail the need for students to understand the rules and procedures around academic integrity. The SCC raised concerns about the lack of consistent training and education on academic integrity for all undergraduate and graduate students. The SCC also noted that the need for training is greatest among those who may not be familiar with academic integrity principles, including graduate students and international students. To further understanding and adoption of academic integrity principles across campus, the SCC would like to see the OSC's Academic Integrity Tutorial become required for all undergraduate and graduate students on campus. However, the SCC recognizes the technical and administrative burden involved, and developed its recommendations with that in mind.

After due consideration, the SCC voted unanimously to approve its proposed revised *Code of Academic Integrity* as well as a number of associated recommendations.

ALTERNATIVES

The Senate could reject the proposed revised *Code of Academic Integrity*. The current *Code* would remain in effect. However, the University would lose the opportunity to clarify the conduct process and student rights and responsibilities under the *Code*.

RISKS

There are no risks to the University in adopting these recommendations.

FINANCIAL IMPLICATIONS

There are no known financial implications.



REVISION OF THE *CODE OF ACADEMIC INTEGRITY*

2018-2019 Committee Members

Fuller Ming (Chair)
John Buchner (Faculty)
Blessing Enekwe (Staff)
Andrea Goodwin (Ex-Officio Director of Student Conduct)
Ursula Gorham-Oscilowski (Faculty)
Jane Lyons (Student)
Julia Mikolajczak (Undergraduate Student)
Bridget Myers (Undergraduate Student)

David Perdue (Undergraduate Student)
Jason Speck (Faculty)
Megan Stump (Graduate Student)
Hilary Thompson (Faculty)

Date of Submission

November 2018

BACKGROUND

In August 2017, the Office of Student Conduct (OSC) submitted a proposal to the Senate Executive Committee (SEC) recommending revisions to the *Code of Academic Integrity*. The proposal noted the importance of periodically reviewing the *Code* to ensure that best practices in the fields of student affairs and student conduct are being implemented at the University. The proposal suggested revisions in a few key areas, including in provisions related to record keeping, appeals processes, and sanctions. The SEC reviewed the proposal at its meeting on August 29, 2017. The SEC noted that a recent Senate action had requested that the Student Conduct Committee be charged with a review of the Honor Pledge and its role in fostering a climate of academic integrity on campus (see [Senate Document #15-16-31](#)). The SEC voted to charge the Student Conduct Committee (SCC) with review of the proposal and consideration of the Honor Pledge (Appendix 4).

CURRENT PRACTICE

The *Code of Academic Integrity* was developed and approved in 1991. Prior to establishment of the *Code*, the University addressed academic dishonesty inconsistently, especially in terms sanctions for undergraduate students. The *Code* establishes the University as a modified Honor Code institution; at Honor Code institutions, students are automatically expelled when they are found responsible for academic dishonesty. Given the size of the institution and the circumstances that may factor in to academic dishonesty cases at UMD, it was determined that a strict Honor Code would not be appropriate, but that the University should uphold the highest standards of integrity in academic work wherever possible.

Students at the University of Maryland are encouraged to read the *Code*, as it is their primary guide to academic integrity at the University. However, students may have difficulty navigating the *Code* and the process given the limitations of the current policy document. The *Code* is legalistic in nature in many places, and is not well organized. The document has multiple instances where it refers to the *Code of Student Conduct* to explain key details, such as the appeals process and possible sanctions. Since 1991, the *Code* has been revised multiple times to add or revise specific sections as needed, but the *Code* has not been reviewed in full since its adoption.

COMMITTEE WORK

The Student Conduct Committee (SCC) began its review in February 2018. It consulted with representatives from the Office of Student Conduct (OSC), including the Director of Student Conduct and the Assistant Director for Academic Integrity, throughout its review. It also consulted with the Office of General Counsel. As its work drew to a close, the SCC consulted with the Graduate School and the Senate Student Affairs Committee, which has representation from the Student Government Association (SGA) and Graduate Student Government (GSG), on academic integrity principles and its proposed revisions.

The SCC and the OSC conducted research on practices at peer institutions, reviewing *Codes* at Big 10 institutions as well as other institutions that follow a modified Honor Code process for academic integrity. A brief summary of peer institution practices related to the SCC's review can be found in Appendix 3. The SCC found it difficult to compare practices with those at peers in many cases, since many peers do not have a comparable system for addressing academic dishonesty. At many institutions, cases are not handled centrally by a student conduct office, but rather are handled by individual faculty or administrators. The SCC considered the benefits of such an approach, but felt it would be inappropriate for UMD, since a decentralized approach would undermine efforts to ensure consistency in sanctioning and the use of progressive discipline, where students receive stricter sanctions for repeated violations of the *Code*. The SCC also noted that a decentralized approach would require consistent and thorough training for all faculty on necessary due process elements to be followed in adjudicating cases, which would be nearly impossible at this institution due to the large number of faculty who transition in and out of the classroom each year.

After due consideration, at its meeting on November 6, 2018, the SCC voted unanimously to approve its proposed revised *Code of Academic Integrity* as well as a number of associated recommendations. After additional consultation with the Office of General Counsel, additional revisions to the *Code* were approved via an email vote on November 13, 2018. An overview of the revisions to the *Code* is presented below.

Language and Structure

The SCC developed its revisions to the *Code* with the intent of providing clarity on student rights, prohibited conduct, and the academic integrity process. Students are first introduced to the *Code* during orientations; the OSC seeks to educate new students on academic integrity issues before they come to campus. However, the *Code* can be difficult for students, as well as for faculty and staff, to understand.

The proposal reviewed by the SCC presented many suggestions for reorganizing the information in the *Code* and clarifying processes. The SCC reorganized many sections of the *Code* to consolidate information, clarify definitions and terms, present key details like the standard of evidence and information on the Student Honor Council early in the document, and clearly present four different types of resolution for cases of varying severity and complexity. Annotations have been removed, and terms are used consistently throughout the document.

The SCC determined during its review that it is unrealistic and inappropriate to ask students to review both the *Code of Academic Integrity* and the *Code of Student Conduct* in order to fully understand the academic integrity process. The SCC has added a great deal of information to the *Code of Academic Integrity* and removed all references to the *Code of Student Conduct*, so that students will only need to refer to one document in order to understand the process. The SCC has

ensured consistency in practices between the two *Codes* and has used the same language as the *Code of Student Conduct* where possible.

Due to the many references to the *Code of Student Conduct*, there were some areas of the *Code of Academic Integrity* that were lacking in sufficient information on current practices or procedures. Some of these details were explained in the *Code of Student Conduct*, but others were not referenced at all, which may have been an oversight due to the use of two documents to explain the process. The SCC has added more detail to the *Code of Academic Integrity* in many places to adequately address these concerns.

Prohibited Conduct

The SCC's proposed revised *Code* retains the current types of prohibited conduct, and includes a new item on self-plagiarism. Reusing work completed for one course in a different course without permission of both course instructors is a form of academic dishonesty. In practice, the OSC and Student Honor Council have been considering self-plagiarism as plagiarism, and have been sanctioning it accordingly. While the OSC and Student Honor Council have been able to hold students responsible for such behavior, the SCC felt it may not be clear to students that this conduct is prohibited from reviewing the *Code*. The SCC agreed to incorporate a clear definition of self-plagiarism to communicate this principle of academic integrity to students.

Additional minor changes were made to the prohibited conduct section to remove "intentionally" and "knowingly" in some of the definitions. In practice, a student's lack of awareness that specific conduct constitutes prohibited conduct is not a defense under the *Code*. The Honor Council seeks to determine whether the prohibited conduct occurred, regardless of whether the student intended to cheat or plagiarize or knowingly violated the *Code*. Given this, the SCC felt that the inclusion of "intentionally" and/or "knowingly" in the definitions of prohibited conduct could be misleading to students. However, the SCC felt that the definition of Facilitating Academic Dishonesty needed to clarify that the conduct was prohibited only if the student knew that their actions were helping another student engage in academic dishonesty; actions taken by students to simply help other students understand key concepts or ideas are generally not prohibited, even if their assistance is used to commit an act of academic dishonesty.

Standard of Evidence

Due to its recent work on revisions to the *Code of Student Conduct*, the SCC considered the appropriateness of the standard of evidence for the *Code of Academic Integrity* during its review. The standard of evidence is the level of certainty needed in order to establish a finding of responsibility under the *Code*. The standard of evidence in the current *Code* is clear and convincing evidence, which means there must be enough evidence for a reasonable person to conclude that it is highly and substantially more probable than not that the conduct occurred. Clear and convincing evidence is a higher standard than the preponderance of the evidence standard, which is currently used in cases involving non-academic misconduct at UMD.

After consideration, the SCC determined that a change in the standard of evidence would not be appropriate for academic integrity cases. As an academic institution, the University's approach needs to consider the philosophy and values associated with academic integrity, so the process for academic integrity cases is often very different than processes for other types of misconduct. Academic dishonesty has no place in an educational environment, and violations of the *Code* weigh heavily on a student's academic record; the impact of a finding of responsibility can be significant for

future academic or professional development. The SCC also noted that unlike other types of misconduct cases, allegations of academic dishonesty involve a power imbalance that can put students at a disadvantage. Allegations are often brought by faculty, and students may find it difficult to contradict or correct a faculty member, or feel as if their credibility will always be suspected in relation to the account of a faculty member. A higher standard of evidence ensures that faculty need to meet a higher level of certainty with the evidence they present to the Honor Board, and reduces the perception that the Board will defer to a faculty member and easily reach a finding of responsibility.

As of February 2018, the Honor Council and the executive board of the University Student Judiciary were not in favor of a change to the standard of evidence for academic integrity cases.

Resolution Procedures

In the course of its work, the SCC reorganized and clarified the resolution procedures in the *Code* for informal resolution, resolution by a Disciplinary Conference, and resolution by an Honor Review. After consultation with the OSC, the SCC created a new type of resolution in the *Code*: resolution by a Disciplinary Conference Board. The OSC explained that when an allegation is reviewed late in the spring semester or over the summer, it can be difficult to form an Honor Board to review the case. Honor Boards require at least three students from the University Student Judiciary to serve, with four students in cases where the Presiding Officer is a student. During breaks in the academic calendar, it can be difficult to find three or four students to serve on these Boards. Student Respondents have the option to delay their case until a Board can be formed, but may wish to complete resolution of the case sooner rather than later.

The SCC incorporated resolution by a Disciplinary Conference Board to provide flexibility to Respondents in these situations. If a Respondent would like for their case to be heard as soon as possible, they could request that their case be resolved by a Disciplinary Conference Board composed of two students and a staff member from the OSC. While the Respondent would not receive a full Honor Review, they would be able to have the case reviewed by their peers while also ensuring that the case can be resolved in a timely manner.

Sanctions

As noted in the proposal, the current *Code* does not include a complete listing of the possible sanctions available when students are found responsible for violating the *Code*. The SCC has included more detail on the types of sanctions available, mirroring the information in the *Code of Student Conduct* while also including sanctions that are more appropriate to academic violations, such as letter grade reduction and other course-related sanctions. These sanctions are all currently available in practice, but had never been explicitly described in the *Code*, since sanctioning is currently discussed by referencing the *Code of Student Conduct*.

The *Code* establishes guidelines for appropriate sanctions for students found responsible for violations of the *Code* by stipulating a “normal sanction” for undergraduate and graduate students. For undergraduates, the normal sanction for a first-time violation is the grade of “XF” in the course; the “XF” grade on the transcript is explained as “failure due to academic dishonesty.” For graduate students, the normal sanction is the grade of “XF” in the course and either suspension or expulsion. Normal sanctions are not automatically given, since extenuating circumstances are taken into account in each case through consideration of aggravating and mitigating factors, as explained below. The OSC’s data show that in most cases, undergraduate students are given a sanction of a

zero on the assignment, a letter grade reduction, and a reflection paper rather than the normal sanction; for graduate students, the most common sanction is an “XF” in the course, the Academic Integrity tutorial, and a suspension withheld (which means the suspension is not put into place unless further misconduct occurs at a later date).

Though the *Code* establishes normal sanctions, these are not automatic sanctions; Honor Boards and the OSC have discretion in determining the appropriate sanction depending on aggravating or mitigating factors present in the case before them. Aggravating and mitigating factors are circumstances specific to the case that make the violation more or less egregious and may justify a stricter or softer sanction. In academic integrity cases, such factors can include the extent of dishonest behavior, the extent of premeditation, the past disciplinary record of the Respondent, the importance of the academic exercise, personal circumstances affecting the Respondent when the conduct occurred, and whether the Respondent took responsibility for their actions. While the Honor Boards and the OSC have in practice used these factors in determining sanctions, the current *Code* does not adequately explain what these factors might be and how they can be used. The SCC developed revisions to the *Code* to define both terms, and to explain that sanctioning decisions would take into account any factors relevant to the case.

The SCC discussed the normal sanctions in detail during its review, and considered whether the stricter normal sanction for graduate students is appropriate. The SCC reviewed past Senate action and learned that the normal sanction used to be the grade of “XF” for all students, until a proposal was submitted in 2005 to create a higher normal sanction for students in a specific program in the Smith School of Business. That proposal was not viable, but it led to a task force on graduate student ethics, which determined that graduate students should be held to a higher standard. The task force concluded that violations of the *Code* by graduate students "create a compelling motivation to strengthen typical sanctions imposed...;" the task force noted that the change would increase ethical standards for graduate students "while preserving discretion to increase or decrease normal sanctions based on evidence provided to the Board" (see Senate Document #04-05-47 for more information).

In the course of gathering feedback on the *Code*, the SCC learned of concerns in the Graduate School and on the Graduate Council related to academic integrity and the normal sanction. Concerns seemed to focus on inconsistencies between the normal sanction in the *Code* and sanctions suggested in Graduate School policies, as well as on a lack of training and understanding of academic integrity expectations among graduate students, especially international graduate students for whom the culture of the classroom and rules related to citations and plagiarism are new concepts.

In considering the normal sanction, the SCC felt it did not have enough evidence of a problem to result in changes to the *Code* at this time. While the *Code* establishes a normal sanction, it also allows for sanctions to change based on the circumstances of a particular case through provisions on aggravating and mitigating factors. The SCC felt that graduate students should be more aware of and careful to avoid academic dishonesty. Since the Graduate Council is planning to discuss these issues in more depth, the SCC developed a recommendation that would allow it to revisit this issue to consider feedback from the Graduate Council in the spring of 2019.

Revisions to the Honor Pledge

The SCC reviewed the work of the Senate Educational Affairs Committee, which considered the impact on students of declining to sign the Honor Pledge on examinations and assessments. As a

part of its review, the Educational Affairs Committee discovered widespread confusion on whether the Honor Pledge is mandatory; an informal survey conducted by the Student Affairs Committee on behalf of Educational Affairs found that a majority of student respondents believe that signing the pledge is mandatory and a similar percentage have been told by instructors that it is mandatory. After its review, in February 2017, the Senate Educational Affairs Committee recommended that the SCC consider the role of the Honor Pledge in fostering a climate of academic integrity (see [Senate Document #15-16-31](#) for more information).

The SCC reviewed past Senate action on the Honor Pledge and considered the history of the Pledge at the institution. The Honor Pledge was developed and proposed by students as a joint initiative of the Student Honor Council and the President's Student Advisory Council, and was endorsed by the Student Government Association before being added to the *Code* through Senate action in 2001. It was created to encourage students to reflect on principles of academic integrity as they complete coursework at the University, and to encourage faculty to discuss the value of academic integrity in their courses. More information about the development of the Pledge can be found on the [Office of Student Conduct website](#).

At the time the Pledge was developed, scholarly research showed that students might be able to be persuaded to adopt ethical practices in their work. A national survey conducted through Rutgers University at the time found that 20 percent of students would never cheat in academic work because it was not in their nature, and 20 percent of students would always cheat if the circumstances allowed it, since they do not generally value learning and education. The remaining 60 percent of students could be influenced to cheat or not cheat depending on the circumstances. The Honor Pledge was in part created to sway these students, to remind them of the value of integrity before they decide whether or not to cheat.

The SCC feels the intent and goals of the Honor Pledge are as important today as they were when the Pledge was created, though it acknowledges that the types of discussions students and faculty have today about academic integrity likely differ from the discussions had in the 1990s. The SCC agreed that the Honor Pledge is an important tool in promoting a climate of academic integrity and therefore should continue to be used at the University. However, it also agreed that there is confusion over the Pledge and the regulations around it.

The SCC developed revisions to the *Code* to clarify the role of the Pledge. The SCC is proposing broadening the language associated with the Pledge to make it clearer that it applies to all work submitted for assessment, rather than just examinations. This includes work submitted electronically, so the SCC revised the language to more readily encompass online courses and coursework. The SCC acknowledges and agrees with the right of students not to sign the Pledge, and has revised language to make it clear that students are encouraged to sign it, but are not required to do so. The SCC's revisions remove the requirement that students must explain their refusal to sign to the instructor. In addition, the SCC added language to ensure that faculty can define what types of materials or assistance is authorized for use on assessments, and to require that students seek clarity from their instructor when they are unsure of whether specific materials or assistance is authorized.

Training and Education on Academic Integrity

During its review, the SCC discussed in detail the need for students to understand the rules and procedures around academic integrity. The committee discussed the current [Academic Integrity Tutorial](#) hosted by the Office of Student Conduct, which trains students on the types of conduct that

violate the *Code*, the purpose of the Honor Pledge, the academic integrity process, and principles of academic integrity. The tutorial was developed by the OSC after recommendations from the SCC in 2014 (see [Senate Document #08-09-20](#) for more information). The tutorial is the main training and education resource for students on academic integrity, but it is unclear how widespread its use is. The tutorial is not required training for students, though some individual programs require their students to complete the tutorial.

The SCC raised concerns about the lack of consistent training and education on academic integrity for all undergraduate and graduate students. As stated in the introduction of the *Code*, the principles of truth, academic honesty, and integrity are essential to the fundamental purpose of the University. Academic dishonesty damages the credibility and quality of the education provided by the University and devalues the hard work and achievements by fellow students. As such, the *Code* makes upholding academic integrity the responsibility of all members of the campus community, especially student members (see part 2 of the current *Code* for more information). The University's expectation that all students uphold the principles of academic integrity is undermined by a lack of training and education for students on what that responsibility entails.

The SCC also noted that the need for training is greatest among those who may not be familiar with academic integrity principles. Graduate students and international students have unique needs when it comes to training on academic integrity issues. Graduate students have very different experiences from undergraduate students; they are often teaching, doing research, and taking classes, and academic integrity matters differently in each context in which they work. Specific training with scenarios and examples relevant to the graduate student experience may be needed in order for the training to be relatable to graduate students. International students often come to UMD with a very different understanding of classroom climates and expectations, and may have never had any exposure to academic integrity in a higher education setting in the US. In many cases, coursework outside of a final exam is a new concept to international students, and it may be the norm in other countries to use information without citations if that information is public knowledge.

The OSC recognizes these concerns and has been working to address them. The OSC is working on developing a new version of the Academic Integrity Tutorial specifically targeted towards international students, and intends to create a version targeted towards graduate students as well. The OSC has also increased its outreach to faculty and staff in individual Colleges, and has created an advisory group of liaisons from each College to discuss academic integrity issues and encourage discussions and education about principles of academic integrity at the unit level.

To support these efforts, as well as further understanding and adoption of academic integrity principles across campus, the SCC would like to see the Academic Integrity Tutorial become a required part of the academic experience for all undergraduate and graduate students on campus. However, the SCC recognizes the technical and administrative burden such a recommendation would place on the administration, and recognizes that the University's IT infrastructure is not at a point where it would be feasible to implement mandatory training for all students. The SCC developed a recommendation with that in mind, in order to encourage further adoption of the tutorial and to ask for consideration of these issues when infrastructure that would support mandatory training is in place.

RECOMMENDATIONS

The Student Conduct Committee recommends that the *Code of Academic Integrity* (III-1.00[A]) be revised as indicated in the policy document immediately following this report.

The Student Conduct Committee recommends that the revisions to the *Code* become effective on January 1, 2019.

The Student Conduct Committee recommends that the Faculty Handbook, Undergraduate Catalog, Graduate Catalog, and any other resources that discuss the *Code* or the Honor Pledge be updated to align with the new language of the *Code*.

The Student Conduct Committee recommends that all University policies and procedures that reference the *Code* be revised to include accurate information and citations.

The Student Conduct Committee recommends that the Graduate Council consider how its policies and the *Code of Academic Integrity* interact, and that the Council report back to the Senate on any issues or concerns with the *Code* or its implementation that need to be addressed further.

The Student Conduct Committee recommends that the University consider ways to increase the use of the academic integrity tutorial for undergraduate and graduate students, and should consider making the tutorial a mandatory part of the academic experience for all students on campus, once the University has the technical infrastructure to support such a requirement.

APPENDICES

Appendix 1 — Clean Version of Proposed Revisions from the Student Conduct Committee

Appendix 2 — Current *Code of Academic Integrity*

Appendix 3 — Relevant *Code* Provisions at Peer Institutions

Appendix 4 — Charge from the SEC

III-1.00(A) UNIVERSITY OF MARYLAND CODE OF ACADEMIC INTEGRITY

*Approved by President August 1, 1991; Amended May 10, 2001; Amended May 5, 2005;
Technical Amendments June 2012; Amended November 7, 2014*

INTRODUCTION

The University is an academic community. Its fundamental purpose is the pursuit of knowledge. Like all other communities, the University can function properly only if its members adhere to clearly established goals and values. Essential to the fundamental purpose of the University is the commitment to the principles of truth and academic honesty. Accordingly, the *Code of Academic Integrity* is designed to ensure that the principle of academic honesty is upheld. While all members of the University share this responsibility, the *Code of Academic Integrity* is designed so that special responsibility for upholding the principle of academic honesty lies with the students.

