



**Please note that the start time for this meeting has been changed to 2:45pm.*

1. Call to Order
2. Approval of the November 2, 2018 Senate Minutes (Action)
3. Approval of the November 7, 2018 Senate Minutes (Action)
4. Approval of the November 14, 2018 Senate Minutes (Action)
5. Report of the Chair
6. Special Order of the Day
Wallace D. Loh
President of the University of Maryland
2018 State of the Campus Address
7. Nominations Committee Slate 2018-2019 (Senate Document #18-19-18) (Action)
8. PCC Proposal to Establish a Bachelor of Science in Embedded Systems and the Internet of Things (Senate Document #18-19-19) (Action)
9. PCC Proposal to Establish a Bachelor of Arts in Philosophy, Politics, and Economics (Senate Document #18-19-20) (Action)
10. Revision of the Code of Academic Integrity (Senate Document #17-18-08) (Action)
11. Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records (Senate Document #17-18-16) (Action)
12. New Business
13. Adjournment



CALL TO ORDER

Senate Chair Walsh called the meeting to order at 3:05 p.m.

REPORT OF THE CHAIR

Walsh explained that in light of the recent actions of the Board of Regents with regards to its overreach into personnel matters at the University following the two investigations into the football program, the Senate leadership felt it necessary to call an emergency special meeting of the Senate to discuss the concerns shared by many in the campus community.

SEC Charge

Walsh provided an overview of the charge to the Senate Executive Committee (SEC) to review the outcomes of the investigations into the death of Jordan McNair and the alleged “toxic culture” in the football program and provide recommendations to the Senate and the President, as appropriate that was approved by the Senate at its September 5, 2018 meeting. Walsh stated that the Senate Leadership formed a subcommittee of the SEC with representation from each constituency and chaired by the Chair-Elect, Pam Lanford to facilitate the review. As the subcommittee began its work, President Loh communicated to the SEC that the situation was evolving rapidly and requested feedback as soon as possible. The subcommittee first focused on the findings of the Walters report, compiling relevant information including the Athletics Action Plan. The subcommittee’s preliminary findings were shared with the SEC, the President, and the Chair of the Athletic Council. After the report of the Board of Regents’ Commission on the alleged “toxic culture” of the football program was released and it was clear that action would be taken quickly, the entire SEC met and agreed to amend the preliminary suggestions to include an element emphasizing the importance of stability in the institutional leadership to ensure swift implementation of the recommendations. Walsh applauded Lanford’s leadership and the work of both the subcommittee and the full SEC and noted that because the situation evolved rapidly, there had not yet been an opportunity to publicly share the preliminary suggestions prior to the emergency special meeting. He explained that Pam Lanford, Chair-Elect, would share the preliminary suggestions and plans for the process moving forward, and noted that the SEC would work to finalize its suggestions following a comprehensive review of the Commission report.

UPDATE ON THE SENATE EXECUTIVE COMMITTEE CHARGE TO REVIEW THE OUTCOMES OF THE ATHLETICS REPORTS

Pam Lanford, Chair-Elect & Chair of the SEC Subcommittee, provided an overview of the subcommittee’s approach and preliminary suggestions.

Process

Lanford noted that the subcommittee did not feel it was appropriate to second guess the findings and recommendations of the Walters report, and felt that the Athletics Action Plan contained sound actions and next steps, many of which had already been implemented. She reported that the subcommittee determined that its most effective approach would be to help expand upon the

recommendations in each document, with the goals of ensuring the implementation of best practices in staff training and preparedness, and fostering improved transparency and accountability within the athletics program. She noted that the preliminary suggestions are neither inclusive of all of the information available to the subcommittee at the time, nor finalized. She also stated that as the subcommittee continues its analysis over the coming weeks, it will expand on its comments where appropriate and will provide a complete analysis and reflection of the findings of the Commission report.

Preliminary Suggestions

Lanford provided an overview of the preliminary suggestions.

- The Athletics Department should provide ongoing oversight of the overall implementation of the Emergency Action Plan (EAP) incorporate regular reporting to the Athletic Council (e.g., at least twice annually).
- The Athletics Department should provide a regular, ongoing schedule of EAP training and renewal trainings be established, with documentation and tracking of such training available for review. The methods for evaluating the effectiveness of these trainings should be established, to ensure trainees are knowledgeable and prepared on an ongoing basis, and that knowledge and implementation of EAP elements be included in annual staff performance reviews.
- The Athletics Department should convene an independent annual review panel that will review procedures and protocols on student-athlete safety that and includes a tabletop drill or other exercise to inform any needed updates and/or revision of the EAP.
- The Athletics Department should facilitate a periodic review of the EAP by independent external evaluators, occurring on a regular established schedule (e.g., on a bi- or triennial basis).
- The Athletics Department should provide the findings of both the internal and external evaluations of the EAP and EAP implementation and a summary of findings should be made available to the Athletics Council for its review.
- The University should contract athletic trainers through an entity outside UMD Athletics (e.g., the "Medical Model") to ensure that actions by athletic trainers may be completely independent of any (real or perceived) threat to their positions.
- The online portal called Terps Feedback, which allows student-athletes to share concerns or report issues securely and in real time should allow comments posted to this system to be directed not only to leadership within the Athletics Department but also to leadership within a separate UMD division, such as to the Vice President for Student Affairs, to ensure transparency and that effective action are taken in response.
- The University should provide Athletics employees with a mechanism for independent and anonymous reporting of irregular, unethical, or abusive behavior (e.g., USM hotline).
- The University should establish a dedicated student-athlete ombudsperson, such as is in place at Michigan State, that is outside of Athletics and is clearly an independent resource for the resolution of issues specific to the student-athlete experience.
- Data from the Student Athlete Survey should be provided to the faculty on the Athletic Council. Such faculty are well equipped to provide impartial assessment of the results of the survey, and to recommend actions as appropriate.