All work submitted for assessment is held to the standards in this Code. In cases where an allegation of academic dishonesty could also be a violation of the University's policy on scholarly misconduct, the Director of Student Conduct and the University's Research Integrity Officer will determine whether this Code or the relevant University policy will apply.

The Code of Academic Integrity is administered by the Office of Student Conduct and its Director. References in this Code to the Director of Student Conduct include the Director and designees.

~~DEFINITIONS~~ PROHIBITED CONDUCT

1. ACADEMIC DISHONESTY: any of the following acts, when committed by a student, ~~shall~~ constitute academic dishonesty:
 - (a) CHEATING¹: fraud, deceit, or dishonesty in any academic course or exercise in an attempt to gain an unfair advantage, and/or ~~intentionally~~ using or attempting to use unauthorized materials, information, or study aids in any academic course or exercise.
 - (b) FABRICATION: ~~intentional and~~ unauthorized falsification or invention of any information or citation in any academic course or exercise.
 - (c) FACILITATING ACADEMIC DISHONESTY: ~~intentionally or~~ knowingly helping or attempting to help another to violate any provision of this Code.
 - (d) PLAGIARISM: ~~intentionally or knowingly~~ representing the words or ideas of another as one's own in any academic course or exercise.
 - (e) **SELF-PLAGIARISM: the reuse of substantial identical or nearly identical portions of one's own work in multiple courses without prior permission from the current instructor or from each of the instructors if the work is being submitted for multiple courses in the same semester.**

DEFINITIONS

2. When used in the context of this *Code*, the terms below mean the following:
 - a) “University” means the University of Maryland, College Park.
 - b) “Student” means either a person enrolled in or auditing courses at the University on a full-time or part-time basis at the time the alleged violation occurred, or an individual who may not be enrolled for a particular term at the time the alleged violation occurred but has a continuing relationship with the University.
 - c) “Respondent” refers to a student alleged to have committed a violation of this *Code*.
 - d) “Complainant” includes individual(s) who have referred a student or incident to the Office of Student Conduct based on an alleged violation of the *Code*. A Complainant may be any member of the campus community, including the instructor of the course or a representative from the academic department.
 - e) “Campus Advocate” refers to a registered, degree-seeking student designated by the Office of Student Conduct who is responsible for working with the Complainant in preparation for the Honor Review process. Their responsibilities include preparing a formal charge for alleged violations of the *Code* on behalf of the University community and drafting appeal responses when necessary.
 - f) “Community Advocate” is a registered, degree-seeking student who is trained to assist or represent the Complainant and present disciplinary cases at Honor Reviews. Their responsibilities include providing brief opening and closing statements, presenting evidence, and other duties as requested by the Honor Board. The Community Advocate performs their responsibilities under the oversight of the Campus Advocate designated by the Office of Student Conduct.
 - g) “Mitigating factors” may be considered in determining sanctions. Factors may include, but are not limited to, the conditions under which the incident occurred, the present demeanor of the Respondent, whether the Respondent has acknowledged responsibility for the alleged misconduct, and any steps the Respondent has taken to address their behavior.
 - h) “Aggravating factors” may be considered in determining sanctions. Factors may include, but are not limited to, the present demeanor and past disciplinary record of the Respondent, the extent of dishonest or malicious intent, the degree of premeditation or planning, as well as the nature and importance of the academic exercise.
 - i) “Knowingly” means consciously engaging in specific conduct, regardless of whether the individual understood the conduct was a violation of the *Code*.

STANDARD OF EVIDENCE

3. The focus of disciplinary proceedings is to resolve allegations of academic dishonesty. Students have the right to be notified of the allegations and specific charges against them, to have access to the information underlying the charges, and to have an opportunity to respond. The clear and convincing standard of evidence will be used to determine responsibility for *Code* violations. Clear and convincing

evidence gives a reasonable certainty of the truth, and means that based on the totality of the evidence, it is highly and substantially more probable than not that the violation occurred. Sanctions are imposed according to the nature and severity of the violation.

RESPONSIBILITY TO REPORT ACADEMIC DISHONESTY

2.4. Academic dishonesty is a corrosive force in the academic life of a university. It jeopardizes the quality of education and depreciates the genuine achievements of others. It is, without reservation, a responsibility of all members of the campus community to actively deter it. Apathy or acquiescence in the presence of academic dishonesty is not a neutral act. Histories of institutions demonstrate that ~~a laissez-faire response~~ **indifference** will reinforce, perpetuate, and enlarge the scope of such misconduct. Institutional reputations for academic dishonesty are regrettable aspects of modern education. These reputations become self-fulfilling and grow, unless vigorously challenged by students and faculty alike.

All members of the University community - students, faculty, and staff - share the responsibility and authority to challenge and make known acts of apparent academic dishonesty.

HONOR STATEMENT

3.5. ~~Letters informing both~~ **New and incoming** graduate and undergraduate students ~~of their acceptance at the University, as well as appointment letters for members of the faculty, shall contain a short statement concerning~~ **should be informed about** the role of the **Honor Pledge and the** Student Honor Council[#], as well as the obligation of all members of the University of Maryland, College Park community to promote **and practice** the highest standards of academic integrity.

HONOR PLEDGE

6. **The Honor Pledge is a reminder that at the University of Maryland students carry primary responsibility for academic integrity because the meaningfulness of their degrees depends on it. Instructors are urged to emphasize the importance of academic honesty and of the pledge as its symbol. Instructors are encouraged to reference both the pledge and this Code on syllabi, including links to additional materials online.**

4.7. On ~~every examination, paper or other academic exercise~~ **all work submitted for assessment that is** not specifically exempted by the instructor, ~~the~~ students **shall be encouraged to** write ~~by hand~~ and sign the following pledge:

*I pledge on my honor that I have not given or received any unauthorized assistance on this ~~examination~~ **assessment**.*

Failure to sign the pledge is not a violation of the *Code of Academic Integrity*, but neither is it a defense in case of violation of this *Code*. ~~Students who do not sign the pledge will be given the opportunity to do so. Refusal to sign must be explained to the instructor.~~ Signing or non-signing of the pledge will not be considered in grading or **judicial in student conduct** procedures. ~~Material submitted electronically should contain the pledge, submission implies signing the pledge.~~

- ~~5.8.~~ On examinations, no assistance is authorized unless given by or expressly allowed by the instructor. On other assignments, the pledge means that the assignment has been done without academic dishonesty, as defined above. **Instructors should define clearly in writing what type of material or information is authorized. Students are expected to seek clarity if there is confusion as to whether specific materials are authorized.**
- ~~6.~~ ~~The pledge is a reminder that at the University of Maryland students carry primary responsibility for academic integrity because the meaningfulness of their degrees depends on it. Faculty are urged to emphasize the importance of academic honesty and of the pledge as its symbol. Faculty are encouraged to reference both the pledge and this Code on syllabi, including where they can be found on the Internet and in the Undergraduate Catalog.~~

SELF-REFERRAL

- ~~7.9.~~ Students who commit acts of academic dishonesty may demonstrate their renewed commitment to academic integrity by reporting themselves in writing to the Office of Student Conductⁱⁱⁱ. **Students who elect to self-refer for academic integrity violations are encouraged to utilize the Office of Student Conduct electronic referral form on the Office of Student Conduct website to detail the incident.** Students may not exercise the self-referral option more than once during their enrollment at the University.
- ~~8.10.~~ If an investigation by the Director of Student Conduct ~~or designee~~ reveals that no member of the University had a suspicion of a self-referring student's act of academic dishonesty, then the student will not be charged with academic dishonesty, or left with a disciplinary record. Instead, the Director of Student Conduct ~~or designee~~ will notify the instructor of the course in which the incident occurred to consult on the matter. The Director of Student Conduct ~~or designee shall~~ **will** then convene a meeting with the student. The purpose of the meeting will be to ensure that the self-referral provisions of this *Code* are followed, not to levy a sanction, or to create a disciplinary record. The Director of Student Conduct ~~or designee~~ will notify the instructor of the course in which the incident occurred of the meeting's outcome^{iv}.
- ~~9.11.~~ In all cases where a student self-referral is accepted, the student will be required to successfully complete ~~the non-credit academic integrity seminar offered by the Student Honor Council~~ **an educational sanction**. ~~Also, In addition, at the discretion of the course instructor,~~ the student **will may** have ~~any the~~ grade for the academic exercise in question reduced **to a zero, by** one letter grade, or to an "F." ~~or a zero, in the discretion of the instructor involved.~~

~~10.12.~~ If the Director of Student Conduct ~~or designee~~ determines that ~~a suspicion of~~ academic dishonesty ~~existed was suspected~~ at the time ~~of~~ the student's ~~admitted the act self-referral and admission~~, ~~then~~ the matter will be resolved in accordance with the procedures specified in this *Code* for resolving academic dishonesty allegations. The student's ~~self-referral and~~ admission may be considered a mitigating circumstance for purposes of sanctioning.

PROCEDURES: REPORTING AND INFORMAL RESOLUTION ACADEMIC DISHONESTY

~~11.13.~~ Any member of the University community who has witnessed an apparent act of academic dishonesty, or has information that reasonably leads to the conclusion that such an act has occurred or has been attempted, has the responsibility to **promptly** inform the Office of Student Conduct ~~promptly~~.

~~12.14.~~ If the Director of Student Conduct ~~or designee~~ determines that a report of academic dishonesty is supported by reasonable cause^v, the Office of Student Conduct **will notify the student. University email is the primary means by which the Office of Student Conduct communicates with students. Students are responsible for reading all official communications delivered to the University email address and are advised to check their email regularly for University communications, including those from the Office of Student Conduct.**

15. **The Office of Student Conduct will** ~~shall~~ offer the student an opportunity for a preliminary interview to review the allegations and any supporting evidence that was provided to the Office of Student Conduct^{vi}. The instructor of the course in which the incident occurred may be included in the meeting. The Office of Student Conduct **will** ~~shall~~ also provide the **Respondent** ~~accused student~~ with a copy of this *Code*; and a statement of procedural rights, **which will include information about the right to be assisted by an Advocate, in alignment with Part 21 of this Code.** ~~approved by the Honor Council^{vii}. The Director of Student Conduct or a designee, the student, and the instructor of the course in which the incident occurred may reach a collective agreement concerning how a case should be resolved. This informal resolution and the sanction imposed are not subject to appeal.~~

THE STUDENT HONOR COUNCIL

16. **The Student Honor Council is a branch of the University Student Judiciary composed of qualified graduate and undergraduate students in good academic standing.**

17. **The Student Honor Council has the following responsibilities and authority:**

- (a) **To increase awareness throughout the campus of the importance of academic integrity.**

- (b) To designate from its members students to serve as members of Honor Boards, as specified in this *Code*.
 - (c) To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University.
- 18. All Student Honor Council members will participate in orientation and training sessions held by the Office of Student Conduct.
- 19. Members of the Student Honor Council who are charged with any violation of this *Code*, the *Code of Student Conduct*, another University policy, or with a criminal offense may be suspended from their positions by the Director of Student Conduct while the charges against them are pending. Students found responsible for any such violation or offense may be disqualified from any further participation in the University Student Judiciary by the Director of Student Conduct. Additional grounds and procedures for removal may also be set forth in the bylaws of the University Student Judiciary.
- 20. The administration will provide an appropriate facility for the primary use of the Honor Council suitable for conducting Honor Reviews. Clerical and secretarial assistance will also be provided.

ROLE OF ADVOCATE, ADVISOR, AND SUPPORT PERSON

- 21. The Respondent may be assisted by an Advocate, who must be a registered, degree-seeking student at the University. The role of an Advocate is limited to:
 - (a) Making brief opening and closing statements.
 - (b) Suggesting relevant questions, which may be directed to witnesses.
 - (c) Providing confidential advice to the Respondent.
 - (d) Following a determination of responsibility, the Advocate may make recommendations regarding sanctions, if appropriate.
- 22. The Respondent may also choose to be assisted by an Advisor of their choice, who may be an attorney, at their own initiation and expense. The Advisor is present to provide advice and consultation to the Respondent. If necessary, the Respondent may request a recess in order to speak privately with an Advisor. The Advisor shall not be an active participant in the hearing. The Advisor may not speak for the Respondent, advise the Advocate, serve as a witness, provide evidence in the case, delay, or otherwise interfere with the University's disciplinary process.
- 23. Respondents may choose to be supported by a Support Person of their choice to provide emotional and logistical support. A Support Person shall not be an active participant in the process.
- 24. As a general practice, disciplinary proceedings will not be delayed due to the unavailability of an Advocate, Advisor, or Support Person.

ROLE OF WITNESSES IN ACADEMIC MISCONDUCT PROCEEDINGS

25. **It is the responsibility of the party requesting the presence of a witness to ensure that the witness appears. Because experience has demonstrated that the appearance of a witness is of greater value than a written statement, the latter is discouraged and should not be used unless the witness cannot or reasonably should not be expected to appear. Any written statement must be dated and signed, and witnessed by a staff member in the Office of Student Conduct or a person designated by the Director of Student Conduct. The resolution process will not generally be delayed due to the unavailability of a witness.**
26. **University students and employees are expected to comply with requests to serve as a witness, unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities. Notifications of a witness' inability to appear must be submitted in writing to the Director of Student Conduct.**
27. **During an Honor Review, the Presiding Officer may direct witnesses to appear upon the motion of any Honor Board member, or at the request of either party. If the Director of Student Conduct determines that a fair Honor Review cannot be held without the testimony of a particular witness, and after good faith attempts are made to notify the witness, the witness either fails to or refuses to appear, the Honor Review will be postponed until the witness agrees to appear or the charges will be dismissed.**

PROCEDURES: RESOLUTION BY INFORMAL AGREEMENT

28. **If the Respondent acknowledges responsibility for academic dishonesty, they may choose to resolve the matter informally without participating in a formal disciplinary process.**
29. **In consultation with the instructor of the course in which the incident occurred, the Director of Student Conduct and the Respondent may reach an agreement concerning how a case should be resolved. With informal agreement, the Respondent waives the right to an appeal of the agreement and the sanction.**

PROCEDURES: RESOLUTION BY A DISCIPLINARY CONFERENCE

- 13.30. **~~Referred students~~ Respondents may elect choose to resolve the matter in a Disciplinary Conference if the ~~student: (1) is~~ alleged ~~to have committed an~~ act of academic dishonesty ~~that~~ would not normally result in suspension or expulsion, as defined by the *Code of Academic Integrity* and ~~(2) has no prior record of academic dishonesty or other significant judicial history~~^{viii}. **The Director of Student Conduct reserves the right to refer complex or contested cases to an Honor Review for adjudication.****

31. **Disciplinary Conferences will be conducted by the Director of Student Conduct. The Respondent will be notified in writing of the conference outcome and sanctioning determination. Respondents who choose to resolve the matter in a Disciplinary Conference waive the right to an appeal of any decision made in a Disciplinary Conference.**
- 14.32. **Students Respondents** participating in a Disciplinary Conference in the Office of Student Conduct are accorded the following procedural protections:
- (a) Written notice of charges at least three (3) days prior to the scheduled conference.
 - (b) Reasonable access to the case file prior to and during the conference.
 - (c) An opportunity to respond to the evidence against them and to call appropriate witnesses on their behalf.
 - (d) The option to be accompanied and assisted by an **representative Advisor**, who may be an attorney, **as well as an Advocate or Support Person**. All **representatives Advisors, Advocates, and Support Persons** are subject to the restrictions of Parts ~~35 and 36~~ **21 through 24** of ~~the this~~ *Code of Student Conduct*.
33. ~~(e)~~ —A plea of not responsible will be entered for ~~R~~Respondents who fail to attend their scheduled Disciplinary Conference; the **proceedings conference** will proceed in their absence and the ~~R~~Respondents will be notified ~~via electronic mail~~ of the **Disciplinary eConference** outcome and sanctioning determination.
34. **The Director of Student Conduct will determine that a student is responsible for academic dishonesty or an attempt thereof only after considering all of the information before them, and only if the Director believes that such a conclusion is supported by clear and convincing evidence. If the Director of Student Conduct finds that the Respondent is not responsible, the Director will dismiss the charge of academic dishonesty.**
35. **If the Director finds that the Respondent is responsible for academic dishonesty, the Director of Student Conduct may receive sanctioning recommendations from the Complainant, instructor, academic program, and the Respondent before determining an appropriate sanction.**
- ~~15. Disciplinary Conferences shall be conducted by the Director of Student Conduct or designee. The Director of Student Conduct or designee reserves the right to refer complex or contested cases to an Honor Review for adjudication. Respondents will be notified in writing of the conference outcome and sanctioning determination. No appeal will be granted for any decision made in a Disciplinary Conference.~~
- ~~16. The normal sanction for undergraduate students found responsible for violating the Code of Academic Integrity during a Disciplinary Conference is the grade of "XF." The Director of Student Conduct or a designee will receive sanctioning recommendations from the Complainant. The Director of Student Conduct or a designee reserves the right~~

~~to levy lesser or more severe sanctions depending on factors such as the nature and importance of the academic exercise; the degree of premeditation or planning, the extent of dishonest or malicious intent, and whether the violation is a first-time or repeat offense.~~

PROCEDURES: RESOLUTION BY A DISCIPLINARY CONFERENCE BOARD

36. Respondents may request that the matter be resolved using a Disciplinary Conference Board if the alleged act of academic dishonesty would not normally result in suspension or expulsion, as defined in this *Code*. Disciplinary Conference Boards may be used to ensure the Respondent receives a review by their peers while also ensuring that the case can be resolved in an expedited or timely fashion. The discretion on whether to use a Disciplinary Conference Board to resolve the matter rests with the Director of Student Conduct. The Director of Student Conduct reserves the right to refer complex or contested cases to an Honor Review for adjudication.
37. Respondents who agree to resolve the matter through a Disciplinary Conference Board waive the right to an appeal of any decision made by the Board.
38. A Disciplinary Conference Board consists of two students from the University Student Judiciary and a staff member from the Office of Student Conduct.
39. Respondents who agree to a resolution by a Disciplinary Conference Board are accorded the same procedural protections as those who choose resolution by a Disciplinary Conference, as outlined in Part 32 above.
40. If the Disciplinary Conference Board finds that an attempt or act of academic dishonesty occurred, it will determine an appropriate sanction.

PROCEDURES: RESOLUTION BY AN HONOR REVIEW

41. Cases that are not appropriate for resolution through an Informal Agreement, a Disciplinary Conference, or a Disciplinary Conference Board will be resolved through an Honor Review. **The Director of Student Conduct will select the date, time, and place for the Honor Review, and will notify all parties in writing a minimum of five (5) business days in advance.**
- ~~17.42.~~ **An Honor Review is** conducted by an Honor Board. ~~The Board is~~ convened by the Student Honor Council. ~~It will n~~Normally, **an Honor Board** consists of six ~~persons members;~~ five ~~of whom will be~~ voting members **and one non-voting Presiding Officer**. Determinations of the Honor Board will be by a majority vote ~~(three votes or more)~~. **In cases of a tie, the Presiding Officer will vote to break the tie.** Honor Boards are selected as follows:

- (a) Three (3) students **will be** selected by the Student Honor Council from among its members. ~~In the event the student accused of academic dishonesty~~ **If the Respondent** is a graduate student, then at least two (2) of the student members ~~shall~~ **will** be graduate students.
- (b) Two (2) faculty or staff members **will be** selected ~~in accordance with selection procedures established~~ by the Office of Student Conduct. ~~In the event the student accused of academic dishonesty~~ **If the Respondent** is a graduate student, then at least one (1) ~~of the persons selected shall~~ **member will** be a regular member of the graduate faculty.
- (c) ~~The Honor Board shall have one (1) member who shall serve as the Presiding Officer.~~ The Presiding Officer may be a **University** student, faculty, or staff member ~~of the University~~ and will be selected by the Director of Student Conduct.

43. If the full Honor Board is unable to convene on the date of the scheduled Honor Review, a replacement may be identified. The modified Board can convene if the Respondent signs a waiver agreeing to the modified makeup of the board.

~~18.44.~~ **Ad hoc Honor Boards may be convened** ~~if~~ the Director of Student Conduct determines that the Student Honor Council or an Honor Board cannot be convened within a reasonable period of time after ~~an accusation is made~~ **the allegation is reported.**, ~~the Director of Student Conduct or designee may review the case. If there is reasonable cause to believe that an act of academic dishonesty has occurred or has been attempted,~~ ~~t~~ The Director of Student Conduct ~~or designee~~ will convene an ad hoc Honor Board by selecting and appointing **at minimum** two students and one faculty or staff member. Whenever possible, student members of ad hoc Honor Boards ~~will shall~~ be members of the Student Honor Council. A ~~non-voting p~~ **Presiding** ~~o~~ **Officer will shall** be appointed by the Director of Student Conduct **and will only vote in cases of a tie.**

45. Honor Boards may be advised by a University staff member as designated by the Director of Student Conduct. A Board Advisor is a non-voting member of the Board and has all the privileges of Board members, including the ability to comment on questions of procedure and on the relevance of evidence, and will otherwise assist in the administration of the hearing.