Lanford noted that the SEC met and agreed to revise the preliminary suggestions to include one additional element as follows:

- It is clear that we must improve the accountability and oversight of the Athletics department and that personnel changes may be necessary. In this time of crisis and change, the Senate Executive Committee recognizes the critical importance of stability and consistency to chart a path forward. The challenges that the University faces require a deep understanding of our institution, our history, and our values. We believe that maintaining the current University leadership is in the best interest of the campus. Further, we believe that the engagement of faculty, staff, and students through the University Senate will be integral to the successful implementation of necessary reforms.

Chair Walsh thanked Lanford for her presentation.

UPDATE FROM THE ATHLETIC COUNCIL

Nicholas Hadley, Chair of the Athletic Council, provided an update from the Athletic Council. Hadley noted that the Council is an advisory body to the President. He stated that the Council includes representation of various constituencies including administrators, students, student-athletes as well as faculty and staff, who are elected by the Senate and compose 9 out of the 20 voting members.

Hadley reported that the Council typically meets once per month and that at its August meeting, the Council discussed the death of Jordan McNair, the ESPN report of the alleged “toxic culture” of the football program at the University, and the media reactions to these issues. He noted that the Council’s September meeting occurred before the Walters report was made public, but that the Council was committed to closely monitoring the implementation of the recommendations from both reports. Hadley stated that at the Council’s meeting in October, David Klossner, Associate Athletic Director, provided a presentation to review the current status of the implementation of the recommendations from the Walters report, and that implementation of at least half of the recommendations was underway by that date. He also reported that at the time of the November 2nd Senate meeting, eight of the recommendations were complete, four had completed drafts that were under review, and implementation of all other recommendations was in progress. Hadley noted that just the faculty members of the Athletics Council met separately to review the outcomes of the reports because members felt it may be inappropriate to discuss some of the information members with direct ties to Athletics.

Hadley reported that at its November 1, 2018 meeting, the Athletic Council discussed the following language for a statement that will soon be finalized and released:

- The treatment of the students on the football team as described in the football culture report is inhumane and unacceptable. The termination of those responsible was clearly warranted.
- The Athletic Council should work with the athletics administration to develop a process for obtaining better information from student athletes about their experiences both as athletes and as students. The information should be gathered proactively so that problems can be identified quickly and resolved before they become more serious. The process should include a mechanism for student athletes to report concerns to an entity outside of athletics, such as the Office of Student Affairs.
- Based on the events that have occurred, the Athletic Council should work with the administration to develop plans for increased oversight of athletics. The oversight should include faculty and other appropriate entities.

Hadley expressed concern that the investigation into the University's football culture would reflect poorly on the Athletic Department as a whole. He noted that though the report provided an exhaustive investigation into the culture of the football program, only 2 of 19 coaches were interviewed, and as a result, the report contains omissions and shortcomings regarding athletics culture of the campus as a whole.

Chair Walsh thanked Hadley for his presentation.

RESOLUTION CONDEMNING THE ACTIONS OF THE BOARD OF REGENTS

Chair Walsh introduced Senator Pound to make a procedural motion on behalf of the SEC.

Senator Pound, faculty, College of Computer, Mathematics, and Natural Sciences made a motion to suspend the rules to allow any member of the campus community to speak without an introduction from a Senator, and to limit all speakers to two minutes to allow all those who wish to speak an opportunity to do so. Walsh asked for a second. The motion was seconded.

Parliamentarian Novara considered a Senator's inquiry on whether the Senate could accept the motion by unanimous consent. Senators expressed dissent to the suggestion. Chair Walsh called for a vote on the motion to suspend the rules and noted that it required a two-thirds vote in favor to pass. The result was 93 in favor, 7 opposed, 0 abstentions. **The motion to suspend the rules passed.**

Chair Walsh opened the floor to questions about the two presentations.

Jerome Dancis, College of Computer, Mathematical, and Natural Sciences asked if Hadley could elaborate on the choice of including the word "inhumane" to describe the death of Jordan McNair in the Athletic Council's statement.

Hadley responded that the Council was referring to the general treatment of the players in the football program as inhumane, rather than the specific incident of McNair's death. He stated that he believes that the best way to review the events that led to McNair's death is to read the Walters report.

Lanford recommended that everyone interested in this issue thoroughly read the Commission's report on the alleged toxic culture of the football program.

Shige Sakurai, Associate Director, Lesbian, Gay, Bisexual, & Transgender (LGBT) Equity Center, expressed concern about the accreditation and autonomy of the University, and noted that they filed an official civil rights grievance with the University in August, citing the use of homophobic and transphobic slurs to encourage unsafe behaviors in student-athletes. They noted that the Board of Regents' interventions regarding University personnel issues in response to the death of Jordan McNair directly infringe upon the due process of this grievance, and that they believe that paying out \$5 million for the remainder of Coach Durkin's contract is a waste of public dollars. They requested that the Senate consider a civil rights non-discrimination perspective in its review of the Athletic reports to be cognizant of potential homophobia and misogyny in the football culture.

Chair Walsh thanked Sakurai for their comments and reminded the body that both presentations were delivered on reviews that are not yet complete. Lanford confirmed that the SEC shares Sakurai's concerns regarding inappropriate behavior in the football program.

Senator Dorland, faculty, College of Computer, Mathematical, and Natural Sciences, asked Hadley if he feels that the actions of the Athletic Council were appropriately insulated from other members of the Athletic Department at the University, including the Athletic Director, so that the Council could present a fair review of the reports.

Hadley responded that he does believe that the Athletic Council was able to appropriately consider the aspects of the athletic reports without interference from other members of the Athletic Department.

Fatemeh Keshavarz, School of Languages, Literatures, and Cultures, noted that if the faculty of her School received their current salaries from the University from age 18 to age 65, they would not receive a total of \$5 million. She asked how the University plans to ensure that future athletic coaches will implement humane training processes for student-athletes.

Hadley reported that there are coaches who use modern techniques and that he is aware of plans to mentor current and future coaches in order to ensure the proper treatment of student-athletes.

Lanford commented that the SEC has not yet articulated its desire for transparency in future personnel decisions at the University, but noted that she feels that such transparency should be a top priority.

Hadley agreed that transparency should be prioritized, and noted that most athletic coaches at the University utilize different styles than those reported by the Commission.

Senators suggested that the Senate proceed with its consideration of the proposed Resolution Condemning the Actions of the Board of Regents.

Chair Walsh called on Pam Lanford to present the resolution to the Senate.

Lanford made a motion that the Senate approve the following resolution:

Whereas, the University Senate is the principle shared governance body of the University representing faculty, staff, students, and administrators who work together on issues that affect the campus community at all levels;

Whereas, the University of Maryland is committed to the highest ethical standards in all its actions and to openness and accountability through shared governance;

Whereas, the Board of Regents grossly exceeded its authority and interfered with the autonomy of our institution, undermining the University's core values and impacting its ability to fulfill its mission as a public land-grant institution;

Whereas, the Board of Regents has demonstrated a complete disregard for academic freedom and has compromised the University's governance structure and its ability to exercise primary authority over its day-to-day operations without external influences;

Whereas, the events of the last few days have tarnished the reputation of the University nationally, both within the broader academic community and with potential students, future faculty, and financial supporters of the institution;

Whereas, the Board's overreach and violation of basic principles of higher education have also jeopardized the University's accreditation status with the Middle States Association of Colleges and Schools; and

Whereas, the Board of Regents has betrayed the trust of our campus community and all those who have the best interest of the institution at heart; therefore

Be it resolved, that the University Senate condemns the Board of Regents for its recent actions, and urges the Board to reconsider its responsibility to our institution and renew its commitment to the welfare of our students and to our academic mission.

Senator Kirschenbuam, faculty, College of Arts & Humanities, presented a statement from Dr. Zita Nunes and Dr. Tita Chico of the English Department. The professors noted that they would not support any statement that did not focus on the death of Jordan McNair or the climate for people of color at the University. They are distressed that the response of the University administrators and the Senate has been to focus on shared governance and to call for the reinstatement of President Loh. They stated that the University's right to shared governance must not be considered in isolation from the way that right has been used, and that a discussion of the governance of the University must include its failures to the people of color within the campus community. They believe that President Loh was right to fire Coach Durkin, but that the responses to Jordan McNair's death occurred too late. They also believe that the University needs new leadership for both the administration and the Athletic Department.

Jeffrey Herf, College of Arts & Humanities supported President Loh's decision to prioritize safety and academics over football in his firing of Coach Durkin. He asked Hadley why the University should continue to support an athletics program when over 20 student-athletes across the country have died over the last two decades, and inquired what could be done to prevent Athletics from corrupting the values of the institution, and if a football program is compatible with the values of a premier research institution.

Hadley stated that the athletics experience has provided many students with the opportunity for higher education through scholarships, and that he has read that after the passing of the GI Bill, athletic scholarships have provided more money for students than any other scholarship source. He noted that he does share Herf's concern about the pressures of maintaining a large-scale football program. He commented that he does not believe that there is a way to reach a point at which there is no chance of risk, but that there are risks that can and should be removed, and that the point of the Walters report is to remove as many of those risks as possible.

Lanford noted that she believes that athletics can provide many opportunities and motivations for students, but that the University should examine what kinds of lessons it wants to teach and what kind of environment it wants to provide for the student-athletes in its care.

Senator T. Cohen, faculty, College of Computer, Mathematical, and Natural Sciences stated that he believes that the Senate should approve the resolution. He commented that he has no confidence in President Loh's leadership abilities, and that he believes that the President created an environment on campus that overvalues athletics and undervalues education and research. He also

stated that he believes that President Loh mismanaged the Athletic Department and covered up a scandal with the previous Athletic Director by claiming that he was on sabbatical when he had in fact entered into an agreement to leave the University. Cohen also made the point that students are treated unfairly by being required to pay a mandatory athletics fee, and that either the fee should be rescinded or that the Senate should pass legislation recommending that it be discontinued.

Martha Nell Smith, College of Arts & Humanities, noted that reiterating the obvious can be crucial, and that the University is made up not of the Board of Regents, but of students, faculty, and staff. She referenced President Loh's commentary that Athletics is the front porch of the house that is the University, and commented that the Board of Regents needs to remember that the University can operate without Athletics but that Athletics cannot exist without the University. She stated that the Regents should prioritize academics and the safety of the University's students or step down from their positions, and expressed her support for the Senate resolution.

Senator Coles, faculty, College of Arts & Humanities, made a motion to amend the resolution to include an additional statement:

Whereas the faculty, staff, students, and administrators at the University of Maryland are outraged at the failures of leadership that led to Jordan McNair's death;

Chair Walsh asked for a second. The motion was seconded.

Walsh opened the floor to discussion of the amendment.

Senator Coles explained the rationale behind her amendment, stating that she and others in the English Department believe that the resolution should acknowledge the death of Jordan McNair.

Walsh called for a vote on the amendment. The result was 88 in favor, 11 opposed, and 5 abstentions. **The amendment passed.**

Walsh opened the floor to discussion of the resolution as amended.

Senator D. Lathrop, faculty, College of Computer, Mathematical, and Natural Sciences, commended the statements delivered by Senator Kirschenbaum and Senator Cohen. He expressed his support for the resolution and his concern that the University has strayed from its mission of research and academics and that it needs leadership that will focus on those values.

Senator Borgia, faculty, College of Computer, Mathematical, and Natural Sciences, commented that when working with animals, academic units must provide written documentation of their plans for the animals and that those plans must be approved by a committee, and he stated that he finds it ironic that those animals seem to be treated better than the University's student-athletes. He expressed his support for Senator Cohen's statement that the mandatory student athletic fee is unfair.

Senator Horbal, faculty, University Libraries, commented that he believes that the amendment to the resolution should include a statement about the Senate's confidence that the failure of leadership can be resolved.