~~19.46.~~ The Campus Advocate **will prepare a formal charge of academic dishonesty, and send it to the Respondent and the Honor Board with appropriate written notice. The Community Advocate will present the case** ~~or a designee shall serve as the Complainant~~ at an Honor Review. The principal responsibilities of the **Community Advocate** ~~Complainant~~ are:

- (a) ~~To prepare a formal charge of academic dishonesty, and deliver it to the student and the Honor Board. The student will be deemed to have received notice on the date of delivery at the most recent address or electronic mail address (email) provided to the University by the student; and~~

- (ba) To present the evidence and analysis upon which the charge is based to the Honor Board during the Honor Review; and
- (eb) To perform such other duties as may be requested by the Student Honor Council or the Honor Board.

~~20.47.~~ The charge of academic dishonesty serves to give ~~a student~~ **the Respondent** a reasonable understanding of the act and circumstances to be considered by the Honor Board, ~~thereby placing the student in a position in order to allow the Respondent~~ to contribute in a meaningful way to the inquiry. It also serves to provide initial focus to that inquiry. ~~It is not, however, a technical or legal document, and is not analogous to an indictment or other form of process.~~ The charge may be modified as the discussion **in the Honor Review** proceeds, as long as the ~~accused student~~ **Respondent** is **provided notice and** accorded a reasonable opportunity to prepare a response. **Recesses or postponements may be granted by the Presiding Officer as needed to allow the Respondent a chance to review a modified charge and prepare a response.**

~~21.48.~~ The purpose of an Honor Review is to explore and investigate the incident giving rise to the ~~appearance~~ **allegation** of academic dishonesty, and to reach an informed conclusion as to whether or not academic dishonesty occurred. ~~In keeping with the ultimate premise and justification of academic life, the duty~~ **It is the responsibility** of all persons at an Honor Review ~~is~~ to assist in a thorough and honest exposition of all related facts.

~~The basic tenets of scholarship—full and willing disclosure, accuracy of statement, and intellectual integrity in hypothesis, argument, and conclusion—must always take precedence over the temptation to gain a particular resolution of the case.~~ An Honor Review is not ~~in the character of~~ a criminal or civil legal proceeding. It is not modeled on these adversarial systems; nor does it serve the same social functions. It is not a court or tribunal. Rather, it is an academic process unique to the community of scholars that comprise a university.

~~22.49.~~ The role of the Presiding Officer is to exercise impartial control over the Honor Review in order to achieve an equitable, orderly, timely, and efficient process. The Presiding Officer is authorized to make all decisions and rulings as are necessary and proper to achieve that end, including ~~such~~ decisions and rulings ~~as~~ **pertaining** to scheduling and to the ~~admissibility of evidence~~ **inclusion of information in the record**. If in the judgment of the Presiding Officer there is reasonable cause to question the impartiality of a board member, the Presiding Officer will ~~so~~ inform the Honor Council, which will reconstitute the ~~Honor~~ **Board**.

~~23~~ ~~The Director of Student Conduct or a designee will select the date, time and place for the Honor Review, and notify all parties in writing a minimum of five (5) business days prior to the review.~~

~~24.50.~~ ~~The sequence of an Honor Review is necessarily controlled by the nature of the incident to be investigated and the character of the information to be examined. It thus lies within the judgment of the Presiding Officer to fashion the most reasonable approach. The~~

~~following steps, however, have been found to be efficient, and are generally recommended:~~ **The Presiding Officer may modify procedural guidelines when necessary. Normally, the following procedures apply during an Honor Review:**

- (a) ~~Complainant, and then the student or the student's advocate,~~ **Both parties will be given an opportunity to share any relevant information or arguments. The Community Advocate will summarize** the matter before the Honor Board **first, followed by a summary presented by the Respondent including any relevant information or arguments.**
- (b) The **Community Advocate will** ~~Complainant, and then the student,~~ present and question ~~persons having knowledge of the incident~~ **witnesses**, and offer documents or other materials ~~bearing on~~ **relevant to** the case. **The Respondent will then present and question witnesses, and offer documents or other materials relevant to the case.** The **Community Advocate** ~~Complainant,~~ the **Respondent** ~~student,~~ and all members of the Honor Board may question any ~~person giving testimony~~ **witness appearing before the Board.**
- (c) The members of the Honor Board may ask the Complainant, **the Community Advocate**, or the ~~student~~ **Respondent** any relevant questions. The members may also request any additional material or the appearance of other ~~persons they deem~~ **witnesses, as** appropriate.
- (d) The ~~Complainant, and then the student or the student's advocate,~~ **Community Advocate** may make **a** brief closing statements, **followed by a brief closing statement by the Respondent.**
- (e) The Honor Board **will** meet privately to discuss the case, and ~~reaches~~ **must reach** a finding by a majority vote.
- (f) The Honor Board will not conclude that ~~a student~~ **the Respondent** has attempted or engaged in an act of academic dishonesty unless, after considering all the information before it, a majority of members believe that such a conclusion is supported by clear and convincing evidence. If this is not the case, the Honor Board will dismiss the charge of academic dishonesty.
- (g) If the Honor Board finds the student has engaged in an act of academic dishonesty, both the ~~Complainant~~ **Community Advocate** and the ~~student or the student's~~ **a Respondent or their** Advocate may recommend an appropriate sanction. Pertinent documents ~~and or~~ other material may be ~~offered~~ **submitted for consideration.** The Honor Board **will** then meet privately to reach a decision regarding the sanction, ~~which must be~~ by a majority vote ~~of its voting members.~~
- (h) The Presiding Officer will provide the ~~Complainant~~ **Community Advocate** and the ~~student~~ **Respondent** with a written report of the Honor Board's determination.

~~25. Role of Advocate and Advisor:~~

- ~~(a) The accused student may be assisted by an advocate, who must be a registered, degree-seeking student at the University. The role of the advocate will be limited to:
 - ~~1. Making brief opening and closing statements, as well as comments on appropriate sanction.~~~~

2. ~~Suggesting relevant questions which the Presiding Officer may direct to witness.~~
3. ~~Providing confidential advice to the student.~~

- (b) ~~The accused student may also be accompanied by an advisor, who may be an attorney. The role of the advisor during an Honor Review will be limited to providing confidential advice only to the accused student, not the advocate, provided such advice is given without interfering with or disrupting the Honor Review. Even if accompanied by an advocate and/or an advisor, the student must take an active and constructive role in the Honor Review. In particular, the student must fully cooperate with the Honor Board and respond to its inquiries without undue intrusion by an advocate or advisor. In consideration of the limited role of advocates and advisors, and of the compelling interest of the University to expeditiously conclude the matter, the work of an Honor Board will not, as a general practice, be delayed due to the unavailability of an advocate or an advisor.~~
- (c) ~~Honor Reviews may be recorded or transcribed. If a recording or transcription is not made, the decision of the honor board must include a summary of the testimony and shall be sufficiently detailed to permit review on appeal.~~
- (d) ~~Presence at an Honor Review lies within the judgment of the Presiding Officer.~~

51. An Honor Review is a confidential investigation. It requires a deliberative and candid atmosphere, free from distraction. ~~Accordingly, it is~~ **As such, Honor Reviews are** not open to the public or others “interested” persons **in the case**. ~~However, at the student’s request, the Presiding Officer will permit a student’s parents or spouse to observe and may permit a limited number of additional observers.~~ The Presiding Officer **may has discretion to** remove ~~from the Honor Review~~ any person who disrupts or impedes the investigation, or who fails to adhere to the rulings of the Presiding Officer. The Presiding Officer may ~~direct that persons, other than the accused student or the Complainant, who are to be called upon to provide information, be excluded~~ **exclude witnesses** from the Honor Review except ~~for that purpose~~ **during the time they are providing information to the Board**. The ~~members of the~~ Honor Board may conduct **its** private deliberations at such times and places as ~~they deem proper~~ **appropriate**.

- (e) ~~It is the responsibility of the person desiring the presence of a witness before an Honor Board to ensure that the witness appears. If necessary, a subpoena may be requested, in accordance with Part 36 (b) of the Code of Student Conduct^{ix}. Because experience has demonstrated that the actual appearance of an individual is of greater value than a written statement, the latter is discouraged and should not be used unless the individual cannot or reasonably should not be expected to appear. Any written statement must be dated, signed by the person making it, and witnessed by a University employee or by a person approved by the Director of Student Conduct (e.g., a notary). The work of an Honor Board will not, as a general practice, be delayed due to the unavailability of a witness.~~

52. ~~(f)An Honor Review is not a trial. The University’s academic integrity process differs from any legal proceedings. Formal rules of evidence are not applicable to Honor Review proceedings commonly associated with a civil or criminal trial may be counterproductive in an academic investigatory proceeding, and shall not be applied. The Presiding Officer will accept for consideration all matters which reasonable persons~~

~~would accept as having probative value in the conduct of their affairs~~ **admit all matters into evidence which reasonable persons would accept as relevant, significant, and important to the issues being decided in the case.** ~~Unduly~~ **Unnecessarily** repetitious, irrelevant, or ~~personally abusive material should~~ **prejudicial evidence may** be excluded **at the discretion of the Presiding Officer.**

~~26.53.~~ If the Honor Board finds that an attempt or act of academic dishonesty did occur, it ~~shall~~ **will** impose an appropriate sanction.

SANCTIONS

54. The normal sanction for ~~an~~ undergraduate students ~~who has been~~ found responsible for violating the *Code of Academic Integrity* ~~during an Honor Review~~ is the grade of “XF.” ~~in the course.~~ The normal sanction for a graduate student **is the grade of “XF” and shall be** dismissal (suspension or expulsion) from the University. ~~Generally, acts involving advance planning, falsification of papers, conspiring with others, or some actual or potential harm to other students will merit a severe sanction, i.e. suspension or expulsion, even for a first offense. An attempt to commit an act shall be punished to the same extent as the consummated act.~~ **The Director of Student Conduct and/or the Honor Board or Disciplinary Conference Board will consider sanction recommendations from the Complainant and Respondent in determining an appropriate sanction.**
55. **Attempts to commit acts prohibited by this Code may be sanctioned to the same extent as completed violations.**
56. **The Director of Student Conduct reserves the right to impose a lesser or more severe sanction depending on mitigating or aggravating factors as defined in Parts 2(g) and 2(h) above. The following sanctions for violations of this Code may be imposed:**
- (a) **Expulsion: permanent separation of the student from the University. A permanent notation will appear on the student’s transcript. The student will also be barred from University premises. (Expulsion requires administrative review and approval by the Vice President for Student Affairs and may be altered, deferred, or withheld.)**
 - (b) **Suspension: separation of the student from the University for a specified period of time. A permanent notation will appear on the student’s transcript. The student shall not participate in any University-sponsored activity and may be barred from University premises during the period of suspension. Suspended time will not count against any time limits required by the Graduate School for completion of a degree. (Suspension requires administrative review and approval by the Vice President for Student Affairs and may be altered, deferred, or withheld.)**
 - (c) **The grade of “XF”: the grade “XF” recorded on the student’s transcript includes the notation “failure due to academic dishonesty.” The grade of “XF” is treated in the same way as an “F” for the purposes of determining**

grade point average, course repeatability, and academic standing.

- (i) No student with an “XF” on their transcript will be permitted to represent the University in any extracurricular activity (for example, intercollegiate athletics, sports clubs, traveling performance groups, etc.), or run for or hold office in any student or University organization which is allowed to use University facilities or which receives University funds.
 - (ii) The normal duration of the placement of the “XF” is twelve months. If serious mitigating circumstances are presented, an abbreviated “XF” for six months may be considered. If serious aggravating circumstances are presented, the “XF” may be given as a permanent notation on the student’s transcript for the course in question.
- (d) The grade of “F”: the grade “F” recorded on the student’s transcript for the course in which the academic misconduct occurred. The grade of “F” factors into the determination of the student’s grade point average, eligibility for course repeatability, and academic standing.
 - (e) Letter grade reduction: the student will be given no credit for any assignment(s) in which academic misconduct occurred, and the student’s final course grade will be reduced as determined by the course instructor.
 - (f) Zero on the assignment(s): the student will be given no credit for the assignment(s) in which academic misconduct occurred. The instructor will factor the zero into the student’s final grade in the course.
 - (g) Other sanctions: other sanctions may be imposed in addition to those specified in sections (a) through (f) above. Other sanctions may include educational or reflective experiences that encourage the student to prevent repeated acts of academic dishonesty, or help the student better understand how their academic dishonesty affects the academic and professional communities of which the student is a part.

APPEALS

~~27.57. In cases where an Honor Board has determined the appropriate sanction to be less than suspension or expulsion, both the finding of responsibility and the sanction(s) of an Honor Board will be final, unless, within five (5) business days after the Board’s written decision is sent to the student, and referring faculty member, the student or the referring faculty member notifies the Director of Student Conduct in writing of the intention of filing an appeal.~~ The student Respondent may appeal both the findings determination of responsibility and the penalty sanction. The Complainant may **only** appeal the **penalty sanction only**. A party must provide notice to the Director of Student Conduct of their intent to file an appeal in writing within three (3) business days after the Presiding Officer’s report is sent.

58. A written **argument brief** supporting **any the** appeal must be submitted in writing to the Director of Student Conduct within ~~an additional ten (10)~~ **seven (7)** business days **of the**

notice of the intent to file an appeal. The opposing party ~~shall~~ will be provided a ~~reasonable opportunity~~ seven (7) business days to submit a written response.

59. If the parties do not submit notice of their intent to file an appeal, the decision and sanction are final after three (3) business days from the date of the Presiding Officer's report. Appeals submitted after three (3) business days will be denied.
60. Appeals of decisions resulting in suspension or expulsion will be decided by the University Senate Student Conduct Committee Appellate Body, which is comprised of three members from the Student Conduct Committee including at least one student. Appeals of decisions resulting in sanctions other than suspension or expulsion will be decided by the Appellate Board, which is a branch of the University Student Judiciary and is comprised of students.
- ~~28. Any member of the appellate body who has taken part in an Honor Review that is the subject of an appeal is not eligible to hear the appeal.~~
- ~~29. Decisions of the appellate body will be by majority vote, based upon the record of the original proceeding and upon written briefs. De novo* hearings (re-hearing of original case without deference to lower board's ruling) shall not be conducted.~~
61. Grounds for an appeal will be limited to:
 - (a) **Substantial Procedural Error: Procedural errors or errors in interpretation of University policy that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard. Deviations from procedures that were not so substantial as to deny a Respondent notice or a fair opportunity to be heard will not be a basis for granting an appeal.**
 - (b) **Disproportionate Sanctioning: The sanction is substantially disproportionate to the offense, which means it is far in excess of what is reasonable given the facts or circumstances of the violation.**
 - (c) **Arbitrary and Capricious Decision: An arbitrary and capricious decision is a decision without a rational basis or unsupported by any evidence in the record.**
 - (d) **New Evidence: New and significant relevant information has become available which a reasonably diligent person could not have discovered before or during the original hearing.**

When the basis of the appeal is new evidence, the appellate body will determine whether the information is new and was unavailable at the time of the Honor Review. If the appellate body determines that the information is not new and was available at the time, the appeal will be denied. If the information is determined to be new and unavailable at the time of the Honor Review, the appellate body will consider whether the new information could have changed the outcome of the original Honor Review. If it is

determined that the outcome could have been impacted by the new evidence, the case will be sent back to the original Honor Board for further review.

- ~~30. Deference shall be given to the determinations of Honor Boards by the appellate body.~~
- ~~(a) Sanctions may only be reduced if found to be grossly disproportionate to the offense. Likewise, upon an appeal by the Complainant, sanctions may be increased only if the original sanction is deemed to be grossly disproportionate to the offense.~~
 - ~~(b) Cases may be remanded to a new Honor Board if specified procedural errors or errors in interpretation of this Code were so substantial as to effectively deny the accused student a fair hearing, or if new and significant evidence became available that could not have been discovered by a diligent respondent before or during the original Honor Board hearing. On remand, no indication or record of the previous hearing will be introduced or provided to the members of the new Honor Board, except to impeach contradictory testimony, at the discretion of the Presiding Officer.~~
 - ~~(c) Cases may be dismissed only if the finding is held to be arbitrary and capricious.~~
62. Appeals are not intended to allow for a second review of the facts of the case and determination of whether there was a violation. A review of the matter will be prompt and narrowly tailored to the stated grounds for appeal. In most cases, appeals are confined to a review of the written record and the statements of the parties in support of or against the appeal. In all cases, **deference shall be given to the determinations of the lower board.**
63. The appellate body will consider the appeal and may:
- (a) Affirm the Decision and the sanction imposed;
 - (b) Affirm the Decision and **reduce**, but not eliminate, the sanction;
 - (c) **Remand** the case to a new Honor Board, if there were procedural or interpretation errors;
 - (d) Remand the case to the original Honor Board in accordance with the procedures outlined under “New Evidence;” or
 - (e) **Dismiss** the case if the decision is determined to be arbitrary and capricious.
64. Decisions of the appellate bodies are not subject to further appeal. Decisions altering the determinations of Honor Boards will be accompanied by a brief report explaining the appellate body’s decision. Sanctions of suspension or expulsion require review and approval by the Vice President for Student Affairs. The Vice President for Student Affairs may alter, defer, or withhold a sanction of dismissal.
- ~~31. If an Honor Board determines to suspend or expel a student, then the student may submit a written appeal to the Senate Committee on Student Conduct, in accordance with procedures set forth in Parts 43-50 of the Code of Student Conduct.~~

~~32. Regardless of whether an appeal is filed, suspension requires approval by the Vice President for Student Affairs, and may be altered, deferred, or withheld. Expulsion requires approval by the President, and may be altered, deferred, or withheld.~~

“XF” REMOVAL PROCESS

65. The Respondent may file a written petition to the Appellate Board to have the grade of “XF” removed and permanently replaced with the grade of “F.” The Appellate Board has the sole discretion in the decision to remove the grade of “XF” and replace it with an “F” provided that:

- (a) At the time the petition is received, at least twelve (12) months should have elapsed since the grade of “XF” was imposed, unless a different time period was specified at the time the “XF” was imposed;**
- (b) At the time the petition is received, the student has successfully completed a non-credit seminar on academic integrity, as administered by the Office of Student Conduct; or, for those no longer enrolled at the University, an equivalent activity as determined by the Office of Student Conduct; and,**
- (c) The Office of Student Conduct certifies that to the best of its knowledge the student has not been found responsible for any other act of academic dishonesty or similar disciplinary offense at the University of Maryland or another institution.**

66. Prior to deciding a petition, the Appellate Board will review the record of the case and consult with the Director of Student Conduct. Generally, the grade of “XF” will not be removed if it was imposed for an act of academic dishonesty requiring significant premeditation.

67. If the “XF” grade is removed, records of the incident may be voided. If the Appellate Board denies the petition to remove the “XF” grade, the petition cannot be reconsidered for one year, unless the Appellate Board specifies an earlier date on which the petition may be reconsidered.

68. Decisions of the Appellate Board pertaining to the removal of the “XF” may be appealed to the Senate Student Conduct Committee Appellate Body. If the Senate Student Conduct Committee Appellate Body removes the grade of “XF” from the student’s transcript, the Senate Student Conduct Committee Appellate Body will provide a written rationale to the Student Honor Council.

DISCIPLINARY RECORDS

69. Students found responsible for violations of the *Code of Academic Integrity* will have a disciplinary record. Disciplinary records are maintained by the Office of Student Conduct for a period of three (3) years from the date of the letter providing notice of final disciplinary action. Disciplinary records may be retained for longer periods of time or permanently, if specified in the sanction. Disciplinary records of students

with a sanction of suspension or expulsion will be retained permanently unless otherwise specified.

70. Students may petition the Office of Student Conduct to void their disciplinary record early, for good cause. Factors to be considered in review of such petitions include:
 - (a) The present demeanor of the Respondent;
 - (b) The conduct of the Respondent subsequent to the violation; and
 - (c) The nature of the violation and the severity of any damage, injury, or harm resulting from it.
71. Disciplinary records retained for less than 90 days or designated as “permanent” should not be voided without unusual and compelling justification.
72. Denials of petitions to void disciplinary records can be appealed to the Senate Student Conduct Committee, which will consider the appeal using the grounds for appeal outlined in Part 61 above. Such an appeal must be submitted in writing within five (5) business days from the letter providing notice of the original decision.