Senator Rozenblit, faculty, College of Arts & Humanities, expressed concern about the need for transparency and accountability from the athletic programs at the University, and noted that the

Senate body should acknowledge that the University had previously ignored concerns about the culture of the football program. She expressed her support for the resolution, and her belief that the University should not have a major football program.

Doron Levy, College of Computer, Mathematical, and Natural Sciences, stated that he is proud of the attendees of this Senate Meeting for speaking up against the issues of transparency and accountability facing the University. He commented that rather than the front porch, athletics is the garbage can of the University, and stated that the University should reestablish the football program in a way that best provides for the student-athletes.

Lanford asked Levy to clarify that he was not referencing any athletes or team when referring to the Athletic Department as a garbage can.

Levy responded that this clarification was correct and commented that if faculty members treated their students the way student-athletes are treated, professors would lose their jobs overnight.

Senator Kenny, undergraduate student, College of Behavioral and Social Sciences, commented that transparency and accountability are inherently married to the concept of shared governance. He urged the passing of this resolution and announced that after discussion of this resolution, he would be proposing a resolution to restore shared governance in the University System of Maryland.

Senator Koonce, graduate student, College of Behavioral and Social Sciences, stated that she believes that the comments suggesting the elimination of college athletics were disrespectful to the student-athletes and to the students of color who participate in athletics at the University. She commented that it was thoughtless to suggest eliminating scholarship opportunities for students rather than acknowledge that the University hired an inexperienced head coach who operated with no oversight. She stated that to acknowledge the death of Jordan McNair without also focusing on the culture of the football program is a disservice to the student-athletes.

Senator Coles commented that she does not believe that a resolution should be passed by the Senate without mentioning Jordan McNair by name, and that in her opinion, the statements in the resolution express the Senate's commitment to rectifying the related issues at the University moving forward.

Parliamentarian Novara asked Senator Coles if she was proposing an amendment.

Senator Coles clarified that she was responding to Senator Horbal's previous comments and suggesting that his concerns were already addressed by the rest of the resolution.

Senator Callaghan, faculty, College of Arts & Humanities, expressed her appreciation of Senator Koonce's comments in the defense of student-athletes and commented that there is an imbalance between the importance of athletics and academics, to the detriment of the University.

Senator J. Kahn, faculty, College of Computer, Mathematical, and Natural Sciences, encouraged members of the campus community to continue attending Senate meetings and expressed his appreciation for the energy of the current Senate Meeting.

Dean Fetter, Graduate School, made a motion to amend the amendment to the resolution with the following language:

Whereas the faculty, staff, students, and administrators at the University of Maryland are outraged at the failures of leadership that led to resulted in the death of Jordan McNair's death but are confident that those failures can be addressed and corrected through existing mechanisms of shared governance;

Chair Walsh asked for a second. The motion was seconded.

Walsh opened the floor to discussion of the amendment to the amendment.

Senator Horbal stated that he no longer felt that the amendment needed to be amended, but he supported the context that is added by the amendment to the amendment.

Senator Trudell, faculty, College of Arts & Humanities, commented that he does not agree with the sentiments expressed in the amendment to the amendment, and that the failures of leadership that resulted in the death of Jordan McNair may not be able to be solved through the University's existing mechanism of shared governance. He urged the Senate to address the specific failures of leadership that resulted in McNair's death.

Dale Hample, College of Arts & Humanities, expressed concern that the amendment to the amendment removes "of leadership" as the current mechanisms of shared governance include the President and Athletic Director. He asked if the SEC is aware of any significant actions taken by President Loh between the announcement of Jordan McNair's death and the publication of the ESPN article alleging the "toxic culture" of the football program.

Walsh responded that the SEC is aware of some actions but certainly not all, and commented that he cannot speak to the knowledge of the entire SEC.

Lanford responded that it was not immediately made known, but that her understanding of the Walters report is that the University began implementing many of the recommendations of the Emergency Action Plan in the intervening period before the report was made public.

Senator Baker, faculty, College of Education, expressed her appreciation of the amendment to the amendment, and stated that the words "of leadership" should continue to be included in the resolution. She made a motion to amend the amendment to the amendment to reinstate "of leadership" after "failures":

Whereas, the faculty, staff, students, and administrators at the University of Maryland are outraged at the failures of leadership that led to resulted in the death of Jordan McNair's death but are confident that those failures can be addressed and corrected through existing mechanisms of shared governance;

Chair Walsh asked for a second to the motion. The motion was seconded.

Walsh opened the floor to discussion on the amendment to the amendment to the amendment. Hearing none, he called for a vote on the amendment to the amendment to the amendment to add "of leadership". The result was 70 in favor, 11 opposed, and 12 abstentions. **The motion to amend the amendment to the amendment passed.**

Chair Walsh opened the floor to discussion of the amendment to the amendment.

Jordan Goodman, College of Computer, Mathematical, and Natural Sciences, stated his opposition to the amendment because President Loh has stated that shared governance is not shared management, and that shared governance cannot solve all of the problems at the University. He urged that the amendment should remain in the resolution as originally passed.

Senator Kirschenbaum expressed his opinion that the amendment to the amendment weakens the statement made by the original amendment.

Dean Fetter made a motion to amend the amendment to the amendment to replace “are confident” with “believe”, and to replace “can” with “must” to address Senators’ concerns:

Whereas, the faculty, staff, students, and administrators at the University of Maryland are outraged at the failures of leadership that ~~led to~~ **resulted in the death of Jordan McNair’s death but are confident believe that those failures can must be addressed and corrected through existing mechanisms of shared governance;**

Chair Walsh asked for a second to the motion to amend the amendment to the amendment. The motion was seconded.

Senators wanted to call the question to end debate on the motion to amend the amendment to the amendment. However, Lanford explained to the Senate body that a motion to call the question is a suspension of discussion, and that it is not necessary when there is no additional discussion on the motion.

Seeing no further discussion, Chair Walsh called for a vote on the motion to amend the amendment to the amendment. The result was 41 in favor, 43 opposed, and 13 abstentions. **The motion to amend the amendment to the amendment failed.**

Senators made a motion to call the question on the motion to amend the amendment. Chair Walsh called for a second to the motion. The motion was seconded.