~~THE GRADE OF “XF”~~

- ~~33. The grade of “XF” is intended to denote a failure to accept and exhibit the fundamental value of academic honesty. The grade “XF” shall be recorded on the student’s transcript with the notation “failure due to academic dishonesty.” The grade “XF” shall be treated in the same way as an “F” for the purposes of grade point average, course repeatability, and determination of academic standing.~~
- ~~34. No student with an “XF” on the student’s transcript shall be permitted to represent the University in any extracurricular activity, or run for or hold office in any student organization which is allowed to use University facilities, or which receives University funds.~~
- ~~35. The student may file a written petition to the Student Honor Council to have the grade of “XF” removed and permanently replaced with the grade of “F.” The decision to remove the grade of “XF” and replace it with an “F” shall rest in the discretion and judgment of a majority of a quorum of the Council provided that:
 - ~~(a) At the time the petition is received, at least twelve (12) months (or time otherwise specified by the Honor Council) shall have elapsed since the grade of “XF” was imposed; and,~~
 - ~~(b) At the time the petition is received, the student shall have successfully completed a non-credit seminar on academic integrity, as administered by the Office of Student Conduct; or, for the person no longer enrolled at the University, an equivalent activity as determined by the Office of Student Conduct; and,~~~~

~~(c) — The Office of Student Conduct certifies that to the best of its knowledge the student has not been found responsible for any other act of academic dishonesty or similar disciplinary offense at the University of Maryland or another institution.~~

~~36. — Prior to deciding a petition, the Honor Council will review the record of the case and consult with the Director of Student Conduct. Generally, the grade of “XF” ought not to be removed if awarded for an act of academic dishonesty requiring significant premeditation.~~

~~If the “XF” grade is removed, records of the incident may be voided in accordance with Parts 51 and 52 of the Code of Student Conduct. The decision of the Honor Council shall not be subject to subsequent Honor Council review for four years, unless the Honor Council specifies an earlier date on which the petition may be reconsidered. Decisions pertaining to the removal of the “XF” grade penalty may be appealed to the Senior Vice President and Provost. If the Senior Vice President and Provost removes the grade of “XF” from the student’s transcript, the Senior Vice President and Provost shall provide written reasons to the Honor Council.~~

THE STUDENT HONOR COUNCIL

~~37. — There shall be a Student Honor Council composed of qualified graduate and undergraduate students in good academic standing^{xi}.~~

~~38. — The members of the Student Honor Council are appointed for one (1) year terms, by the Director of Student Conduct, Director of Academic Integrity, and the Chair of the Honor Council. Students may be reappointed for additional one (1) year terms.~~

~~39. — All Student Honor Council members are subject to the training and conduct requirements of Parts 27 and 28 of the Code of Student Conduct.~~

~~40. — The Student Honor Council has the following responsibilities and authority:~~

~~(a) — To increase awareness throughout the campus of the importance of academic integrity.~~

~~(b) — To develop bylaws subject to approval by the University for legal sufficiency and consistency with the requirements of this Code of Academic Integrity and the Code of Student Conduct.~~

~~(c) — To designate from its members students to serve as members of Honor Boards as specified in this Code.~~

~~(d) — To consider petitions for the removal of the grade of “XF” from University records in accordance with Part 35 of this Code.~~

~~(e) — To assist in the design and teaching of the non-credit seminar on academic integrity and moral development, as determined by the Director of Student Conduct.~~

~~(f) — To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University.~~

~~(g) — To issue an annual report to the University Senate on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.~~

~~41. — The campus administration shall provide an appropriate facility, reserved for the primary use of the Honor Council, and suitable for the conduct of hearings. Clerical and secretarial assistance will also be provided.~~

~~FUTURE SELF GOVERNANCE~~

~~42. — Insofar as academic dishonesty is most immediately injurious to the student body, and because the student body is in a unique position to challenge and deter it, it is the intent of the University that ultimately this Code will evolve into one where the provisions are marked by complete student administration.~~

~~TERMS~~

~~AD HOC HONOR BOARD — board consisting of a presiding officer, two (2) students, and one (1) faculty or staff member appointed by the Director of Student Conduct or designee.~~

~~ACADEMIC DISHONESTY — see Part 1 of this Code.~~

~~CHARGE OF ACADEMIC DISHONESTY — a formal description of the case being considered by the Honor Board.~~

~~CLEAR AND CONVINCING EVIDENCE — that evidence which results in reasonable certainty of the truth of the ultimate fact in controversy. It requires more than a preponderance of the evidence but less than proof beyond a reasonable doubt. Clear and convincing evidence will be shown where the truth of the facts asserted is highly probable.~~

~~COMPLAINANT — individual responsible for preparing the charge of academic dishonesty and presenting the case before the Honor Board. The Complainant must be a registered, degree-seeking student.~~

~~DISCIPLINARY CONFERENCE — meeting between respondent and Director of Student Conduct or designee to resolve a case of academic dishonesty. The Director of Student Conduct or designee will be responsible for the finding of facts, determination of responsibility and sanctioning if respondent is found responsible.~~

~~EXECUTIVE COMMITTEE — a committee of Honor Council officers, selected in accordance with Honor Council bylaws.~~

~~HONOR BOARD — body appointed by the Student Honor Council to hear and resolve a case of academic dishonesty. The board consists of five (5) voting members (three (3) student members of the Honor Council and two (2) faculty or staff members), and one (1) non-voting presiding officer.~~

~~HONOR REVIEW~~—the process conducted by the Student Honor Council leading to resolution of an academic dishonesty case.

~~PRELIMINARY INTERVIEW~~—informal meeting prior to an Honor Review or Disciplinary Conference between the Director of Student Conduct or designee and a student accused of violating the *Code of Academic Integrity* to discuss the allegations and corresponding charges, the student’s rights and responsibilities, and the options for resolution.

~~PRESIDING OFFICER~~—individual on the Honor Board responsible for directing proceedings during the Honor Review. The Presiding Officer is selected by the Director of Student Conduct.

~~STUDENT HONOR COUNCIL~~—students appointed by the Director of Student Conduct, the Director of Academic Integrity, and the Chair of the Honor Council. These students are charged with conducting Honor Reviews to resolve alleged academic integrity violations.

ⁱ We are grateful to our colleagues and friends at the Center for Student Conduct at the University of California, Berkeley for inspiring this revised definition of “Cheating” for our *Code of Academic Integrity* and for granting the university permission to use and repurpose this portion of their Code of Conduct.

ⁱⁱ The term “Honor Council,” used throughout the *Code*, permits reliance upon Honor Council committees, appointed in accordance with Council bylaws.

ⁱⁱⁱ ~~Students who elect to self refer for academic integrity violations are encouraged to utilize the Office of Student Conduct electronic referral form on the Office of Student Conduct website to detail the incident.~~

^{iv} ~~The final sanction notice to the faculty instructor of the course where the incident took place shall be maintained in a file of self referrals, but shall not be considered a disciplinary record.~~

^v ~~Pertinent procedures for determining reasonable cause shall be set forth in the Honor Council bylaws.~~

^{vi} ~~At the conclusion of the preliminary interview students reserve the right to request that the Director of Academic Integrity or a designee immediately conduct a Disciplinary Conference to resolve the matter in question.~~

^{vii} ~~The statement shall include a reference to the right to be represented by an advocate, as specified in Part 25(a) of this Code.~~

^{viii} ~~In every case the Office of Student Conduct should determine if a prior record exists.~~

^{ix} ~~Before issuing a subpoena, the Director of Student Conduct may require that a party requesting the subpoena make a reasonable effort to secure voluntary compliance by a potential witness.~~

^x ~~De novo: re-hearing of original case without deference to the lower board’s ruling.~~

^{xi} ~~The screening committee shall try to create an Honor Council that reflects the diversity of the campus, and is of sufficient size to resolve cases as promptly as possible. The determination of whether an Honor Council applicant is “qualified” rests within the discretion of the selection committee, provided that no uniform grade point “cutoff” is applied. A history of disciplinary or felonious misconduct may be sufficient grounds to disqualify any candidate.~~

III-1.00(A) UNIVERSITY OF MARYLAND CODE OF ACADEMIC INTEGRITY

Approved by President August 1, 1991; Amended May 10, 2001; Amended May 5, 2005; Technical Amendments June 2012; Amended November 7, 2014

INTRODUCTION

The University is an academic community. Its fundamental purpose is the pursuit of knowledge. Like all other communities, the University can function properly only if its members adhere to clearly established goals and values. Essential to the fundamental purpose of the University is the commitment to the principles of truth and academic honesty. Accordingly, the *Code of Academic Integrity* is designed to ensure that the principle of academic honesty is upheld. While all members of the University share this responsibility, the *Code of Academic Integrity* is designed so that special responsibility for upholding the principle of academic honesty lies with the students.

All work submitted for assessment is held to the standards in this *Code*. In cases where an allegation of academic dishonesty could also be a violation of the University's policy on scholarly misconduct, the Director of Student Conduct and the University's Research Integrity Officer will determine whether this *Code* or the relevant University policy will apply.

The *Code of Academic Integrity* is administered by the Office of Student Conduct and its Director. References in this *Code* to the Director of Student Conduct include the Director and designees.

PROHIBITED CONDUCT

1. **ACADEMIC DISHONESTY:** any of the following acts, when committed by a student, constitute academic dishonesty:
 - (a) **CHEATING:** fraud, deceit, or dishonesty in any academic course or exercise in an attempt to gain an unfair advantage, and/or using or attempting to use unauthorized materials, information, or study aids in any academic course or exercise.
 - (b) **FABRICATION:** unauthorized falsification or invention of any information or citation in any academic course or exercise.
 - (c) **FACILITATING ACADEMIC DISHONESTY:** knowingly helping or attempting to help another to violate any provision of this *Code*.
 - (d) **PLAGIARISM:** representing the words or ideas of another as one's own in any academic course or exercise.
 - (e) **SELF-PLAGIARISM:** the reuse of substantial identical or nearly identical portions of one's own work in multiple courses without prior permission from the current instructor or from each of the instructors if the work is being submitted for multiple courses in the same semester.

DEFINITIONS

2. When used in the context of this *Code*, the terms below mean the following:
 - a) “University” means the University of Maryland, College Park.
 - b) “Student” means either a person enrolled in or auditing courses at the University on a full-time or part-time basis at the time the alleged violation occurred, or an individual who may not be enrolled for a particular term at the time the alleged violation occurred but has a continuing relationship with the University.
 - c) “Respondent” refers to a student alleged to have committed a violation of this *Code*.
 - d) “Complainant” includes individual(s) who have referred a student or incident to the Office of Student Conduct based on an alleged violation of the *Code*. A Complainant may be any member of the campus community, including the instructor of the course or a representative from the academic department.
 - e) “Campus Advocate” refers to a registered, degree-seeking student designated by the Office of Student Conduct who is responsible for working with the Complainant in preparation for the Honor Review process. Their responsibilities include preparing a formal charge for alleged violations of the *Code* on behalf of the University community and drafting appeal responses when necessary.
 - f) “Community Advocate” is a registered, degree-seeking student who is trained to assist or represent the Complainant and present disciplinary cases at Honor Reviews. Their responsibilities include providing brief opening and closing statements, presenting evidence, and other duties as requested by the Honor Board. The Community Advocate performs their responsibilities under the oversight of the Campus Advocate designated by the Office of Student Conduct.
 - g) “Mitigating factors” may be considered in determining sanctions. Factors may include, but are not limited to, the conditions under which the incident occurred, the present demeanor of the Respondent, whether the Respondent has acknowledged responsibility for the alleged misconduct, and any steps the Respondent has taken to address their behavior.
 - h) “Aggravating factors” may be considered in determining sanctions. Factors may include, but are not limited to, the present demeanor and past disciplinary record of the Respondent, the extent of dishonest or malicious intent, the degree of premeditation or planning, as well as the nature and importance of the academic exercise.
 - i) “Knowingly” means consciously engaging in specific conduct, regardless of whether the individual understood the conduct was a violation of the *Code*.

STANDARD OF EVIDENCE

3. The focus of disciplinary proceedings is to resolve allegations of academic dishonesty. Students have the right to be notified of the allegations and specific charges against them, to have access to the information underlying the charges, and to have an opportunity to respond. The clear and convincing standard of evidence will be used to determine responsibility for *Code* violations. Clear and convincing evidence gives a reasonable certainty of the truth, and means that based on the totality of the evidence, it is highly and

substantially more probable than not that the violation occurred. Sanctions are imposed according to the nature and severity of the violation.

RESPONSIBILITY TO REPORT ACADEMIC DISHONESTY

4. Academic dishonesty is a corrosive force in the academic life of a university. It jeopardizes the quality of education and depreciates the genuine achievements of others. It is, without reservation, a responsibility of all members of the campus community to actively deter it. Apathy or acquiescence in the presence of academic dishonesty is not a neutral act. Histories of institutions demonstrate that indifference will reinforce, perpetuate, and enlarge the scope of such misconduct. Institutional reputations for academic dishonesty are regrettable aspects of modern education. These reputations become self-fulfilling and grow, unless vigorously challenged by students and faculty alike.

All members of the University community - students, faculty, and staff - share the responsibility and authority to challenge and make known acts of apparent academic dishonesty.

HONOR STATEMENT

5. New and incoming graduate and undergraduate students should be informed about the role of the Honor Pledge and the Student Honor Council, as well as the obligation of all members of the University of Maryland, College Park community to promote and practice the highest standards of academic integrity.

HONOR PLEDGE

6. The Honor Pledge is a reminder that at the University of Maryland students carry primary responsibility for academic integrity because the meaningfulness of their degrees depends on it. Instructors are urged to emphasize the importance of academic honesty and of the pledge as its symbol. Instructors are encouraged to reference both the pledge and this *Code* on syllabi, including links to additional materials online.
7. On all work submitted for assessment that is not specifically exempted by the instructor, students are encouraged to write and sign the following pledge:

I pledge on my honor that I have not given or received any unauthorized assistance on this assessment.

Failure to sign the pledge is not a violation of the *Code of Academic Integrity*, but neither is it a defense in case of violation of this *Code*. Signing or non-signing of the pledge will not be considered in grading or in student conduct procedures.

8. On examinations, no assistance is authorized unless given by or expressly allowed by the instructor. On other assignments, the pledge means that the assignment has been done

without academic dishonesty, as defined above. Instructors should define clearly in writing what type of material or information is authorized. Students are expected to seek clarity if there is confusion as to whether specific materials are authorized.

SELF-REFERRAL

9. Students who commit acts of academic dishonesty may demonstrate their renewed commitment to academic integrity by reporting themselves in writing to the Office of Student Conduct. Students who elect to self-refer for academic integrity violations are encouraged to utilize the Office of Student Conduct electronic referral form on the Office of Student Conduct website to detail the incident. Students may not exercise the self-referral option more than once during their enrollment at the University.
10. If an investigation by the Director of Student Conduct reveals that no member of the University had a suspicion of a self-referring student's act of academic dishonesty, then the student will not be charged with academic dishonesty, or left with a disciplinary record. Instead, the Director of Student Conduct will notify the instructor of the course in which the incident occurred to consult on the matter. The Director of Student Conduct will then convene a meeting with the student. The purpose of the meeting will be to ensure that the self-referral provisions of this *Code* are followed, not to levy a sanction, or to create a disciplinary record. The Director of Student Conduct will notify the instructor of the course in which the incident occurred of the meeting's outcome.
11. In all cases where a student self-referral is accepted, the student will be required to successfully complete an educational sanction. In addition, at the discretion of the course instructor, the student may have the grade for the academic exercise in question reduced to a zero, by one letter grade, or to an "F."
12. If the Director of Student Conduct determines that academic dishonesty was suspected at the time of the student's self-referral and admission, the matter will be resolved in accordance with the procedures specified in this *Code* for resolving academic dishonesty allegations. The student's self-referral and admission may be considered a mitigating circumstance for purposes of sanctioning.

REPORTING ACADEMIC DISHONESTY

13. Any member of the University community who has witnessed an apparent act of academic dishonesty, or has information that reasonably leads to the conclusion that such an act has occurred or has been attempted, has the responsibility to promptly inform the Office of Student Conduct.
14. If the Director of Student Conduct determines that a report of academic dishonesty is supported by reasonable cause, the Office of Student Conduct will notify the student. University email is the primary means by which the Office of Student Conduct communicates with students. Students are responsible for reading all official communications delivered to the University email address and are advised to check their

email regularly for University communications, including those from the Office of Student Conduct.

15. The Office of Student Conduct will offer the student an opportunity for a preliminary interview to review the allegations and any supporting evidence that was provided to the Office of Student Conduct. The instructor of the course in which the incident occurred may be included in the meeting. The Office of Student Conduct will also provide the Respondent with a copy of this Code and a statement of procedural rights, which will include information about the right to be assisted by an Advocate, in alignment with Part 21 of this Code.

THE STUDENT HONOR COUNCIL

16. The Student Honor Council is a branch of the University Student Judiciary composed of qualified graduate and undergraduate students in good academic standing.
17. The Student Honor Council has the following responsibilities and authority:
 - (a) To increase awareness throughout the campus of the importance of academic integrity.
 - (b) To designate from its members students to serve as members of Honor Boards, as specified in this *Code*.
 - (c) To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University.
18. All Student Honor Council members will participate in orientation and training-sessions held by the Office of Student Conduct.
19. Members of the Student Honor Council who are charged with any violation of this *Code*, the *Code of Student Conduct*, another University policy, or with a criminal offense may be suspended from their positions by the Director of Student Conduct while the charges against them are pending. Students found responsible for any such violation or offense may be disqualified from any further participation in the University Student Judiciary by the Director of Student Conduct. Additional grounds and procedures for removal may also be set forth in the bylaws of the University Student Judiciary.
20. The administration will provide an appropriate facility for the primary use of the Honor Council suitable for conducting Honor Reviews. Clerical and secretarial assistance will also be provided.

ROLE OF ADVOCATE, ADVISOR, AND SUPPORT PERSON

21. The Respondent may be assisted by an Advocate, who must be a registered, degree-seeking student at the University. The role of an Advocate is limited to:
 - (a) Making brief opening and closing statements.

- (b) Suggesting relevant questions, which may be directed to witnesses.
 - (c) Providing confidential advice to the Respondent.
 - (d) Following a determination of responsibility, the Advocate may make recommendations regarding sanctions, if appropriate.
22. The Respondent may also choose to be assisted by an Advisor of their choice, who may be an attorney, at their own initiation and expense. The Advisor is present to provide advice and consultation to the Respondent. If necessary, the Respondent may request a recess in order to speak privately with an Advisor. The Advisor shall not be an active participant in the hearing. The Advisor may not speak for the Respondent, advise the Advocate, serve as a witness, provide evidence in the case, delay, or otherwise interfere with the University's disciplinary process.
23. Respondents may choose to be supported by a Support Person of their choice to provide emotional and logistical support. A Support Person shall not be an active participant in the process.
24. As a general practice, disciplinary proceedings will not be delayed due to the unavailability of an Advocate, Advisor, or Support Person.

ROLE OF WITNESSES IN ACADEMIC MISCONDUCT PROCEEDINGS

25. It is the responsibility of the party requesting the presence of a witness to ensure that the witness appears. Because experience has demonstrated that the appearance of a witness is of greater value than a written statement, the latter is discouraged and should not be used unless the witness cannot or reasonably should not be expected to appear. Any written statement must be dated and signed, and witnessed by a staff member in the Office of Student Conduct or a person designated by the Director of Student Conduct. The resolution process will not generally be delayed due to the unavailability of a witness.
26. University students and employees are expected to comply with requests to serve as a witness, unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities. Notifications of a witness' inability to appear must be submitted in writing to the Director of Student Conduct.
27. During an Honor Review, the Presiding Officer may direct witnesses to appear upon the motion of any Honor Board member, or at the request of either party. If the Director of Student Conduct determines that a fair Honor Review cannot be held without the testimony of a particular witness, and after good faith attempts are made to notify the witness, the witness either fails to or refuses to appear, the Honor Review will be postponed until the witness agrees to appear or the charges will be dismissed.

PROCEDURES: RESOLUTION BY INFORMAL AGREEMENT

28. If the Respondent acknowledges responsibility for academic dishonesty, they may choose to resolve the matter informally without participating in a formal disciplinary process.

29. In consultation with the instructor of the course in which the incident occurred, the Director of Student Conduct and the Respondent may reach an agreement concerning how a case should be resolved. With informal agreement, the Respondent waives the right to an appeal of the agreement and the sanction.

PROCEDURES: RESOLUTION BY A DISCIPLINARY CONFERENCE

30. Respondents may choose to resolve the matter in a Disciplinary Conference if the alleged act of academic dishonesty would not normally result in suspension or expulsion, as defined by the *Code of Academic Integrity*. The Director of Student Conduct reserves the right to refer complex or contested cases to an Honor Review for adjudication.
31. Disciplinary Conferences will be conducted by the Director of Student Conduct. The Respondent will be notified in writing of the conference outcome and sanctioning determination. Respondents who choose to resolve the matter in a Disciplinary Conference waive the right to an appeal of any decision made in a Disciplinary Conference.
32. Respondents participating in a Disciplinary Conference in the Office of Student Conduct are accorded the following procedural protections:
 - (a) Written notice of charges at least three (3) days prior to the scheduled conference.
 - (b) Reasonable access to the case file prior to and during the conference.
 - (c) An opportunity to respond to the evidence against them and to call appropriate witnesses on their behalf.
 - (d) The option to be accompanied and assisted by an Advisor, who may be an attorney, as well as an Advocate or Support Person. All Advisors, Advocates, and Support Persons are subject to the restrictions of Parts 21 through 24 of this *Code*.
33. A plea of not responsible will be entered for Respondents who fail to attend their scheduled Disciplinary Conference; the conference will proceed in their absence and the Respondent will be notified of the Disciplinary Conference outcome and sanctioning determination.
34. The Director of Student Conduct will determine that a student is responsible for academic dishonesty or an attempt thereof only after considering all of the information before them, and only if the Director believes that such a conclusion is supported by clear and convincing evidence. If the Director of Student Conduct finds that the Respondent is not responsible, the Director will dismiss the charge of academic dishonesty.
35. If the Director finds that the Respondent is responsible for academic dishonesty, the Director of Student Conduct may receive sanctioning recommendations from the Complainant, instructor, academic program, and the Respondent before determining an appropriate sanction.

PROCEDURES: RESOLUTION BY A DISCIPLINARY CONFERENCE BOARD

36. Respondents may request that the matter be resolved using a Disciplinary Conference Board if the alleged act of academic dishonesty would not normally result in suspension or expulsion, as defined in this *Code*. Disciplinary Conference Boards may be used to ensure the Respondent receives a review by their peers while also ensuring that the case can be resolved in an expedited or timely fashion. The discretion on whether to use a Disciplinary Conference Board to resolve the matter rests with the Director of Student Conduct. The Director of Student Conduct reserves the right to refer complex or contested cases to an Honor Review for adjudication.
37. Respondents who agree to resolve the matter through a Disciplinary Conference Board waive the right to an appeal of any decision made by the Board.
38. A Disciplinary Conference Board consists of two students from the University Student Judiciary and a staff member from the Office of Student Conduct.
39. Respondents who agree to a resolution by a Disciplinary Conference Board are accorded the same procedural protections as those who choose resolution by a Disciplinary Conference, as outlined in Part 32 above.
40. If the Disciplinary Conference Board finds that an attempt or act of academic dishonesty occurred, it will determine an appropriate sanction.

PROCEDURES: RESOLUTION BY AN HONOR REVIEW

41. Cases that are not appropriate for resolution through an Informal Agreement, a Disciplinary Conference, or a Disciplinary Conference Board will be resolved through an Honor Review. The Director of Student Conduct will select the date, time, and place for the Honor Review, and will notify all parties in writing a minimum of five (5) business days in advance.
42. Honor Reviews are conducted by an Honor Board convened by the Student Honor Council. Normally, an Honor Board consists of six members: five voting members and one non-voting Presiding Officer. Determinations of the Honor Board will be by a majority vote. In cases of a tie, the Presiding Officer will vote to break the tie. Honor Boards are selected as follows:
 - (a) Three (3) students will be selected by the Student Honor Council from among its members. If the Respondent is a graduate student, then at least two (2) of the student members will be graduate students.
 - (b) Two (2) faculty or staff members will be selected by the Office of Student Conduct. If the Respondent is a graduate student, then at least one (1) member will be a regular member of the graduate faculty.
 - (c) The Presiding Officer may be a University student, faculty, or staff member and will be selected by the Director of Student Conduct.

43. If the full Honor Board is unable to convene on the date of the scheduled Honor Review, a replacement may be identified. The modified Board can convene if the Respondent signs a waiver agreeing to the modified makeup of the board.
44. Ad hoc Honor Boards may be convened if the Director of Student Conduct determines that the Student Honor Council or an Honor Board cannot be convened within a reasonable period of time after the allegation is reported. The Director of Student Conduct will convene an ad hoc Honor Board by selecting and appointing at minimum two students and one faculty or staff member. Whenever possible, student members of ad hoc Honor Boards will be members of the Student Honor Council. A Presiding Officer will be appointed by the Director of Student Conduct and will only vote in cases of a tie.
45. Honor Boards may be advised by a University staff member as designated by the Director of Student Conduct. A Board Advisor is a non-voting member of the Board and has all the privileges of Board members, including the ability to comment on questions of procedure and on the relevance of evidence, and will otherwise assist in the administration of the hearing.
46. The Campus Advocate will prepare a formal charge of academic dishonesty, and send it to the Respondent and the Honor Board with appropriate written notice. The Community Advocate will present the case at an Honor Review. The principal responsibilities of the Community Advocate are:
 - (a) To present the evidence and analysis upon which the charge is based to the Honor Board during the Honor Review; and
 - (b) To perform such other duties as may be requested by the Student Honor Council or the Honor Board.
47. The charge of academic dishonesty serves to give the Respondent a reasonable understanding of the act and circumstances to be considered by the Honor Board, in order to allow the Respondent to contribute in a meaningful way to the inquiry. It also serves to provide initial focus to that inquiry. The charge may be modified as the discussion in the Honor Review proceeds, as long as the Respondent is provided notice and accorded a reasonable opportunity to prepare a response. Recesses or postponements may be granted by the Presiding Officer as needed to allow the Respondent a chance to review a modified charge and prepare a response.
48. The purpose of an Honor Review is to explore and investigate the incident giving rise to the allegation of academic dishonesty, and to reach an informed conclusion as to whether or not academic dishonesty occurred. It is the responsibility of all persons at an Honor Review to assist in a thorough and honest exposition of all related facts.

An Honor Review is not a criminal or civil legal proceeding. It is not modeled on these adversarial systems, nor does it serve the same social functions. It is not a court or

tribunal. Rather, it is an academic process unique to the community of scholars that comprise a university.

49. The role of the Presiding Officer is to exercise impartial control over the Honor Review in order to achieve an equitable, orderly, timely, and efficient process. The Presiding Officer is authorized to make all decisions and rulings as are necessary and proper to achieve that end, including decisions and rulings pertaining to scheduling and to the inclusion of information in the record. If in the judgment of the Presiding Officer there is reasonable cause to question the impartiality of a board member, the Presiding Officer will inform the Honor Council, which will reconstitute the Honor Board.
50. The Presiding Officer may modify procedural guidelines when necessary. Normally, the following procedures apply during an Honor Review:
 - (a) Both parties will be given an opportunity to share any relevant information or arguments. The Community Advocate will summarize the matter before the Honor Board first, followed by a summary presented by the Respondent.
 - (b) The Community Advocate will present and question witnesses, and offer documents or other materials relevant to the case. The Respondent will then present and question witnesses, and offer documents or other materials relevant to the case. The Community Advocate, the Respondent, and all members of the Honor Board may question any witness appearing before the Board.
 - (c) The members of the Honor Board may ask the Complainant, the Community Advocate, or the Respondent any relevant questions. The members may also request any additional material or the appearance of other witnesses, as appropriate.
 - (d) The Community Advocate may make a brief closing statement, followed by a brief closing statement by the Respondent.
 - (e) The Honor Board will meet privately to discuss the case, and must reach a finding by a majority vote.
 - (f) The Honor Board will not conclude that the Respondent has attempted or engaged in an act of academic dishonesty unless, after considering all the information before it, a majority of members believe that such a conclusion is supported by clear and convincing evidence. If this is not the case, the Honor Board will dismiss the charge of academic dishonesty.
 - (g) If the Honor Board finds the student has engaged in an act of academic dishonesty, both the Community Advocate and the Respondent or their Advocate may recommend an appropriate sanction. Pertinent documents or other material may be submitted for consideration. The Honor Board will then meet privately to reach a decision regarding the sanction by a majority vote.
 - (h) The Presiding Officer will provide the Community Advocate and the Respondent with a written report of the Honor Board's determination.
51. An Honor Review is a confidential investigation. It requires a deliberative and candid atmosphere, free from distraction. As such, Honor Reviews are not open to the public or others interested in the case. The Presiding Officer has discretion to remove any person

who disrupts or impedes the investigation, or who fails to adhere to the rulings of the Presiding Officer. The Presiding Officer may exclude witnesses from the Honor Review except during the time they are providing information to the Board. The Honor Board may conduct its private deliberations at such times and places as appropriate.

52. The University's academic integrity process differs from any legal proceedings. Formal rules of evidence are not applicable to Honor Review proceedings. The Presiding Officer will admit all matters into evidence which reasonable persons would accept as relevant, significant, and important to the issues being decided in the case. Unnecessarily repetitious, irrelevant, or prejudicial evidence may be excluded at the discretion of the Presiding Officer.
53. If the Honor Board finds that an attempt or act of academic dishonesty did occur, it will impose an appropriate sanction.

SANCTIONS

54. The normal sanction for undergraduate students found responsible for violating the *Code of Academic Integrity* is the grade of "XF." The normal sanction for a graduate student is the grade of "XF" and dismissal (suspension or expulsion) from the University. The Director of Student Conduct and/or the Honor Board or Disciplinary Conference Board will consider sanction recommendations from the Complainant and Respondent in determining an appropriate sanction.
55. Attempts to commit acts prohibited by this *Code* may be sanctioned to the same extent as completed violations.
56. The Director of Student Conduct reserves the right to impose a lesser or more severe sanction depending on mitigating or aggravating factors as defined in Parts 2(g) and 2(h) above. The following sanctions for violations of this *Code* may be imposed:
 - (a) Expulsion: permanent separation of the student from the University. A permanent notation will appear on the student's transcript. The student will also be barred from University premises. (Expulsion requires administrative review and approval by the Vice President for Student Affairs and may be altered, deferred, or withheld.)
 - (b) Suspension: separation of the student from the University for a specified period of time. A permanent notation will appear on the student's transcript. The student shall not participate in any University-sponsored activity and may be barred from University premises during the period of suspension. Suspended time will not count against any time limits required by the Graduate School for completion of a degree. (Suspension requires administrative review and approval by the Vice President for Student Affairs and may be altered, deferred, or withheld.)
 - (c) The grade of "XF": the grade "XF" recorded on the student's transcript includes the notation "failure due to academic dishonesty." The grade of "XF" is treated in the same way as an "F" for the purposes of determining grade point average,

course repeatability, and academic standing.

- (i) No student with an “XF” on their transcript will be permitted to represent the University in any extracurricular activity (for example, intercollegiate athletics, sports clubs, traveling performance groups, etc.), or run for or hold office in any student or University organization which is allowed to use University facilities or which receives University funds.
 - (ii) The normal duration of the placement of the “XF” is twelve months. If serious mitigating circumstances are presented, an abbreviated “XF” for six months may be considered. If serious aggravating circumstances are presented, the “XF” may be given as a permanent notation on the student’s transcript for the course in question.
- (d) The grade of “F”: the grade “F” recorded on the student’s transcript for the course in which the academic misconduct occurred. The grade of “F” factors into the determination of the student’s grade point average, eligibility for course repeatability, and academic standing.
 - (e) Letter grade reduction: the student will be given no credit for any assignment(s) in which academic misconduct occurred, and the student’s final course grade will be reduced as determined by the course instructor.
 - (f) Zero on the assignment(s): the student will be given no credit for the assignment(s) in which academic misconduct occurred. The instructor will factor the zero into the student’s final grade in the course.
 - (g) Other sanctions: other sanctions may be imposed in addition to those specified in sections (a) through (f) above. Other sanctions may include educational or reflective experiences that encourage the student to prevent repeated acts of academic dishonesty, or help the student better understand how their academic dishonesty affects the academic and professional communities of which the student is a part.

APPEALS

- 57. The Respondent may appeal both the determination of responsibility and the sanction. The Complainant may only appeal the sanction. A party must provide notice to the Director of Student Conduct of their intent to file an appeal in writing within three (3) business days after the Presiding Officer’s report is sent.
- 58. A written argument supporting the appeal must be submitted in writing to the Director of Student Conduct within seven (7) business days of the notice of the intent to file an appeal. The opposing party will be provided seven (7) business days to submit a written response.
- 59. If the parties do not submit notice of their intent to file an appeal, the decision and sanction are final after three (3) business days from the date of the Presiding Officer’s report. Appeals submitted after three (3) business days will be denied.

60. Appeals of decisions resulting in suspension or expulsion will be decided by the University Senate Student Conduct Committee Appellate Body, which is comprised of three members from the Student Conduct Committee including at least one student. Appeals of decisions resulting in sanctions other than suspension or expulsion will be decided by the Appellate Board, which is a branch of the University Student Judiciary and is comprised of students.
61. Grounds for an appeal will be limited to:
- (a) Substantial Procedural Error: Procedural errors or errors in interpretation of University policy that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard. Deviations from procedures that were not so substantial as to deny a Respondent notice or a fair opportunity to be heard will not be a basis for granting an appeal.
 - (b) Disproportionate Sanctioning: The sanction is substantially disproportionate to the offense, which means it is far in excess of what is reasonable given the facts or circumstances of the violation.
 - (c) Arbitrary and Capricious Decision: An arbitrary and capricious decision is a decision without a rational basis or unsupported by any evidence in the record.
 - (d) New Evidence: New and significant relevant information has become available which a reasonably diligent person could not have discovered before or during the original hearing.

When the basis of the appeal is new evidence, the appellate body will determine whether the information is new and was unavailable at the time of the Honor Review. If the appellate body determines that the information is not new and was available at the time, the appeal will be denied. If the information is determined to be new and unavailable at the time of the Honor Review, the appellate body will consider whether the new information could have changed the outcome of the original Honor Review. If it is determined that the outcome could have been impacted by the new evidence, the case will be sent back to the original Honor Board for further review.

62. Appeals are not intended to allow for a second review of the facts of the case and determination of whether there was a violation. A review of the matter will be prompt and narrowly tailored to the stated grounds for appeal. In most cases, appeals are confined to a review of the written record and the statements of the parties in support of or against the appeal. In all cases, deference shall be given to the determinations of the lower board.
63. The appellate body will consider the appeal and may:
- (a) Affirm the Decision and the sanction imposed;
 - (b) Affirm the Decision and reduce, but not eliminate, the sanction;
 - (c) Remand the case to a new Honor Board, if there were procedural or interpretation errors;

- (d) Remand the case to the original Honor Board in accordance with the procedures outlined under “New Evidence;” or
 - (e) Dismiss the case if the decision is determined to be arbitrary and capricious.
64. Decisions of the appellate bodies are not subject to further appeal. Decisions altering the determinations of Honor Boards will be accompanied by a brief report explaining the appellate body’s decision. Sanctions of suspension or expulsion require review and approval by the Vice President for Student Affairs. The Vice President for Student Affairs may alter, defer, or withhold a sanction of dismissal.

“XF” REMOVAL PROCESS

65. The Respondent may file a written petition to the Appellate Board to have the grade of “XF” removed and permanently replaced with the grade of “F.” The Appellate Board has the sole discretion in the decision to remove the grade of “XF” and replace it with an “F” provided that:
- (a) At the time the petition is received, at least twelve (12) months should have elapsed since the grade of “XF” was imposed, unless a different time period was specified at the time the “XF” was imposed;
 - (b) At the time the petition is received, the student has successfully completed a non-credit seminar on academic integrity, as administered by the Office of Student Conduct; or, for those no longer enrolled at the University, an equivalent activity as determined by the Office of Student Conduct; and,
 - (c) The Office of Student Conduct certifies that to the best of its knowledge the student has not been found responsible for any other act of academic dishonesty or similar disciplinary offense at the University of Maryland or another institution.
66. Prior to deciding a petition, the Appellate Board will review the record of the case and consult with the Director of Student Conduct. Generally, the grade of “XF” will not be removed if it was imposed for an act of academic dishonesty requiring significant premeditation.
67. If the “XF” grade is removed, records of the incident may be voided. If the Appellate Board denies the petition to remove the “XF” grade, the petition cannot be reconsidered for one year, unless the Appellate Board specifies an earlier date on which the petition may be reconsidered.
68. Decisions of the Appellate Board pertaining to the removal of the “XF” may be appealed to the Senate Student Conduct Committee Appellate Body. If the Senate Student Conduct Committee Appellate Body removes the grade of “XF” from the student’s transcript, the Senate Student Conduct Committee Appellate Body will provide a written rationale to the Student Honor Council.

DISCIPLINARY RECORDS

69. Students found responsible for violations of the *Code of Academic Integrity* will have a disciplinary record. Disciplinary records are maintained by the Office of Student Conduct for a period of three (3) years from the date of the letter providing notice of final disciplinary action. Disciplinary records may be retained for longer periods of time or permanently, if specified in the sanction. Disciplinary records of students with a sanction of suspension or expulsion will be retained permanently unless otherwise specified.
70. Students may petition the Office of Student Conduct to void their disciplinary record early, for good cause. Factors to be considered in review of such petitions include:
 - (a) The present demeanor of the Respondent;
 - (b) The conduct of the Respondent subsequent to the violation; and
 - (c) The nature of the violation and the severity of any damage, injury, or harm resulting from it.
71. Disciplinary records retained for less than 90 days or designated as “permanent” should not be voided without unusual and compelling justification.
72. Denials of petitions to void disciplinary records can be appealed to the Senate Student Conduct Committee, which will consider the appeal using the grounds for appeal outlined in Part 61 above. Such an appeal must be submitted in writing within five (5) business days from the letter providing notice of the original decision.

Appendix 2 - Current Code of Academic Integrity

III-1.00(A) UNIVERSITY OF MARYLAND CODE OF ACADEMIC INTEGRITY

Approved by President August 1, 1991; Amended May 10, 2001; Amended May 5, 2005; Technical Amendments June 2012; Amended November 7, 2014

INTRODUCTION

The University is an academic community. Its fundamental purpose is the pursuit of knowledge. Like all other communities, the University can function properly only if its members adhere to clearly established goals and values. Essential to the fundamental purpose of the University is the commitment to the principles of truth and academic honesty. Accordingly, the *Code of Academic Integrity* is designed to ensure that the principle of academic honesty is upheld. While all members of the University share this responsibility, the *Code of Academic Integrity* is designed so that special responsibility for upholding the principle of academic honesty lies with the students.

DEFINITIONS

1. **ACADEMIC DISHONESTY:** any of the following acts, when committed by a student, shall constitute academic dishonesty:
 - (a) **CHEATINGⁱ:** fraud, deceit, or dishonesty in any academic course or exercise in an attempt to gain an unfair advantage and/or intentionally using or attempting to use unauthorized materials, information, or study aids in any academic course or exercise.
 - (b) **FABRICATION:** intentional and unauthorized falsification or invention of any information or citation in any academic course or exercise.
 - (c) **FACILITATING ACADEMIC DISHONESTY:** intentionally or knowingly helping or attempting to help another to violate any provision of this *Code*.
 - (d) **PLAGIARISM:** intentionally or knowingly representing the words or ideas of another as one's own in any academic course or exercise.

RESPONSIBILITY TO REPORT ACADEMIC DISHONESTY

2. Academic dishonesty is a corrosive force in the academic life of a university. It jeopardizes the quality of education and depreciates the genuine achievements of others. It is, without reservation, a responsibility of all members of the campus community to actively deter it. Apathy or acquiescence in the presence of academic dishonesty is not a neutral act. Histories of institutions demonstrate that a laissez-faire response will reinforce, perpetuate, and enlarge the scope of such misconduct. Institutional reputations for academic dishonesty are regrettable aspects of modern education. These reputations become self-fulfilling and grow, unless vigorously challenged by students and faculty alike.

All members of the University community-students, faculty, and staff-share the responsibility and authority to challenge and make known acts of apparent academic dishonesty.

HONOR STATEMENT

3. Letters informing both graduate and undergraduate students of their acceptance at the University, as well as appointment letters for members of the faculty, shall contain a short statement concerning the role of the Student Honor Councilⁱⁱ, as well as the obligation of all members of the University of Maryland, College Park community to promote the highest standards of academic integrity.

HONOR PLEDGE

4. On every examination, paper or other academic exercise not specifically exempted by the instructor, the student shall write by hand and sign the following pledge:

I pledge on my honor that I have not given or received any unauthorized assistance on this examination.

Failure to sign the pledge is not a violation of the *Code of Academic Integrity*, but neither is it a defense in case of violation of this *Code*. Students who do not sign the pledge will be given the opportunity to do so. Refusal to sign must be explained to the instructor. Signing or non-signing of the pledge will not be considered in grading or judicial procedures. Material submitted electronically should contain the pledge, submission implies signing the pledge.

5. On examinations, no assistance is authorized unless given by or expressly allowed by the instructor. On other assignments, the pledge means that the assignment has been done without academic dishonesty, as defined above.
6. The pledge is a reminder that at the University of Maryland students carry primary responsibility for academic integrity because the meaningfulness of their degrees depends on it. Faculty are urged to emphasize the importance of academic honesty and of the pledge as its symbol. Faculty are encouraged to reference both the pledge and this *Code* on syllabi, including where they can be found on the Internet and in the Undergraduate Catalog.

SELF-REFERRAL

7. Students who commit acts of academic dishonesty may demonstrate their renewed commitment to academic integrity by reporting themselves in writing to the Office of Student Conductⁱⁱⁱ. Students may not exercise the self-referral option more than once during their enrollment at the University.

8. If an investigation by the Director of Student Conduct or designee reveals that no member of the University had a suspicion of a self-referring student's act of academic dishonesty, then the student will not be charged with academic dishonesty, or left with a disciplinary record. Instead, the Director of Student Conduct or designee will notify the instructor of the course in which the incident occurred to consult on the matter. The Director of Student Conduct or designee shall then convene a meeting with the student. The purpose of the meeting will be to ensure that the self-referral provisions of this *Code* are followed, not to levy a sanction, or to create a disciplinary record. The Director of Student Conduct or designee will notify the instructor of the course in which the incident occurred of the meeting's outcome^{iv}.
9. In all cases where a student self-referral is accepted, the student will be required to successfully complete the non-credit academic integrity seminar offered by the Student Honor Council. Also, the student will have any grade for the academic exercise in question reduced one letter grade, or to an "F" or a zero, in the discretion of the instructor involved.
10. If the Director of Student Conduct or designee determines that a suspicion of academic dishonesty existed at the time the student admitted the act, then the matter will be resolved in accordance with the procedures specified in this *Code* for resolving academic dishonesty allegations. The student's admission may be considered a mitigating circumstance for purposes of sanctioning.

PROCEDURES: REPORTING AND INFORMAL RESOLUTION

11. Any member of the University community who has witnessed an apparent act of academic dishonesty, or has information that reasonably leads to the conclusion that such an act has occurred or has been attempted, has the responsibility to inform the Office of Student Conduct promptly.
12. If the Director of Student Conduct or designee determines that a report of academic dishonesty is supported by reasonable cause^v, the Office of Student Conduct shall offer the student an opportunity for a preliminary interview to review the allegations and any supporting evidence that was provided to the Office of Student Conduct^{vi}. The instructor of the course in which the incident occurred may be included in the meeting. The Office of Student Conduct shall also provide the accused student with a copy of this *Code*, and a statement of procedural rights approved by the Honor Council^{vii}. The Director of Student Conduct or a designee, the student, and the instructor of the course in which the incident occurred may reach a collective agreement concerning how a case should be resolved. This informal resolution and the sanction imposed are not subject to appeal.