Chair Walsh called for a vote on the motion to call the question and end debate on the amendment to the amendment and explained that it required a 2/3 vote in favor to pass but if passed the Senate would move immediately to a vote on the amendment to the amendment. The result was 85 in favor, 10 opposed, 0 abstentions. **The motion to call the question passed.**

Chair Walsh called for a vote on the amendment to the amendment. The result was 29 in favor, 65 opposed, and 5 abstentions. **The amendment to the amendment failed.**

Chair Walsh opened the floor to discussion of the resolution as amended.

Stephen Thomas, School of Public Health, commented on the student march organized in support of Jordan McNair and the student-athletes and commended the student leaders of the University. He noted that student leaders need better security to ensure that their positive efforts are not overtaken by outside groups with other agendas.

Sakurai expressed their concern about the resolution’s focus on autonomy and asked if the Senate body has confidence in University leadership. They urged that the Senate should have another emergency meeting in the near future to continue discussion of University leadership.

Chair Walsh called for a vote on the resolution as amended. The result was 86 in favor, 7 opposed, and 3 abstentions. **The resolution passed.**

NEW BUSINESS

Senator Kenny made a motion to approve a new resolution to improve the status of shared governance and athletics in the University of Maryland System (USM). He stated that the resolution promotes shared governance and accountability of the Board of Regents and University President to the University Senate. He noted that in this light, the resolution recommends that the Maryland General Assembly pass legislation to require a portion of the Board of Regents to be chosen by statewide elections, and that it requests that the makeup of the University's presidential search committee reflect the constituencies of the Senate. He urged the Senate to continue its discussion of shared governance at the upcoming November 7, 2018 Senate meeting.

Senator Stanley, undergraduate student, College of Letters and Sciences, made a motion to extend the meeting by 15 minutes.

Chair Walsh asked for a second to the motion. The motion was seconded.

Chair Walsh called for a vote to extend the meeting by 15 minutes and noted that it required a two-thirds vote to pass. The result was 47 in favor, 37 opposed. **The motion to extend the meeting failed.**

Daniel Falvey, Past Chair, College of Computer, Mathematical, and Natural Sciences, expressed his support for the ideas encompassed in the resolution, but stated that he believes that the details may need to be amended and urged the Senate to not vote in favor at this time.

Senator S. Kahn, undergraduate student, College of Behavioral and Social Sciences made a motion to postpone discussion of the resolution to the next Senate meeting.

Chair Walsh called for a second. The motion was seconded.

Chair Walsh called on a vote to postpone discussion of the resolution. The result was 72 in favor, 3 opposed, and 5 abstentions. **The motion to postpone discussion of the resolution passed.**

ADJOURNMENT

The meeting was adjourned at 5:00 p.m.



CALL TO ORDER

Senate Chair Walsh called the meeting to order at 3:15 p.m.

APPROVAL OF THE OCTOBER 2, 2018 SENATE MINUTES (ACTION)

Chair Walsh asked for additions or corrections to the minutes of the October 2, 2018, meeting; hearing none, he declared the minutes approved as distributed.

REPORT OF THE CHAIR

Emergency Special Senate Meeting

Walsh reviewed the events of the Emergency Special Senate meeting on November 2, 2018. He thanked Pam Lanford, Chair-Elect, for giving the Senate an update on the work of the SEC related to its charge on reviewing the outcomes of the Athletics reports, and Nicholas Hadley, Chair of the Athletic Council, for providing an overview on the work of the Council. Walsh thanked Senators and members of the campus community who participated in the discussion the previous meeting. He reported that the Senate ultimately revised and approved the resolution proposed by the Senate leadership, taking a stance on the Board of Regents' overreach and interference with the autonomy of the University. He noted that the presentations from that meeting and the final approved resolution were available on the Senate website.

Board of Regents Staff Awards

Walsh announced that the Staff Affairs Committee is currently accepting nominations for the prestigious Board of Regents' Staff Awards. These annual awards are the highest System-wide recognition of the exceptional work done by staff members across the University System of Maryland. Awardees receive a \$2,000 stipend and formal recognition by the Board of Regents and the University Senate. Walsh reminded Senators that nomination packages must be submitted to the Senate Office by Friday, November 16th. Detailed instructions and contact information for staff who can assist with the nomination process can be found on the Senate website.

Big Ten Academic Alliance Governance Leader's Conference

Walsh stated that the Big Ten Academic Alliance (BTAA) Governance Leader's Conference was held October 25-27, 2018 at the University of Iowa. Some of the topics discussed at the conference included a panel discussion on fixed-term and part-time faculty; an overview of the process to remove the American Association of University Professors (AAUP) sanction on the University of Iowa; discussion of the the AAUP censure of the University of Nebraska Lincoln regarding an incident involving academic freedom and free speech; Purdue University's decision to buy Kaplan and create Purdue Global University; and a panel discussion on promoting shared governance. Walsh noted that they also shared best practices on a variety of issues in higher education.

Next Meeting

Walsh reported that because President Loh was unavailable to attend this Senate Meeting, the State of the Campus Address had been rescheduled to the December 4th Senate Meeting.

INTERIM HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (SENATE DOCUMENT #18-19-05) (INFORMATION)

Chair Walsh presented the University's interim Health Insurance Portability and Accountability Act (HIPAA) policy. He reported that the University had made non-substantive changes to its HIPAA policy in order to be in compliance with the Department of Health and Human Services' regulations. The revisions include updates to names, a few internal operational procedures, and the list of units in Attachment A. The revisions were made in consultation with the Office of General Counsel, the Division of Information Technology's Chief Information Security Officer, and the HIPAA Privacy Officer in the Health Center.

Walsh noted that interim policies with substantive changes go through a formal Senate review before they are finalized. He stated that in order to keep a record of non-substantive policy changes and raise awareness of these changes, the Senate Executive Committee (SEC) was providing the Senate with an edited version of the policy as an informational item. Walsh noted that following the meeting, the policy would be finalized by the President.