PROCEDURES: RESOLUTION BY A DISCIPLINARY CONFERENCE

13. Referred students may elect to resolve the matter in a Disciplinary Conference if the student: (1) is alleged to have committed an act of academic dishonesty that would not

normally result in suspension or expulsion, as defined by the *Code of Academic Integrity* and (2) has no prior record of academic dishonesty or other significant judicial history^{viii}.

14. Students participating in a Disciplinary Conference in the Office of Student Conduct are accorded the following procedural protections:
 - (a) Written notice of charges at least three (3) days prior to the scheduled conference.
 - (b) Reasonable access to the case file prior to and during the conference.
 - (c) An opportunity to respond to the evidence against them and to call appropriate witnesses on their behalf.
 - (d) The option to be accompanied and assisted by a representative, who may be an attorney. All representatives are subject to the restrictions of Parts 35 and 36 of the *Code of Student Conduct*.
 - (e) A plea of not responsible will be entered for respondents who fail to attend their scheduled Disciplinary Conference; the proceedings will proceed in their absence and the respondents will be notified via electronic mail of the conference outcome and sanctioning determination.
15. Disciplinary Conferences shall be conducted by the Director of Student Conduct or designee. The Director of Student Conduct or designee reserves the right to refer complex or contested cases to an Honor Review for adjudication. Respondents will be notified in writing of the conference outcome and sanctioning determination. No appeal will be granted for any decision made in a Disciplinary Conference.
16. The normal sanction for undergraduate students found responsible for violating the *Code of Academic Integrity* during a Disciplinary Conference is the grade of "XF." The Director of Student Conduct or a designee will receive sanctioning recommendations from the Complainant. The Director of Student Conduct or a designee reserves the right to levy lesser or more severe sanctions depending on factors such as the nature and importance of the academic exercise; the degree of premeditation or planning, the extent of dishonest or malicious intent, and whether the violation is a first-time or repeat offense.

PROCEDURES: RESOLUTION BY A HONOR REVIEW

17. An Honor Review is conducted by an Honor Board. The Board is convened by the Student Honor Council. It will normally consist of six persons, five of whom will be voting members. Determinations of the Honor Board will be by a majority vote (three votes or more). Honor Boards are selected as follows:
 - (a) Three (3) students selected by the Student Honor Council from among its members. In the event the student accused of academic dishonesty is a graduate student, then at least two (2) of the student members shall be graduate students.
 - (b) Two (2) faculty or staff members selected in accordance with selection procedures established by the Office of Student Conduct. In the event the student

accused of academic dishonesty is a graduate student, then at least one (1) of the persons selected shall be a regular member of the graduate faculty.

- (c) The Honor Board shall have one (1) member who shall serve as the Presiding Officer. The Presiding Officer may be a student, faculty, or staff member of the University and will be selected by the Director of Student Conduct.
18. If the Director of Student Conduct determines that the Student Honor Council or an Honor Board cannot be convened within a reasonable period of time after an accusation is made, the Director of Student Conduct or designee may review the case. If there is reasonable cause to believe that an act of academic dishonesty has occurred or has been attempted, the Director of Student Conduct or designee will convene an ad hoc Honor Board by selecting and appointing two students and one faculty or staff member. Whenever possible, student members of ad hoc Honor Boards shall be members of the Student Honor Council. A non-voting presiding officer shall be appointed by the Director of Student Conduct.
19. The Campus Advocate or a designee shall serve as the Complainant at an Honor Review. The principal responsibilities of the Complainant are:
- (a) To prepare a formal charge of academic dishonesty, and deliver it to the student and the Honor Board. The student will be deemed to have received notice on the date of delivery at the most recent address or electronic mail address (email) provided to the University by the student; and
 - (b) To present the evidence and analysis upon which the charge is based to the Honor Board during the Honor Review; and
 - (c) To perform such other duties as may be requested by the Student Honor Council or the Honor Board.
20. The charge of academic dishonesty serves to give a student a reasonable understanding of the act and circumstances to be considered by the Honor Board, thereby placing the student in a position to contribute in a meaningful way to the inquiry. It also serves to provide initial focus to that inquiry. It is not, however, a technical or legal document, and is not analogous to an indictment or other form of process. The charge may be modified as the discussion proceeds, as long as the accused student is accorded a reasonable opportunity to prepare a response.
21. The purpose of an Honor Review is to explore and investigate the incident giving rise to the appearance of academic dishonesty, and to reach an informed conclusion as to whether or not academic dishonesty occurred. In keeping with the ultimate premise and justification of academic life, the duty of all persons at an Honor Review is to assist in a thorough and honest exposition of all related facts.

The basic tenets of scholarship—full and willing disclosure, accuracy of statement, and intellectual integrity in hypothesis, argument, and conclusion—must always take precedence over the temptation to gain a particular resolution of the case. An Honor Review is not in the character of a criminal or civil legal proceeding. It is not modeled on

these adversarial systems; nor does it serve the same social functions. It is not a court or tribunal. Rather, it is an academic process unique to the community of scholars that comprise a university.

22. The role of the Presiding Officer is to exercise impartial control over the Honor Review in order to achieve an equitable, orderly, timely and efficient process. The Presiding Officer is authorized to make all decisions and rulings as are necessary and proper to achieve that end, including such decisions and rulings as pertain to scheduling and to the admissibility of evidence. If in the judgment of the Presiding Officer there is reasonable cause to question the impartiality of a board member, the Presiding Officer will so inform the Honor Council, which will reconstitute the board.
23. The Director of Student Conduct or a designee will select the date, time and place for the Honor Review, and notify all parties in writing a minimum of five (5) business days prior to the review.
24. The sequence of an Honor Review is necessarily controlled by the nature of the incident to be investigated and the character of the information to be examined. It thus lies within the judgment of the Presiding Officer to fashion the most reasonable approach. The following steps, however, have been found to be efficient, and are generally recommended:
 - (a) Complainant, and then the student or the student's advocate, summarizes the matter before the Honor Board, including any relevant information or arguments.
 - (b) The Complainant, and then the student, present and question persons having knowledge of the incident, and offer documents or other materials bearing on the case. The Complainant, the student and all members of the Honor Board may question any person giving testimony.
 - (c) The members of the Honor Board may ask the Complainant or the student any relevant questions. The members may also request any additional material or the appearance of other persons they deem appropriate.
 - (d) The Complainant, and then the student or the student's advocate, may make brief closing statements.
 - (e) The Honor Board meets privately to discuss the case, and reaches a finding by a majority vote.
 - (f) The Honor Board will not conclude that a student has attempted or engaged in an act of academic dishonesty unless, after considering all the information before it, a majority of members believe that such a conclusion is supported by clear and convincing evidence. If this is not the case, the Honor Board will dismiss the charge of academic dishonesty.
 - (g) If the Honor Board finds the student has engaged in an act of academic dishonesty, both the Complainant and the student or the student's advocate may recommend an appropriate sanction. Pertinent documents and other material may be offered. The Honor Board then meets privately to reach a decision regarding the sanction, which must be by a majority vote of its voting members.

- (h) The Presiding Officer will provide the Complainant and the student with a written report of the Honor Board's determination.

25. Role of Advocate and Advisor:

- (a) The accused student may be assisted by an advocate, who must be a registered, degree-seeking student at the University. The role of the advocate will be limited to:
 - 1. Making brief opening and closing statements, as well as comments on appropriate sanction.
 - 2. Suggesting relevant questions which the Presiding Officer may direct to witness.
 - 3. Providing confidential advice to the student.
- (b) The accused student may also be accompanied by an advisor, who may be an attorney. The role of the advisor during an Honor Review will be limited to providing confidential advice only to the accused student, not the advocate, provided such advice is given without interfering with or disrupting the Honor Review. Even if accompanied by an advocate and/or an advisor, the student must take an active and constructive role in the Honor Review. In particular, the student must fully cooperate with the Honor Board and respond to its inquiries without undue intrusion by an advocate or advisor. In consideration of the limited role of advocates and advisors, and of the compelling interest of the University to expeditiously conclude the matter, the work of an Honor Board will not, as a general practice, be delayed due to the unavailability of an advocate or an advisor.
- (c) Honor Reviews may be recorded or transcribed. If a recording or transcription is not made, the decision of the honor board must include a summary of the testimony and shall be sufficiently detailed to permit review on appeal.
- (d) Presence at an Honor Review lies within the judgment of the Presiding Officer. An Honor Review is a confidential investigation. It requires a deliberative and candid atmosphere, free from distraction. Accordingly, it is not open to the public or other "interested" persons. However, at the student's request, the Presiding Officer will permit a student's parents or spouse to observe and may permit a limited number of additional observers. The Presiding Officer may remove from the Honor Review any person who disrupts or impedes the investigation, or who fails to adhere to the rulings of the Presiding Officer. The Presiding Officer may direct that persons, other than the accused student or the Complainant, who are to be called upon to provide information, be excluded from the Honor Review except for that purpose. The members of the Honor Board may conduct private deliberations at such times and places as they deem proper.
- (e) It is the responsibility of the person desiring the presence of a witness before an Honor Board to ensure that the witness appears. If necessary, a subpoena may be requested, in accordance with Part 36 (b) of the *Code of Student Conduct*^{ix}. Because experience has demonstrated that the actual appearance of an individual is of greater value than a written statement, the latter is discouraged and should not be used unless the individual cannot or reasonably should not be expected to appear. Any written statement must be dated, signed by the person making it, and

witnessed by a University employee or by a person approved by the Director of Student Conduct (e.g., a notary). The work of an Honor Board will not, as a general practice, be delayed due to the unavailability of a witness.

- (f) An Honor Review is not a trial. Formal rules of evidence commonly associated with a civil or criminal trial may be counterproductive in an academic investigatory proceeding, and shall not be applied. The Presiding Officer will accept for consideration all matters which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious, irrelevant, or personally abusive material should be excluded.
26. If the Honor Board finds that an attempt or act of academic dishonesty did occur, it shall impose an appropriate sanction. The normal sanction for an undergraduate student who has been found responsible for violating the *Code of Academic Integrity* during an Honor Review is the grade of “XF” in the course. The normal sanction for a graduate student shall be dismissal (suspension or expulsion) from the University. Generally, acts involving advance planning, falsification of papers, conspiring with others, or some actual or potential harm to other students will merit a severe sanction, i.e. suspension or expulsion, even for a first offense. An attempt to commit an act shall be punished to the same extent as the consummated act.

APPEALS

27. In cases where an Honor Board has determined the appropriate sanction to be less than suspension or expulsion, both the finding of responsibility and the sanction(s) of an Honor Board will be final, unless, within five (5) business days after the Board’s written decision is sent to the student, and referring faculty member, the student or the referring faculty member notifies the Director of Student Conduct in writing of the intention of filing an appeal. The student may appeal both the findings and the penalty. The Complainant may appeal the penalty only.

A written brief supporting any appeal must be submitted in writing to the Director of Student Conduct within an additional ten (10) business days. The opposing party shall be provided a reasonable opportunity to submit a written response.

28. Any member of the appellate body who has taken part in an Honor Review that is the subject of an appeal is not eligible to hear the appeal.
29. Decisions of the appellate body will be by majority vote, based upon the record of the original proceeding and upon written briefs. De novo^x hearings (re-hearing of original case without deference to lower board’s ruling) shall not be conducted.
30. Deference shall be given to the determinations of Honor Boards by the appellate body.
- (a) Sanctions may only be reduced if found to be grossly disproportionate to the offense. Likewise, upon an appeal by the Complainant, sanctions may be

increased only if the original sanction is deemed to be grossly disproportionate to the offense.

- (b) Cases may be remanded to a new Honor Board if specified procedural errors or errors in interpretation of this *Code* were so substantial as to effectively deny the accused student a fair hearing, or if new and significant evidence became available that could not have been discovered by a diligent respondent before or during the original Honor Board hearing. On remand, no indication or record of the previous hearing will be introduced or provided to the members of the new Honor Board, except to impeach contradictory testimony, at the discretion of the Presiding Officer.
 - (c) Cases may be dismissed only if the finding is held to be arbitrary and capricious.
31. If an Honor Board determines to suspend or expel a student, then the student may submit a written appeal to the Senate Committee on Student Conduct, in accordance with procedures set forth in Parts 43-50 of the *Code of Student Conduct*.
32. Regardless of whether an appeal is filed, suspension requires approval by the Vice President for Student Affairs, and may be altered, deferred, or withheld. Expulsion requires approval by the President, and may be altered, deferred, or withheld.

THE GRADE OF “XF”

33. The grade of “XF” is intended to denote a failure to accept and exhibit the fundamental value of academic honesty. The grade “XF” shall be recorded on the student’s transcript with the notation “failure due to academic dishonesty.” The grade “XF” shall be treated in the same way as an “F” for the purposes of grade point average, course repeatability, and determination of academic standing.
34. No student with an “XF” on the student’s transcript shall be permitted to represent the University in any extracurricular activity, or run for or hold office in any student organization which is allowed to use University facilities, or which receives University funds.
35. The student may file a written petition to the Student Honor Council to have the grade of “XF” removed and permanently replaced with the grade of “F.” The decision to remove the grade of “XF” and replace it with an “F” shall rest in the discretion and judgment of a majority of a quorum of the Council provided that:
- (a) At the time the petition is received, at least twelve (12) months (or time otherwise specified by the Honor Council) shall have elapsed since the grade of “XF” was imposed; and,
 - (b) At the time the petition is received, the student shall have successfully completed a non-credit seminar on academic integrity, as administered by the Office of Student Conduct; or, for the person no longer enrolled at the University, an equivalent activity as determined by the Office of Student Conduct; and,

- (c) The Office of Student Conduct certifies that to the best of its knowledge the student has not been found responsible for any other act of academic dishonesty or similar disciplinary offense at the University of Maryland or another institution.
36. Prior to deciding a petition, the Honor Council will review the record of the case and consult with the Director of Student Conduct. Generally, the grade of “XF” ought not to be removed if awarded for an act of academic dishonesty requiring significant premeditation. If the “XF” grade is removed, records of the incident may be voided in accordance with Parts 51 and 52 of the *Code of Student Conduct*. The decision of the Honor Council shall not be subject to subsequent Honor Council review for four years, unless the Honor Council specifies an earlier date on which the petition may be reconsidered. Decisions pertaining to the removal of the “XF” grade penalty may be appealed to the Senior Vice President and Provost. If the Senior Vice President and Provost removes the grade of “XF” from the student’s transcript, the Senior Vice President and Provost shall provide written reasons to the Honor Council.

THE STUDENT HONOR COUNCIL

37. There shall be a Student Honor Council composed of qualified graduate and undergraduate students in good academic standing^{xi}.
38. The members of the Student Honor Council are appointed for one (1) year terms, by the Director of Student Conduct, Director of Academic Integrity, and the Chair of the Honor Council. Students may be reappointed for additional one (1) year terms.
39. All Student Honor Council members are subject to the training and conduct requirements of Parts 27 and 28 of the *Code of Student Conduct*.
40. The Student Honor Council has the following responsibilities and authority:
- (a) To increase awareness throughout the campus of the importance of academic integrity.
 - (b) To develop bylaws subject to approval by the University for legal sufficiency and consistency with the requirements of this *Code of Academic Integrity* and the *Code of Student Conduct*.
 - (c) To designate from its members students to serve as members of Honor Boards as specified in this *Code*.
 - (d) To consider petitions for the removal of the grade of “XF” from University records in accordance with Part 35 of this *Code*.
 - (e) To assist in the design and teaching of the non-credit seminar on academic integrity and moral development, as determined by the Director of Student Conduct.
 - (f) To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University.

- (g) To issue an annual report to the University Senate on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.
41. The campus administration shall provide an appropriate facility, reserved for the primary use of the Honor Council, and suitable for the conduct of hearings. Clerical and secretarial assistance will also be provided.

FUTURE SELF GOVERNANCE

42. Insofar as academic dishonesty is most immediately injurious to the student body, and because the student body is in a unique position to challenge and deter it, it is the intent of the University that ultimately this *Code* will evolve into one where the provisions are marked by complete student administration.

TERMS

AD HOC HONOR BOARD – board consisting of a presiding officer, two (2) students, and one (1) faculty or staff member appointed by the Director of Student Conduct or designee.

ACADEMIC DISHONESTY – see Part 1 of this *Code*.

CHARGE OF ACADEMIC DISHONESTY – a formal description of the case being considered by the Honor Board.

CLEAR AND CONVINCING EVIDENCE – that evidence which results in reasonable certainty of the truth of the ultimate fact in controversy. It requires more than a preponderance of the evidence but less than proof beyond a reasonable doubt. Clear and convincing evidence will be shown where the truth of the facts asserted is highly probable.

COMPLAINANT – individual responsible for preparing the charge of academic dishonesty and presenting the case before the Honor Board. The Complainant must be a registered, degree-seeking student.

DISCIPLINARY CONFERENCE – meeting between respondent and Director of Student Conduct or designee to resolve a case of academic dishonesty. The Director of Student Conduct or designee will be responsible for the finding of facts, determination of responsibility and sanctioning if respondent is found responsible.

EXECUTIVE COMMITTEE – a committee of Honor Council officers, selected in accordance with Honor Council bylaws.

HONOR BOARD – body appointed by the Student Honor Council to hear and resolve a case of academic dishonesty. The board consists of five (5) voting members (three (3) student members of the Honor Council and two (2) faculty or staff members), and one (1) non-voting presiding officer.

HONOR REVIEW – the process conducted by the Student Honor Council leading to resolution of an academic dishonesty case.

PRELIMINARY INTERVIEW – informal meeting prior to an Honor Review or Disciplinary Conference between the Director of Student Conduct or designee and a student accused of violating the *Code of Academic Integrity* to discuss the allegations and corresponding charges, the student’s rights and responsibilities, and the options for resolution.

PRESIDING OFFICER – individual on the Honor Board responsible for directing proceedings during the Honor Review. The Presiding Officer is selected by the Director of Student Conduct.

STUDENT HONOR COUNCIL – students appointed by the Director of Student Conduct, the Director of Academic Integrity, and the Chair of the Honor Council. These students are charged with conducting Honor Reviews to resolve alleged academic integrity violations.

ⁱ We are grateful to our colleagues and friends at the Center for Student Conduct at the University of California, Berkeley for inspiring this revised definition of “Cheating” for our *Code of Academic Integrity* and for granting the university permission to use and repurpose this portion of their Code of Conduct.

ⁱⁱ The term “Honor Council,” used throughout the *Code*, permits reliance upon Honor Council committees, appointed in accordance with Council bylaws.

ⁱⁱⁱ Students who elect to self-refer for academic integrity violations are encouraged to utilize the Office of Student Conduct electronic referral form on the Office of Student Conduct website to detail the incident.

^{iv} The final sanction notice to the faculty instructor of the course where the incident took place shall be maintained in a file of self-referrals, but shall not be considered a disciplinary record.

^v Pertinent procedures for determining reasonable cause shall be set forth in the Honor Council bylaws.

^{vi} At the conclusion of the preliminary interview students reserve the right to request that the Director of Academic Integrity or a designee immediately conduct a Disciplinary Conference to resolve the matter in question.

^{vii} The statement shall include a reference to the right to be represented by an advocate, as specified in Part 25(a) of this *Code*.

^{viii} In every case the Office of Student Conduct should determine if a prior record exists.

^{ix} Before issuing a subpoena, the Director of Student Conduct may require that a party requesting the subpoena make a reasonable effort to secure voluntary compliance by a potential witness.

^x De novo: re-hearing of original case without deference to the lower board’s ruling.

^{xi} The screening committee shall try to create an Honor Council that reflects the diversity of the campus, and is of sufficient size to resolve cases as promptly as possible. The determination of whether an Honor Council applicant is “qualified” rests within the discretion of the selection committee, provided that no uniform grade point “cutoff” is applied. A history of disciplinary or felonious misconduct may be sufficient grounds to disqualify any candidate.

Appendix 3 - Relevant Code Provisions at Peer Institutions

Institution	Separate Conduct & Academic Codes?	Can Faculty Adjudicate Lower Level Cases?	Normal Sanction?	Panel Composition	"Intentional" in Definition?
University of Maryland	Yes	No	12- month XF (undergrad), XF and dismissal (graduate)	Students	
Indiana University-Bloomington	No	Yes	Not stated	Student, staff, & faculty	
Michigan State	No	Yes	Penalty grade, additional sanctions require going to the Dean	Students, staff, & faculty	
Northwestern	Each college has their own standards and procedures for academic conduct.	Not Clear	Not stated	Student, staff, & faculty	Intentionally obstructing or interfering with another student's academic work
Ohio State	No	No	Each sanction consists of a disciplinary sanction and a grade sanction	Student, staff, & faculty	"Knowingly", not "intentionally: Knowingly providing or using unauthorized assistance in the laboratory, on field work, in scholarship or on a course assignment;
Penn State	No	Yes	Not stated	Student, staff, & faculty	
Purdue	No	Yes	Not stated	Student, staff, & faculty	
Rutgers	Yes	Yes	Not stated	Student, staff, & faculty	
University of Illinois	No	Yes	Not stated	Student & faculty	"The variety of academic settings encountered in the University precludes establishing uniform sanctions for all infractions... Knowledge and intent are not necessarily factors in determining whether an infraction occurred, but shall be considered in determining an appropriate sanction.
University of Iowa	Each college has their own Honor Code	Yes	Not stated	Staff	
University of Michigan	Each college has their own policy but there is a university wide policy	Yes	Not stated	Students	No use of the word intentional
University of Minnesota	No	Yes	Not stated	Students, staff, & faculty	
University of Nebraska	No	Yes	Not stated	Students & faculty	
University of Wisconsin	Yes (Academic code may be just a separate chapter in Code of Conduct)	Yes	Not stated	Students, staff, & faculty	Intentionally impedes or damages the academic work of others; knowingly and intentionally assisting another student in any of the above
University of Virginia					<p>UVA: By today's standard, an Honor Offense is defined as a Significant Act of Lying, Cheating or Stealing, which Act is committed with Knowledge. Three criteria determine whether or not an Honor Offense has occurred:</p> <p>Act: Was an act of lying, cheating or stealing committed?</p> <p>Knowledge: Did the student know, or should a reasonable University student have known, that the Act in question was Lying, Cheating, or Stealing?</p> <p>Significance: Would open toleration of this Act violate or erode the community of trust?</p>



**Revision of the Code of Academic Integrity (Senate Document #17-18-08)
Student Conduct Committee | Chair: Andrea Dragan**

The Senate Executive Committee (SEC) and Senate Chair Falvey request that the Student Conduct Committee review the proposal entitled Revision of the Code of Academic Integrity and evaluate whether revisions to the University's policy are necessary.

Specifically, we ask that you:

1. Review the University of Maryland, College Park Code of Academic Integrity (III.100 [A]).
2. Review the University System of Maryland (USM) Policy on Faculty, Student and Institutional Rights and Responsibilities for Academic Integrity (III-1.00) and consider any potential changes to the USM policy in the course of your review.
3. Review best practices related to academic integrity at peer institutions.
4. Consult with a representative from the Office of Student Conduct.
5. Consult with the Senate Student Affairs Committee.
6. Consider whether revisions to existing policy are necessary.
7. Consult with the University's Office of General Counsel on any proposed recommendations.
8. If appropriate, recommend whether the policy should be revised and submit recommended revisions to the policy for Senate consideration.

We ask that you submit a report to the Senate Office no later than **November 9, 2018**. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



University Senate PROPOSAL FORM

Name:	Andrea Goodwin
Date:	August 22, 2017
Title of Proposal:	Revision of the <i>Code of Academic Integrity</i>
Phone Number:	301-314-8204
Email Address:	agoodwin@umd.edu
Campus Address:	2117 Mitchell Building
Unit/Department/College:	OVPSA-OSC
Constituency (faculty, staff, undergraduate, graduate):	Staff
Description of issue/concern/policy in question:	It is the practice of the Office of Student Conduct (OSC) to conduct a review of the <i>Code of Academic Integrity</i> periodically to ensure that we are incorporating and maintaining best practices within the field of student affairs and student conduct at the University of Maryland. In the past three years since the last update to the <i>Code of Academic Integrity</i> , the University's attention to academic misconduct has increased and it is necessary to make certain changes.
Description of action/changes you would like to see implemented and why:	<p>It has been three years since the <i>Code of Academic Integrity</i> has been revised. In that time, we have noticed changes that needed to be addressed that we believe would make the <i>Code</i> be administered more effectively for students, faculty, and staff. These changes provides the following benefits:</p> <ol style="list-style-type: none"> 1. Clearer distinction between the <i>Code of Academic Integrity (CAI)</i>, and the <i>Code of Student Conduct (CSC)</i>. Previous iterations of the CAI had too strong a reliance on the CSC, and these revisions allow it to operate independently of the CSC. 2. Consistency of record keeping and appeals process between CAI and CSC 3. Clearer understanding of the range of sanctions available to students who may violate the CAI. 4. Spelled out explanations of potential sanctions 5. Shorter resolution time for alleged violations by shortening the appeal time period and the time between attempts at "XF" petitions. 6. Revision of Terms used throughout the CAI 7. Clarified role advocates/advisors and their availability for all parts of the academic misconduct process

Suggestions for how your proposal could be put into practice:	Charge the Student Conduct Committee with revising the CAI to incorporate these revisions. After approval by the Senate and the President, these changes could then be implemented by the Office of Student Conduct as a part of the daily academic misconduct process.
Additional Information:	

Please send your completed form and any supporting documents to senate-admin@umd.edu or University of Maryland Senate Office, 1100 Marie Mount Hall, College Park, MD 20742-7541. Thank you!

III-1.00(A) UNIVERSITY OF MARYLAND CODE OF ACADEMIC INTEGRITY

Approved by President August 1, 1991; Amended May 10, 2001; Amended May 5, 2005; Technical Amendments June 2012; Amended November 7, 2014

INTRODUCTION

The University is an academic community. Its fundamental purpose is the pursuit of knowledge. Like all other communities, the University can function properly only if its members adhere to clearly established goals and values. Essential to the fundamental purpose of the University is the commitment to the principles of truth and academic honesty. Accordingly, the *Code of Academic Integrity* is designed to ensure that the principle of academic honesty is upheld. While all members of the University share this responsibility, the *Code of Academic Integrity* is designed so that special responsibility for upholding the principle of academic honesty lies with the students.

DEFINITIONS

1. **ACADEMIC DISHONESTY:** any of the following acts, when committed by a student, shall constitute academic dishonesty:
 - (a) **CHEATINGⁱ:** fraud, deceit, or dishonesty in any academic course or exercise in an attempt to gain an unfair advantage and/or intentionally using or attempting to use unauthorized materials, information, or study aids in any academic course or exercise.
 - (b) **FABRICATION:** intentional and unauthorized falsification or invention of any information or citation in any academic course or exercise.
 - (c) **FACILITATING ACADEMIC DISHONESTY:** intentionally or knowingly helping or attempting to help another to violate any provision of this *Code*.
 - (d) **PLAGIARISM:** intentionally or knowingly representing the words or ideas of another as one's own in any academic course or exercise.

RESPONSIBILITY TO REPORT ACADEMIC DISHONESTY

2. Academic dishonesty is a corrosive force in the academic life of a university. It jeopardizes the quality of education and depreciates the genuine achievements of others. It is, without reservation, a responsibility of all members of the campus community to actively deter it. Apathy or acquiescence in the presence of academic dishonesty is not a neutral act. Histories of institutions demonstrate that a laissez-faire response will reinforce, perpetuate, and enlarge the scope of such misconduct. Institutional reputations for academic dishonesty are regrettable aspects of modern education. These reputations become self-fulfilling and grow, unless vigorously challenged by students and faculty alike.

All members of the University community ---students, faculty, and staff -- share the responsibility and authority to challenge and make known acts of apparent academic dishonesty.

HONOR STATEMENT

- Letters informing both graduate and undergraduate students of their acceptance at the University, ~~as well as appointment letters for members of the faculty~~, shall contain a short statement concerning the role of the Student Honor Councilⁱⁱ, as well as the obligation of all members of the University of Maryland, College Park community to promote the highest standards of academic integrity.

HONOR PLEDGE

- On every examination, paper or other academic exercise not specifically exempted by the instructor, the student shall write by hand and sign the following pledge:

I pledge on my honor that I have not given or received any unauthorized assistance on this examination.

Failure to sign the pledge is not a violation of the *Code of Academic Integrity*, but neither is it a defense in case of violation of this *Code*. Students who do not sign the pledge will be given the opportunity to do so. Refusal to sign must be explained to the instructor. Signing or non-signing of the pledge will not be considered in grading or judicial procedures. Material submitted electronically should contain the pledge, [electronic submission](#) implies signing the pledge.

- On examinations, no assistance is authorized unless given by or expressly allowed by the instructor. On other assignments, the pledge means that the assignment has been done without academic dishonesty, as defined above.
- The pledge is a reminder that at the University of Maryland students carry primary responsibility for academic integrity because the meaningfulness of their degrees depends on it. Faculty are urged to emphasize the importance of academic honesty and of the pledge as its symbol. Faculty are encouraged to reference both the pledge and this *Code* on syllabi, including [links to additional materials online](#) ~~where they can be found on the Internet and in the Undergraduate Catalog~~.

SELF-REFERRAL

- Students who commit acts of academic dishonesty may demonstrate their renewed commitment to academic integrity by reporting themselves in writing to the Office of Student Conductⁱⁱⁱ. Students may not exercise the self-referral option more than once during their enrollment at the University.

8. If an investigation by the Director of Student Conduct^{iv} ~~or designee~~ reveals that no member of the University had a suspicion of a self-referring student's act of academic dishonesty, then the student will not be charged with academic dishonesty, or left with a disciplinary record. Instead, the Director of Student Conduct ~~or designee~~ will notify the instructor of the course in which the incident occurred to consult on the matter. The Director of Student Conduct ~~or designee~~ shall then convene a meeting with the student. The purpose of the meeting will be to ensure that the self-referral provisions of this *Code* are followed, not to levy a sanction, or to create a disciplinary record. The Director of Student Conduct ~~or designee~~ will notify the instructor of the course in which the incident occurred of the meeting's outcome^v.
9. In all cases where a student self-referral is accepted, the student will be required to successfully complete an educational sanction. In addition, at the discretion of the course instructor the non-credit academic integrity seminar offered by the Student Honor Council. Also, the student will have the any grade for the academic exercise in question reduced to a zero, by one letter grade, or to an "F."² ~~or a zero, in the discretion of the instructor involved.~~
10. If the Director of Student Conduct ~~or designee~~ determines that ~~a suspicion of~~ academic dishonesty was suspected existed at the time of the student self-referral and admission, admitted the act, then the matter will be resolved in accordance with the procedures specified in this *Code* for resolving academic dishonesty allegations. The student's self-referral and admission may be considered a mitigating circumstance for purposes of sanctioning.

PROCEDURES: REPORTING AND INFORMAL RESOLUTION

11. Any member of the University community who has witnessed an apparent act of academic dishonesty, or has information that reasonably leads to the conclusion that such an act has occurred or has been attempted, has the responsibility promptly to inform the Office of Student Conduct ~~promptly~~.
12. If the Director of Student Conduct ~~or designee~~ determines that a report of academic dishonesty is supported by reasonable cause^{vi}, the Office of Student Conduct shall offer the student an opportunity for a preliminary interview to review the allegations and any supporting evidence that was provided to the Office of Student Conduct^{vii}. The instructor of the course in which the incident occurred may be included in the meeting. The Office of Student Conduct shall also provide the Respondent ~~accused student~~ with a copy of this *Code*, and a statement of procedural rights approved by the Honor Council^{viii}. ~~The Director of Student Conduct or a designee, the student, and the instructor of the course in which the incident occurred may reach a collective agreement concerning how a case should be resolved. This informal resolution and the sanction imposed are not subject to appeal.~~

ROLE OF ADVOCATE AND ADVISOR

13. The Respondent may be assisted by an Advocate, who must be a registered, degree-seeking student at the University. The role of the Advocate is limited to:
- (a) Making brief opening and closing statements.
 - (b) Suggesting relevant questions, which may be directed to witnesses.
 - (c) Providing confidential advice to the student.
 - (d) Following a determination of responsibility, the Advocate may make recommendations regarding sanctions, if appropriate.
14. The Respondent may also choose to be assisted by an Advisor of their choice, who may be an attorney, at their own initiation and expense. The Advisor is present to provide advice and consultation to the Respondent. If necessary, the Respondent may request a recess in order to speak privately with an Advisor. The Advisor shall not be an active participant in the hearing. The Advisor may not speak for the Respondent, advise the Advocate, serve as a witness, provide evidence in the case, delay, or otherwise interfere with the University's disciplinary process.
15. As a general practice, disciplinary proceedings will not be delayed due to the unavailability of an Advocate or Advisor.

PROCEDURES: RESOLUTION BY INFORMAL RESOLUTION (Agreement?)

16. If the Respondent acknowledges responsibility for academic dishonesty, then they may choose to resolve the matter informally without participating in a formal disciplinary process.
17. With informal resolution, after gathering information from the course instructor, the Director of Student Conduct shall present the student with an agreement about how the case will be resolved. With informal resolution, the student foregoes the right to an appeal of the resolution and the sanction.

PROCEDURES: RESOLUTION BY A DISCIPLINARY CONFERENCE

18. Respondents~~13.~~ Referred students may elect to resolve the matter in a Disciplinary Conference if the student: (1) is alleged to have committed an act of academic dishonesty that would not normally result in suspension or expulsion, as defined by the *Code of Academic Integrity*.
19. Disciplinary Conferences shall be conducted by the Director and (2) has no prior record of Student Conduct. The Director of Student Conduct reserves the right to refer complex academic dishonesty or contested cases to an Honor Review for adjudication. Respondent will be notified in writing of the conference outcome and sanctioning

determination. Students forego the right to an appeal of any decision made in a Disciplinary Conference. other significant judicial history^{ix}.

~~14.~~ 20. Students participating in a Disciplinary Conference in the Office of Student Conduct are accorded the following procedural protections:

- (a) Written notice of charges at least three (3) days prior to the scheduled conference.
- (b) Reasonable access to the case file prior to and during the conference.
- (c) An opportunity to respond to the evidence against them and to call appropriate witnesses on their behalf.
- (d) The option to be accompanied and assisted by a representative, who may be an attorney ~~all.~~ All representatives are subject to the restrictions of Parts 13 through 15 of this ~~35 and 36 of the~~ Code of Student Conduct.
- ~~(e)~~ (e)—A plea of not responsible will be entered for ~~Respondents~~ respondents who fail to attend their scheduled Disciplinary Conference; the ~~conference proceedings~~ proceedings will proceed in their absence and the ~~Respondent~~ respondents will be notified via electronic mail of the Disciplinary Conference ~~conference~~ outcome and sanctioning determination.

~~15.~~ Disciplinary Conferences shall be conducted by the Director of Student Conduct or designee. The Director of Student Conduct or designee reserves the right to refer complex or contested cases to an Honor Review for adjudication. Respondents will be notified in writing of the conference outcome and sanctioning determination. No appeal will be granted for any decision made in a Disciplinary Conference.

~~16.~~ 20. The Director of Student Conduct will not conclude that a student has attempted or engaged in an act of academic dishonesty unless, after considering all the information before them, the Director believes that such a conclusion is supported by clear and convincing evidence. If a conclusion that the student did not engage in academic dishonesty is not made, using this standard, the Director of Student Conduct will dismiss the charge of academic dishonesty.

~~22.~~ If a determination—~~The normal sanction for undergraduate students found responsible for violating the Code of Academic Integrity during a Disciplinary Conference is the grade of responsibility is made, the~~ “XF.” The Director of Student Conduct may ~~a designee will~~ receive sanctioning recommendations from the Complainant, instructor, or academic program. ~~The Director of Student Conduct or a designee reserves the right to levy lesser or more severe sanctions depending on factors such as the nature and the Respondent~~ importance of the academic exercise; the degree of premeditation or planning, the extent of dishonest or malicious intent, and whether the violation is a first-time or repeat offense.

PROCEDURES: RESOLUTION BY A HONOR REVIEW

23. The Director of Student Conduct select the date, time and place for the Honor Review, and notify all parties in writing a minimum of five (5) business days prior to the review.

24. 17. An Honor Review is conducted by an Honor Board. The Honor Board is convened by the Student Honor Council. ~~Normally, it consists~~It will normally consist of six persons, five of whom will be voting members, and one Presiding Officer. Determinations of the Honor Board will be by a majority vote (three votes or more). Honor Boards are selected as follows:

- (a) Three (3) students selected by the Student Honor Council from among its members. In the event the ~~Respondent~~student accused of academic dishonesty is a graduate student, then at least two (2) of the student members shall be graduate students.
- (b) Two (2) faculty or staff members selected ~~in accordance with selection procedures established~~ by the Office of Student Conduct. In the event the ~~Respondent~~student accused of academic dishonesty is a graduate student, then at least one (1) of the persons selected shall be a regular member of the graduate faculty.
- (c) The ~~Honor Board shall have one (1) member who shall serve as the Presiding Officer. The~~ Presiding Officer may be a University student, faculty, or staff member ~~of the University and will be~~ selected by the Director of Student Conduct.

2518. If the Director of Student Conduct determines that the Student Honor Council or an Honor Board cannot be convened within a reasonable period of time after an ~~allegation~~accusation is ~~reported~~made, the Director of Student Conduct ~~or designee may review the case. If there is reasonable cause to believe that an act of academic dishonesty has occurred or has been attempted, the Director of Student Conduct or designee~~ will convene an ad hoc Honor Board by selecting and appointing two students and one faculty or staff member. Whenever possible, student members of ad hoc Honor Boards shall be members of the Student Honor Council. A Presiding Officer~~non-voting presiding officer~~ shall be appointed by the Director of Student Conduct.

2619. The Campus Advocate or ~~a designee~~ shall serve as the Complainant at an Honor Review. The principal responsibilities of the Complainant are:

- (a) To prepare a formal charge of academic dishonesty, and deliver it to the student and the Honor Board. The student will be deemed to have received notice on the date of delivery at the ~~most recent address or~~ electronic mail address (email) provided to the University by the student; ~~and~~
- (b) To present the evidence and analysis upon which the charge is based to the Honor Board during the Honor Review; and
- (c) To perform such other duties as may be requested by the Student Honor Council or the Honor Board.

2720. The charge of academic dishonesty serves to give a student a reasonable understanding of the act and circumstances to be considered by the Honor Board, thereby placing the student in a position to contribute in a meaningful way to the inquiry. It also serves to

provide initial focus to that inquiry. ~~The charge~~ is not, however, a technical or legal document, and is not analogous to an indictment or other form of process. The charge may be modified as the discussion proceeds, as long as the accused student is provided notice and accorded a reasonable opportunity to prepare a response.

2821. The purpose of an Honor Review is to explore and investigate the incident giving rise to the appearance of academic dishonesty, and to reach an informed conclusion as to whether or not academic dishonesty occurred. In keeping with the ultimate premise and justification of academic life, the duty of all persons at an Honor Review is to assist in a thorough and honest exposition of all related facts.

~~The basic tenets of scholarship—full and willing disclosure, accuracy of statement, and intellectual integrity in hypothesis, argument, and conclusion—must always take precedence over the temptation to gain a particular resolution of the case.~~ An Honor Review is not in the character of a criminal or civil legal proceeding. It is not modeled on these adversarial systems; nor does it serve the same social functions. It is not a court or tribunal. Rather, it is an academic process unique to the community of scholars that comprise a university.

2922. The role of the Presiding Officer is to exercise impartial control over the Honor Review in order to achieve an equitable, orderly, timely and efficient process. The Presiding Officer is authorized to make all decisions and rulings as are necessary and proper to achieve that end, including such decisions and rulings as pertain to scheduling and to the admissibility of evidence. If in the judgment of the Presiding Officer there is reasonable cause to question the impartiality of a board member, the Presiding Officer will ~~so~~ inform the Honor Council, which will reconstitute the Honor Board~~board~~.

3023. The following procedural guidelines shall be applicable~~Director of Student Conduct or a designee will select the date, time and place for the Honor Review, and notify all parties in writing a minimum of five (5) business days prior to the review.~~

~~24.—The sequence of an Honor Review. The~~ is necessarily controlled by the nature of the incident to be investigated and the character of the information to be examined. It thus lies within the judgment of the Presiding Officer may modify these guidelines when necessary. to fashion the most reasonable approach. ~~The following steps, however, have been found to be efficient, and are generally recommended:~~

- (a) Complainant, ~~and then the student or the student's advocate,~~ summarizes the matter before the Honor Board, including any relevant information or arguments, followed by a summary presented by the Respondent.
- (b) The Complainant presents and questions, ~~and then the student, present and question~~ persons having knowledge of the incident, and ~~offers~~offer documents or other materials bearing on the case. The Respondent then presents and questions persons with knowledge, and offers documents and other materials in support of Respondent. ~~The Complainant, the Respondent~~student and all members of the Honor Board may question any person giving testimony.

- (c) The members of the Honor Board may ask the Complainant or the ~~Respondent~~ student any relevant questions. The members may also request any additional material or the appearance of other persons they deem appropriate.
- (d) The Complainant, ~~and then the student or the student's advocate,~~ may make a brief closing statements, followed by a brief closing statement by the Respondent.
- (e) The Honor Board meets privately to discuss the case, and ~~must reach~~ reaches a finding by a majority vote.
- (f) The Honor Board will not conclude that a student has attempted or engaged in an act of academic dishonesty unless, after considering all the information before it, a majority of members believe that such a conclusion is supported by clear and convincing evidence. If this is not the case, the Honor Board will dismiss the charge of academic dishonesty.
- (g) If the Honor Board finds the student has engaged in an act of academic dishonesty, both the Complainant and the ~~Respondent~~ student or the student's advocate may recommend an appropriate sanction. Pertinent documents and other material may be offered. The Honor Board then meets privately to reach a decision regarding the sanction. Any sanction, which must be agreed upon by a majority vote of the Honor Board's voting members.
- (h) The Presiding Officer will provide the Complainant and the ~~Respondent~~ student with a written report of the Honor Board's determination.