RESOLUTION TO IMPROVE THE STATUS OF SHARED GOVERNANCE AND ATHLETICS IN THE UNIVERSITY SYSTEM OF MARYLAND (SENATE DOCUMENT #18-19-05) (ACTION)

Walsh reminded Senators that the Resolution to Improve the Status of Shared Governance and Athletics in the University System of Maryland was presented during new business at the Emergency Special Senate meeting but noted that the Senate voted to postpone discussion of the resolution to this meeting due to time constraints. He stated that the language for the resolution was included in the meeting materials.

Walsh opened the floor to discussion of the resolution.

Senator Kenny, undergraduate student, College of Behavioral and Social Sciences, made a motion to amend the resolution. He explained that after the Emergency Special Senate meeting, he spoke with members of the Senate leadership and other members of the campus community and drafted the following series of amendments:

Implores the Maryland General Assembly to reconsider the way in which the USM ~~state legislation that would require a significant portion of the~~ Board of Regents **is appointed and held accountable in order to make it more responsive to the concerns of students, faculty, staff, and all Marylanders** ~~be chosen by statewide elections when vacancies open.~~

Demands Requests that seats on University of Maryland, College Park presidential search committees be awarded in the same proportion as the University Senate, with regards to faculty, staff, and student constituencies.

Advises that President Loh should **retire in the coming year, honor his previous statement to retire and that he should serve as President until the presidential search committee has had sufficient time to select a replacement** ~~in June of 2019.~~

Senator Kenny explained that the first section of the resolution would be amended from requesting that the Maryland General Assembly (MGA) pass legislation requiring a democratically elected

Board of Regents (BOR) to rather request that the MGA reconsider the way in which the BOR is appointed in order to provide more accountability and oversight. The third section of the resolution would be amended to address concerns about the BOR's power to appoint an interim president, and asks President Loh to retire only when a suitable replacement had been found.

Chair Walsh asked for a second to the motion. The motion was seconded.

Walsh opened the floor to discussion of the amendment.

Senator Gor, faculty, College of Arts & Humanities, made a motion to divide the sections in the resolution so that the Senate could discuss and vote on each point individually, and better determine which sections are supported by the Senate.

Chair Walsh asked for a second to the motion. The motion was seconded.

Walsh clarified for the body that with the resolution divided, each section of the resolution would be discussed and potentially amended individually. He advised that members who opposed the resolution as a whole may wish to vote in opposition to the motion to divide. He noted that with the resolution divided, the Senate would vote on each section, and there would be no vote on the resolution as a whole.

Walsh called for a vote on the motion to divide the resolution. The result was 74 in favor, 26 opposed, and 8 abstentions. **The motion to divide passed.**

Walsh opened the floor to discussion of the first section of the resolution.

A Senator asked for clarification that the Senate would now discuss each section individually.

Walsh confirmed that the Senate would be discussing each individual section, beginning with the amendment to the first section.

Senator Kenny encouraged other Senators to state any disagreements with the first section of the resolution so that the Senate could discuss how to amend the resolution to better reflect the opinion of the entire body.

Parliamentarian Novara clarified for the Senators that they would now discuss each amended section item by item, voting on the amendment and then voting on whether each section should be included in the resolution.

Senator Coles, faculty, College of Arts and Humanities, made a motion to amend the amendment to the first section to make clear that the Senate is making a demand of the MGA rather than a request:

~~Implores~~ **Petitions the** Maryland **General Assembly** to reconsider the way in which the USM ~~state legislation that would require a significant portion of the~~ Board of Regents **is appointed and held accountable in order to make it more responsive to the concerns of students, faculty, staff, and all Marylanders** ~~be chosen by statewide elections when vacancies open.~~

Walsh asked for a second to the motion to amend the amendment. The motion was seconded.

Walsh opened the floor to discussion on the motion to amend the amendment by replacing “implores” with “petitions”.

Senator Baker, faculty, College of Education, expressed her support for the amendment to the amendment.

Walsh called for a vote on the motion to amend the amendment. The result was 105 in favor, 5 opposed, 5 abstentions. **The motion to amend the amendment passed.**

Walsh called for discussion on the amendment to the first section as amended.

Senator Vishkin, faculty, A. James Clark School of Engineering, commented that he is unsure how the Board of Regents can be held accountable. He noted that “the buck stops” at the individual, not at the Board as a whole.

Senator Bhargava, faculty, School of Public Policy, agreed with Senator Vishkin and suggested that the number of Regents be limited to better hold the Board accountable for specific actions.

Senator Huntley, undergraduate student, College of Agriculture and Natural Resources, expressed opposition to limiting the number of Regents and stated that he believes that a larger Board has a better opportunity to represent every campus constituency.

Senator Kenny noted that this disagreement between Senators is an example of why the issue cannot be solved with a specifically scripted solution, and noted that he believes that there are many opportunities to hold the Board accountable and to reconsider how members are appointed. He urged the Senate to keep the resolution broad to allow for a wider variety of policy decisions in the future.

Pam Lanford, Chair-Elect introduced Betsy Beise, Associate Provost for Academic Planning and Programs. Beise provided a point of information for Senators that any action of the type outlined in the resolution would likely need to be approved by the Council of University System Staff (CUSS), Council of University System Faculty (CUSF), and the University System of Maryland Student Council, as these Councils are the larger advisory body to the Chancellor. She advised that the Senate keep this in mind as they consider the first and second sections of the resolution.

Hearing no further discussion, Chair Walsh called for a vote on the amendment to the first section of the resolution as amended. The result was 90 in favor, 16 opposed, and 8 abstentions. **The amendment to the resolution passed.**

Walsh called for discussion on the first section of the resolution as amended.

William Idsardi, Chair, Department of Linguistics, noted that the title was also amended.

Senator Huntley asked Beise if she believes that the resolution should be amended to address the Councils in addition to the MGA.

Beise responded that she was not sure.

Senator Sehgal, faculty, School of Public Health, made a motion to amend the first section to address all possible bodies to whom the Regents must respond.

Walsh asked for a second to the motion. There was no second.

Janice Reutt-Robey, Chair, Department of Chemistry & Biochemistry, spoke as a previous member of the Council of University System Faculty. She noted that the Councils advocate for the University System as a whole, and that the Councils could be petitioned to advocate on behalf of the campus community.

Senator Breslow, emeriti faculty, stated that he believes that nothing precludes or prevents the Senate from petitioning the MGA directly. He noted that he has never known the Councils to stand in the way of any unit of the University System of Maryland, and urged that the Senate continue with petitioning the MGA.

Lanford stated that the Regents are appointed by the Governor so the MGA should be the appropriate body to be petitioned in this regard, due to the accountability between the Governor and that body.

Hearing no further discussion, Walsh called for a vote to adopt the first section of the resolution as amended. The result was 101 in favor, 9 opposed, and 4 abstentions. **The first section of the resolution was adopted.**

Walsh opened the floor to discussion of the amendment to the second section of the resolution.

Senator Stanley, undergraduate student, College of Letters and Sciences, urged the Senate to be deliberate in its discussion of the resolution.

Chair-Elect Lanford made a motion to amend the amendment to directly address the Chancellor in the resolution:

Demands Requests that seats on University of Maryland, College Park presidential search committees be **awarded allocated by the Chancellor** in the same proportion as the University Senate, with regards to faculty, staff, and student constituencies.

Walsh called for a second to the motion to amend the amendment. The motion was seconded.

Walsh called for discussion of the amendment to the amendment.

Senator Breslow expressed concern that this request would not be appropriate for all future search committees. He also expressed concern that the request would limit the search committees to only the constituencies represented by the Senate, which precludes the inclusion from certain stakeholders who should and have traditionally been represented on such search committees. He noted that it is unreasonable to expect that committees will be satisfied with only the input of the constituencies represented on the Senate.

Senator A. Brown, faculty, College of Computer, Mathematical, and Natural Sciences, asked for clarification that the current discussion was specifically on the amendment to the amendment to the second section.

Walsh confirmed that the amendment to the amendment was the point of discussion.

Senator Coles responded to Senator Breslow to note that the resolution as amended would make a request rather than a demand, and expressed that she felt the amended language to be appropriate.

Hearing no further discussion, Chair Walsh called for a vote on the motion to amend the amendment. The result was 90 in favor, 11 opposed, and 13 abstentions. **The motion to amend the amendment passed.**

Hearing no further discussion on the amendment as amended, Walsh called for a vote on the amendment to replace “demands” with “requests”:

~~Demands~~ **Requests** that seats on University of Maryland, College Park presidential search committees be allocated by the Chancellor in the same proportion as the University Senate, with regards to faculty, staff, and student constituencies.

The result was 87 in favor, 14 opposed, and 6 abstentions. **The motion to amend the second section of the resolution passed.**

Chair Walsh opened the floor to discussion on adopting the second section of the resolution.

Senator A. Brown asked if there would be more than one presidential search committee and suggested that the resolution should read “committee” rather than “committees”.

Walsh clarified that there would only be one committee for the upcoming search, but that the resolution was intended to apply to all future committees.

Senator Stanley urged the Senate to focus less on wordsmithing each section of the resolution as the Senate is simply making a recommendation to the Chancellor. He presented a possible amendment to the second section of the resolution that was a page long.

Senators and the Senate leadership expressed concerns about the length of Senator Stanley’s amendment. In response to the concerns raised by Senators, Senator Stanley stated that he would streamline his amendment and made a motion to postpone consideration of the second section of the resolution until after the Senate deliberates on the third section of the resolution.

Walsh asked for a second to the motion to postpone consideration of the second section. The motion was seconded.

Walsh opened the floor to discussion of the motion to postpone consideration of the second section until after the Senate deliberates on the third section of the resolution.

Senator Queen, non-exempt staff, University Libraries, noted that the proposed amendment is lengthy and difficult to discuss without the Senate having time to fully read and digest the proposed language. He suggested that the Senate instead postpone deliberation of the amendment until a future meeting so that the remaining agenda items could be addressed at this meeting.

Senator Kirschenbaum, faculty, College of Arts and Humanities commented that Senators sitting in the back of the audience are too far from the screen to read the proposed amendment as projected, and noted that they would be being asked to vote on language that they have not read at all. He expressed support for Senator Queen’s suggestion that Senator Stanley’s amendment be postponed to a future meeting.

Senator Kenny expressed his support of the suggestions to postpone deliberation of the proposed amendment and encouraged the Senate to vote to postpone deliberation.

Senator Abana, graduate student, A. James Clark School of Engineering, suggested that the Senate pass the second section before it considers Senator Stanley's amendment, which may provide guidance on how to achieve the goals of the resolution.

Parliamentarian Novara advised that absent a motion to postpone deliberation of the proposed amendment to a future meeting, the Senate would either have to consider the amendment now or vote to approve Senator Stanley's motion that the Senate postpone consideration of section two until after section three.

Senator Martinez-Miranda, faculty, A. James Clark School of Engineering made a motion to postpone discussion of section two until a future meeting.

Walsh asked for a second to the motion. The motion was seconded.

Walsh opened the floor to discussion of the motion to postpone discussion of the second section to a future meeting.

Senator Huntley expressed his opposition to the motion as he believes that the third section depends on the second section. He stated that both sections should be passed at this meeting in order to align with the President's timeline for finding a replacement.

Senator A. Brown agreed with Senator Huntley and stated that the Senate should pass the entire resolution at this meeting in order to have any impact on the presidential search committee. Senator Coles agreed that she would like to vote on the second section as it stands. She urged Senators to vote against postponing deliberation.

Walsh asked Senator Martinez-Miranda to clarify what she proposed as a motion.