~~31.~~ 25. Role of Advocate and Advisor:

- ~~(a) The accused student may be assisted by an advocate, who must be a registered, degree-seeking student at the University. The role of the advocate will be limited to:

 - ~~1. Making brief opening and closing statements, as well as comments on appropriate sanction.~~
 - ~~2. Suggesting relevant questions which the Presiding Officer may direct to witness.~~
 - ~~3. Providing confidential advice to the student.~~~~
- ~~(b) The accused student may also be accompanied by an advisor, who may be an attorney. The role of the advisor during an Honor Review will be limited to providing confidential advice only to the accused student, not the advocate, provided such advice is given without interfering with or disrupting the Honor Review. Even if accompanied by an advocate and/or an advisor, the student must take an active and constructive role in the Honor Review. In particular, the student must fully cooperate with the Honor Board and respond to its inquiries without undue intrusion by an advocate or advisor. In consideration of the limited role of advocates and advisors, and of the compelling interest of the University to expeditiously conclude the matter, the work of an Honor Board will not, as a general practice, be delayed due to the unavailability of an advocate or an advisor.~~
- ~~(c) Honor Reviews may be recorded or transcribed. If a recording or transcription is not made, the decision of the honor board must include a summary of the testimony and shall be sufficiently detailed to permit review on appeal.~~

(d) ~~Presence at an Honor Review lies within the judgment of the Presiding Officer.~~ An Honor Review is a confidential investigation. It requires a deliberative and candid atmosphere, free from distraction. Accordingly, it is not open to the public or other “interested” persons. However, at the student’s request, the Presiding Officer has discretion to will permit a student’s parents or spouse to observe and may permit a limited number of additional observers. The Presiding Officer also has discretion to may remove ~~from the Honor Review~~ any person who disrupts or impedes the investigation, or who fails to adhere to the rulings of the Presiding Officer. The Presiding Officer may direct that persons, other than the Respondent~~accused student~~ or the Complainant, who are to be called upon to provide information, be excluded from the Honor Review except during the time they are providing information for that purpose. The members of the Honor Board may conduct private deliberations at such times and places as they deem proper.

(e)

32. It is the responsibility of the person desiring the presence of a witness before an Honor Board to ensure that the witness appears. If necessary, the Presiding Officer~~a subpoena~~ may make a request for that person to appear~~be requested, in accordance with Part 36 (b) of the Code of Student Conduct~~^{*}. Because experience has demonstrated that the actual appearance of an individual is of greater value than a written statement, the latter is discouraged and should not be used unless the individual cannot or reasonably should not be expected to appear. Any written statement must be dated, signed by the person making it, and witnessed by a University employee or by a person approved by the Director of Student Conduct (e.g., a notary). The work of an Honor Board will not, as a general practice, be delayed due to the unavailability of a witness.

(a) The Presiding Officer may request the presence of witnesses upon the motion of any Honor Board member, or either party. Requests must be approved by the Director of Student Conduct. University students and employees are expected to comply with requests issued pursuant to this procedure, unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities. If the Director of Student Conduct determines that a fair Honor Review cannot be held without the testimony of a particular witness, and, after good faith attempts are made to secure that testimony, and the witness either fails to or refuses to appear, the Honor Review either will be postponed until the witness agrees to appear, or the charges will be dismissed.

(f)

33. An Honor Review is not a trial. Formal rules of evidence commonly associated with a civil or criminal trial may be counterproductive in an academic investigatory proceeding, and shall not be applied. The Presiding Officer will accept for consideration all matters which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious, irrelevant, or personally abusive material should be excluded.

34

26. If the Honor Board finds that an attempt or act of academic dishonesty ~~occurred~~~~did occur~~, it shall impose an appropriate sanction.

SANCTIONS

35. The normal sanction for ~~an~~ undergraduate ~~students~~ ~~student who has been~~ found responsible for violating the *Code of Academic Integrity* ~~during an Honor Review~~ is the grade of “XF” ~~in the course~~. The normal sanction for a graduate ~~students~~ ~~is~~ student ~~shall be~~ dismissal (suspension or expulsion) from the University. The Director of Student Conduct will consider sanction recommendations from the Complainant and Respondent. Generally, acts involving advance planning, falsification of papers, conspiring with others, or some actual or potential harm to other students will merit a severe sanction, i.e. suspension or expulsion, even for a first offense. An attempt to commit an act shall be punished to the same extent as the consummated act.

APPEALS

27. ~~In cases where an Honor Board has determined the appropriate sanction to be less than suspension or expulsion, both the finding of responsibility and the sanction(s) of an Honor Board will be final, unless, within five (5) business days after the Board’s written decision is sent to the student, and referring faculty member, the student or the referring faculty member notifies the Director of Student Conduct in writing of the intention of filing an appeal. The student may appeal both the findings and the penalty. The Complainant may appeal the penalty only.~~

~~A written brief supporting any appeal must be submitted in writing to the Director of Student Conduct within an additional ten (10) business days. The opposing party shall be provided a reasonable opportunity to submit a written response.~~

28. ~~Any member of the appellate body who has taken part in an Honor Review that is the subject of an appeal is not eligible to hear the appeal.~~
29. ~~Decisions of the appellate body will be by majority vote, based upon the record of the original proceeding and upon written briefs. De novo^{xi} hearings (re-hearing of original case without deference to lower board’s ruling) shall not be conducted.~~
30. ~~Deference shall be given to the determinations of Honor Boards by the appellate body.~~
- (a) ~~Sanctions may only be reduced if found to be grossly disproportionate to the offense. Likewise, upon an appeal by the Complainant, sanctions may be increased only if the original sanction is deemed to be grossly disproportionate to the offense.~~
- (b) ~~Cases may be remanded to a new Honor Board if specified procedural errors or errors in interpretation of this *Code* were so substantial as to effectively deny the accused student a fair hearing, or if new and significant evidence became~~

~~available that could not have been discovered by a diligent respondent before or during the original Honor Board hearing. On remand, no indication or record of the previous hearing will be introduced or provided to the members of the new Honor Board, except to impeach contradictory testimony, at the discretion of the Presiding Officer.~~

~~(c) Cases may be dismissed only if the finding is held to be arbitrary and capricious.~~

31. ~~If an Honor Board determines to suspend or expel a student, then the student may submit a written appeal to the Senate Committee on Student Conduct, in accordance with procedures set forth in Parts 43-50 of the *Code of Student Conduct*.~~

~~32.~~36. The Director of Student Conduct reserves the right to impose a lesser or more severe sanction depending on mitigating or aggravating factors such as the nature and importance of the academic exercise, the degree of premeditation or planning, the extent of dishonest or malicious intent, and whether the violation is a first-time or repeat offense. The following sanctions for violations of this *Code* may be imposed:

(a) Expulsion: permanent separation of the student from the University. A permanent notation will appear on the student's transcript. The student will also be barred from University premises. (Expulsion—Regardless of whether an appeal is filed, suspension requires administrative review and approval by the Vice President for Student Affairs, and may be modified.)

Suspension: separation of the student from the University for a specified period of time. A permanent notation will appear on the student's transcript. The student shall not participate in any University-sponsored activity and may be barred from University premises during the period of suspension. Suspended time will not count against any time limits required by the Graduate School for completion of a degree. (Suspension~~altered, deferred, or withheld.~~ Expulsion requires administrative review and approval by the Vice President for Student Affairs, and may be modified.) ~~altered, deferred, or withheld.~~

THE GRADE OF "XF"

~~33.~~ The grade of "XF":² is intended to denote a failure to accept and exhibit the fundamental value of academic honesty. The grade "XF" shall be recorded on the student's transcript with the notation "failure due to academic dishonesty." The grade "XF" shall be treated in the same way as an "F" for the purposes of grade point average, course repeatability, and determination of academic standing.

34. ~~No student with an "XF" on their the student's transcript shall be permitted to represent the University in any extracurricular activity (e.g. intercollegiate athletics, sports clubs, traveling performance groups, etc.), or run for or hold office in any student organization which is allowed to use University facilities, or which receives University funds.~~

a. The normal duration of the placement of the "XF" is twelve months. If serious mitigating circumstances are presented, then the Director or Honor Board (depending upon resolution process) may consider an abbreviated placement of the "XF" for six months. If serious aggravating circumstances are presented,

then the Director or Honor Board may state that the “XF” is permanent.

- (b) The grade of “F”: the grade “F” shall be recorded for the course in which the Respondent’s academic misconduct occurred. The “F” shall factor into the determination of the student’s grade point average, course repeatability, and academic standing
- (c) Letter grade reduction: once a student is given no credit for any assignment in which academic misconduct occurred, then the student’s final course grade will be reduced as determined by the course instructor
- (d) Zero on the assignment(s): no credit will be given to the student on the assignment(s) determined to contain academic misconduct. Their final grade will reflect this calculation
- (e) Other Sanctions: other sanctions may be imposed in addition to those specified in sections (a) through (f) of this part. Other sanctions may include educational or reflective experiences that allow the student to prevent repeated acts of academic dishonesty, gain assistance for factors contributing to the infraction, or help the student better understand how the infraction affects the academic and professional communities of which the student is a part.

37. Attempts to commit acts prohibited by this Code may be sanctioned to the same extent as completed violations.

38. Regardless of whether an appeal is filed, suspension or expulsion requires approval by the Vice President for Student Affairs, and these sanction may be modified.

“XF” REMOVAL PROCESS

39. The Respondent may file a written petition to the Appellate Board

35. The student may file a written petition to the Student Honor Council to have the grade of “XF” removed and permanently replaced with the grade of “F.” The decision to remove the grade of “XF” and replace it with an “F” shall rest in the sole discretion and judgment of a majority of a quorum of the Appellate Board Council provided that:

- (a) At the time the petition is received, at least twelve (12) months ~~(or time otherwise specified by the Honor Council)~~ shall have elapsed since the grade of “XF” was imposed, unless such time period is otherwise specified by the Honor Board or Director of Student Conduct at the time the XF was imposed; ~~and,~~
- (b) At the time the petition is received, the student shall have successfully completed a non-credit seminar on academic integrity, as administered by the Office of Student Conduct; or, for the person no longer enrolled at the University, an equivalent activity as determined by the Office of Student Conduct; and,
- (c) The Office of Student Conduct certifies that to the best of its knowledge the student has not been found responsible for any other act of academic dishonesty or similar disciplinary offense at the University of Maryland or another institution.

36. — Prior to deciding a petition, the Appellate Board~~Honor Council~~ will review the record of the case and consult with the Director of Student Conduct. Generally, the grade of “XF” ~~will~~ought not ~~to~~ be removed if it was imposed~~awarded~~ for an act of academic dishonesty requiring significant premeditation. If the “XF” grade is removed, records of the incident may be voided, ~~in accordance with Parts 51 and 52 of the Code of Student Conduct.~~ The decision of the Appellate Board~~Honor Council~~ shall not be subject to subsequent ~~Honor Council~~ review for one year~~four years~~, unless the Appellate Board~~Honor Council~~ specifies an earlier date on which the petition may be reconsidered. Decisions pertaining to the removal of the “XF” grade penalty may be appealed to Senate Student Conduct Committee~~the Senior Vice President and Provost~~. If Senate Student Conduct Committee~~the Senior Vice President and Provost~~ removes the grade of “XF” from the student’s transcript, the Senate Student Conduct Committee~~Senior Vice President and Provost~~ shall provide written reasons to the Student Honor Council.

APPEALS

40. The determination of the Honor Board will be final, unless, within three (3) business days after the Presiding Officer’s report is sent, the Complainant or Respondent provides written notice to the Director of Student Conduct of his/her intent to file an appeal. The Respondent may appeal both the determination of responsibility and the sanction. The Complainant only may appeal the sanction.

41. A written argument supporting any appeal must be submitted in writing to the Director of Student Conduct within an additional seven (7) business days. The opposing party shall be provided a reasonable opportunity to submit a written response.

42. Grounds for an appeal shall be limited to:

(a) Substantial Procedural Error: Procedural errors or errors in interpretation of University policy that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard. Deviations from procedures that were not so substantial as to deny a Respondent notice or a fair opportunity to be heard will not be a basis for granting an appeal;

(b) Disproportionate Sanctioning: The sanction is substantially disproportionate to the offense, which means it is far in excess of what is reasonable given the facts or circumstances of the violation;

(c) Arbitrary and Capricious Determination: An arbitrary and capricious decision is a decision without a rational basis or unsupported by any evidence in the record; or

(d) Appearance of New Evidence: New and significant relevant information has become available which a reasonably diligent person could not have discovered before or during the original hearing.

When the basis of the appeal is new evidence, the appellate body will determine whether the information is new and was unavailable at the time of the Honor Review. If the appellate body determines that the information is not new and was available at the time, the appeal will be denied. If the information is determined to be new and unavailable at the time of the Honor Review, the appellate body will consider whether the new information could have changed the outcome of the original Honor Review. If it is determined that the outcome could have been impacted by the new evidence, the case will be sent back to the original Honor Board for further review.

- (e) Appeals are not intended to allow for a second review of the facts of the case and determination of whether there was a violation. A review of the matter will be prompt and narrowly tailored to the stated grounds for appeal. In most cases, appeals are confined to a review of the written record and the statements of the parties in support or against the appeal. In all cases, deference shall be given to the determinations of the lower board.
- (f) The appellate body will consider the appeal and may:
 - i. Affirm the Decision and the sanction imposed;
 - ii. Affirm the Decision and reduce, but not eliminate, the sanction;
 - iii. Remand the case to a new Honor Board, if there were procedural or interpretation errors;
 - iv. Remand the case to the original Honor Board in accordance with procedures outlined under “New Evidence”; or
 - v. Dismiss the case if the decision is determined to be arbitrary and capricious.

43. Decisions of the appellate body will be by majority vote, based upon the record of the original proceeding and upon written briefs.

45. Decisions of the Appellate Board are final. Decisions of the Senate Student Conduct Committee are final, and if the decisions are for Suspension or Expulsion, then it will be presented to the Vice President of Student Affairs for review. Decisions altering the determinations of Honor Boards shall be accompanied by a brief report explaining the appellate body’s decision.

THE STUDENT HONOR COUNCIL

4637. There shall be a Student Honor Council composed of qualified graduate and undergraduate students in good academic ~~standing~~^{ix}~~standing~~^{xii}.

47. All Student Honor Council will participate in orientation and training sessions by the Office of Student Conduct.

48. ~~Student38.~~ The members of the Student Honor Council who are charged with any violation of this Code, the Code of Student Conduct, another University policy, or with a criminal

~~offense may be suspended from their judicial positions appointed for one (1) year terms, by the Director of Student Conduct during the pendency of the charges against them. Students deemed responsible for any such violation or offense may be disqualified from any further participation in the University Student Judiciary by the, Director of Student Conduct. Additional grounds and procedures Academic Integrity, and the Chair of the Honor Council. Students may be reappointed for removal may also be set forth in the bylaws of the University Student Judiciary additional one (1) year terms.~~

~~4939. All Student Honor Council members are subject to the training and conduct requirements of Parts 27 and 28 of the Code of Student Conduct.~~

40. The Student Honor Council has the following responsibilities and authority:

~~(a) — To increase awareness throughout the campus of the importance of academic integrity.~~

~~(b) — To develop bylaws subject to approval by the University for legal sufficiency and consistency with the requirements of this Code of Academic Integrity and the Code of Student Conduct.~~

~~(c) — To designate from its members students to serve as members of Honor Boards as specified in this Code. _____~~

~~(d) — To consider petitions for the removal of the grade of “XF” from University records in accordance with Part 35 of this Code.~~

~~(e) — To assist in the design and teaching of the non-credit seminar on academic integrity and moral development, as determined by the Director of Student Conduct.~~

~~(f) — To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University. ___~~

~~50(g) — To issue an annual report to the University Senate on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.~~

41. 50. The campus administration shall provide an appropriate facility, reserved for the primary use of the Honor Council, and suitable for the conduct of hearings. Clerical and secretarial assistance will also be provided.

DISCIPLINARY RECORDS

51. The files of students found responsible for violations of the Code of Academic Integrity will be retained as a disciplinary record for three (3) years starting from the date of the letter providing final notice of disciplinary action. Records may be retained for longer periods of time or permanently if so stated in the Respondent’s sanction notice. Case files resulting in sanctions of suspension or expulsion shall result in a permanent disciplinary record unless otherwise stated.

52. Students may petition the Office of Student Conduct to void their disciplinary record early, for good cause. Factors to be considered in review of such petitions shall include:

- (a) The present demeanor of the Respondent
- (b) The conduct of the Respondent subsequent to the violation
- (c) The nature of the violation and the severity of any damage, injury, or harm resulting from it.

52. Denials of petitions to void disciplinary records can be appealed to the Senate Student Conduct Committee, which will apply the standard of review outlined in 43(c). Such an appeal must be submitted in writing within five (5) business days from the date of the letter providing notice of the original decision. Disciplinary records retained for less than 90 days or designated as “permanent” shall not be voided without unusual and compelling justification.

~~FUTURE SELF GOVERNANCE~~

~~42. Insofar as academic dishonesty is most immediately injurious to the student body, and because the student body is in a unique position to challenge and deter it, it is the intent of the University that ultimately this Code will evolve into one where the provisions are marked by complete student administration.~~

TERMS

AD HOC HONOR BOARD – board consisting of a presiding officer, two (2) students, and one (1) faculty or staff member appointed by the Director of Student Conduct ~~or designee~~.

ACADEMIC DISHONESTY – see Part 1 of this Code.

CHARGE OF ACADEMIC DISHONESTY – a formal description of the case being considered by the Honor Board.

CLEAR AND CONVINCING EVIDENCE – a standard of proof that evidence which results in reasonable certainty of the truth of the ultimate fact in controversy. It is a standard of proof that ~~It~~ requires more certainty than a preponderance of the evidence but less certainty than what is required in criminal cases of proof beyond a reasonable doubt. Clear and convincing evidence will be shown where the truth of the facts asserted is highly probable.

COMPLAINING PARTY – those representing the group who brought the complaint. This may include the Campus Advocate (the Complainant), the instructor of the course, and a representative from the academic department.

~~COMPLAINANT – individual responsible for preparing the charge of academic dishonesty and presenting the case before the Honor Board. The Complainant must be a registered, degree-seeking student.~~

DISCIPLINARY CONFERENCE – meeting between Respondent~~respondent~~ and the Director of Student Conduct ~~or designee~~ to resolve a case of academic dishonesty. The Director of Student Conduct ~~or designee~~ will be responsible for the finding of facts, determination of responsibility and sanctioning if the Respondent~~respondent~~ is found responsible.

~~EXECUTIVE COMMITTEE – a committee of Honor Council officers, selected in accordance with Honor Council bylaws.~~

~~HONOR BOARD – body appointed by the Student Honor Council to hear and resolve a case of academic dishonesty. The board consists of five (5) voting members (three (3) student members of the Honor Council and two (2) faculty or staff members), and one (1) non-voting presiding officer.~~

HONOR REVIEW – the process conducted by the Student Honor Council leading to resolution of an academic dishonesty case.

INTENTIONALLY done with a purpose to complete a desired outcome regardless of whether or not the desired outcome occurred

KNOWINGLY committing to behavior with awareness of action or when there is a reasonable expectation to be aware of the act

PRELIMINARY INTERVIEW – informal meeting prior to an Honor Review or Disciplinary Conference between the Director of Student Conduct ~~or designee~~ and a student accused of violating the *Code of Academic Integrity* to discuss the allegations and corresponding charges, the student’s rights and responsibilities, and the options for resolution.

RESPONDENT – student responding to allegation of academic dishonesty under this Code

~~PRESIDING OFFICER—individual on the Honor Board responsible for directing proceedings during the Honor Review. The Presiding Officer is selected by the Director of Student Conduct.~~

STUDENT HONOR COUNCIL – students appointed by the Director of Student Conduct, ~~the Director of Academic Integrity, and the Chair of the Honor Council. These students are~~ charged with conducting Honor Reviews to resolve alleged ~~academic integrity~~ violations of the Code of Academic Integrity.

ⁱ We are grateful to our colleagues and friends at the Center for Student Conduct at the University of California, Berkeley for inspiring this revised definition of “Cheating” for our *Code of Academic Integrity* and for granting the university permission to use and repurpose this portion of their Code of Conduct.

ⁱⁱ The term “Honor Council,” used throughout the *Code*, permits reliance upon Honor Council committees, appointed in accordance with Council bylaws.

ⁱⁱⁱ Students who elect to self-refer for academic integrity violations are encouraged to utilize the Office of Student Conduct electronic referral form on the Office of Student Conduct website to detail the incident.

^{iv} The term “Director of Student Conduct” includes any OSC staff member designated by the Director of Student Conduct.

^v The final sanction notice to the faculty course instructor ~~of the course where the incident took place~~ shall be maintained in a file of self-referrals, but this final sanction notice is ~~shall not be~~ considered a disciplinary record.

^{vi} Pertinent procedures for determining reasonable cause shall be set forth in the Honor Council bylaws.

^{vii} At the conclusion of the preliminary interview students have ~~reserve~~ the right to request that the Director of Academic Integrity ~~or a designee immediately~~ conduct a Disciplinary Conference to resolve the matter in question.

^{viii} The statement shall include a reference to the right to be represented by an advocate, as specified in Part 1325(a) of this *Code*.

^{ix} The screening committee shall try to create an Honor Council that reflects the diversity of the campus, and is of sufficient size to allow for the investigation and resolution of cases as promptly as possible. The determination of whether an Honor Council applicant is “qualified” rests within the discretion of the selection committee, provided that no uniform grade point “cutoff” is applied. A history of disciplinary or felonious misconduct may be sufficient grounds to disqualify any candidate.

^{ix} ~~In every case the Office of Student Conduct should determine if a prior record exists.~~

^{*} ~~Before issuing a subpoena, the Director of Student Conduct may require that a party requesting the subpoena make a reasonable effort to secure voluntary compliance by a potential witness.~~

^{xi} ~~De novo: re-hearing of original case without deference to the lower board’s ruling.~~

^{xii} ~~The screening committee shall try to create an Honor Council that reflects the diversity of the campus, and is of sufficient size to resolve cases as promptly as possible. The determination of whether an Honor Council applicant is “qualified” rests within the discretion of the selection committee, provided that no uniform grade point “cutoff” is applied. A history of disciplinary or felonious misconduct may be sufficient grounds to disqualify any candidate.~~