Senator Martinez-Miranda stated that she made a motion to postpone deliberation of Senator Stanley's amendment until such time as Senators have been able to review the language ahead of discussion, and that she wished to vote on the three elements of the resolution as originally proposed.

Senator Stanley withdrew his amendment and tabled discussion. He stated that he edited his amendment to include only three clauses and that he posted it on the Senate Slack channel for Senators to review. He urged Senators to view his proposed amendment on Slack so that it could be discussed during the meeting.

Parliamentarian Novara asked Senator Stanley to clarify what motion he was withdrawing.

Senator Stanley stated that he withdrew his original amendment and proposed that the Senate postpone discussion of the second section until after deliberation of the third section.

Senator L. Brown, undergraduate student, College of Engineering made a motion to call the question on postponing discussion of the second section.

Walsh asked for a second to the motion to call the question. The motion was seconded.

Walsh called for a vote on the motion to call the question and noted that the motion requires a two-thirds vote. The result was 86 in favor, 26 opposed. **The motion to call the question passed.**

Walsh called for a vote on the motion to postpone discussion of section number two until after the discussion of section number three. The result was 59 in favor, 47 opposed, and 3 abstentions. **The motion to postpone consideration of the second section until after the third section passed.**

Walsh opened the floor to discussion of the amendment to the third section of the resolution.

Advises that President Loh should **retire in the coming year, honor his previous statement to retire—and that he should serve as President until the presidential search committee has had sufficient time to select a replacement in June of 2019.**

Senator Huntley made a motion to extend the meeting by 30 minutes.

Walsh called for a second to the motion. The motion was seconded.

Walsh called for a vote on the motion to extend the meeting and noted that it would require a two-thirds majority. The result was 45 in favor, 58 opposed. **The motion to extend the meeting failed.**

Senator Blanchard, faculty, College of Behavioral and Social Sciences, noted that it was contradictory to ask the President to both retire and remain at the University until his replacement can be found, and expressed opposition to the amendment.

Senator Kenny stated that he did not believe that the amendment weakened the section, and noted that it altered the request for President Loh's retirement by a matter of months in order to keep the BOR from appointing an interim president.

Senator Huntley agreed that the amendment was contradictory but expressed his support for the language. He made a motion to amend the amendment to clarify the intent of the third section:

Advises that President Loh should **retire in the coming year, honor his previous statement to retire, and that he should serve as President as soon as the presidential search committee has had sufficient time to select a replacement in June of 2019.**

Walsh called for a second to the motion to amend the amendment. The motion was seconded.

Walsh opened the floor to discussion of the amendment to the amendment.

Senator A. Brown noted that if President Loh retires as soon as a replacement has been selected but before they have been instated at the University, the BOR may still choose an interim president for the time in between. She stated that she does not believe that this is the intention of the amendment, but expressed concern at the possibility of President Loh leaving the University before the new president arrives.

Chair-Elect Lanford introduced Betsy Beise, Associate Provost for Academic Planning and Programs. Beise clarified that the search committee does not choose the replacement president; the committee forwards a short list to the Chancellor, and the Chancellor chooses the president with the

recommendation of the BOR. She noted that in light of this, the language of the amendment is incorrect.

Senator Zimmerman, undergraduate student, A. James Clark School of Engineering, expressed his frustration that the Senate is spending so much time discussing the specific language of the amendments that could have been discussed prior to the Senate Meeting. He encouraged Senators to utilize Slack as a forum for discussion before meetings.

Senator A. Brown stated that she thinks it is important to make sure that the language is correct. Senator Huntley withdrew his amendment and made a motion to call the question on the original amendment to the third section.

Walsh asked for a second to the motion. The motion was seconded.

Walsh called for a vote on the motion to call the question and end debate on the amendment. He noted that the motion would require a two-thirds vote. The result was 81 in favor, 18 opposed. **The motion to call the question passed.**

Walsh called for a vote on the amendment to section three. The result was 60 in favor, 36 opposed, and 13 abstentions. **The amendment passed.**

Walsh opened the floor to discussion of the third section as amended.

Senator Callaghan, faculty, College of Arts & Humanities, suggested that the third section either be completely removed from the resolution, or that additional language be added to it.

Senator Blanchard noted that the language in the resolution is internally inconsistent. He suggested that there could be advantages to President Loh continuing to serve the University until the end of his term in 2020.

Senator Kenny disagreed with Senator Blanchard's statement that the language of the resolution is inconsistent as long as the search committee can identify a replacement within the coming year. Daniel Falvey, Past Chair, College of Computer, Mathematical, and Natural Sciences expressed concern that nothing in the resolution is binding; the BOR will be able to choose which points of the resolution they will want to comply with. He also noted that the search committee does not make the final decision about personnel choices. He advised the body against voting for the resolution for those reasons.

Senator Callaghan explained that she wishes to remove the third section from the resolution because it may simply be a reactionary decision as the campus continues to grieve for the death of Jordan McNair and respond to the reactions of the BOR. She noted that she believes that firing Coach Durkin was the correct choice, and that singling out President Loh in the resolution fails to hold the Athletic Director equally accountable. She stated that if the third section is not removed from the resolution, she would propose to add language referencing the Athletic Director.

Senator Baker agreed with Senator Callaghan that the Athletic Director should be considered. She made a motion to amend the third section of the resolution to add "in June of 2019" back to the third section of the resolution:

Advises that President Loh should retire in **June 2019** ~~the coming year, and that he should serve as President until the presidential search committee has had sufficient time to select a replacement.~~

Walsh called for a second to the amendment. The motion was seconded.

Walsh opened the floor to discussion of the amendment.

Senator Coles noted that there is no resolution for reconfiguring the presidential search committee if the University would need to do so. She made a motion to call the question on the amendment to the third section.

Walsh called for a second to the motion to call the question. The motion was seconded.

Walsh called for a vote on the motion to call the question and end debate on the amendment. He noted that it would require a two-thirds vote. The result was 70 in favor, 28 opposed. **The motion to call the question on the amendment passed.**

Walsh called for a vote on the amendment to the third section. The result was 49 in favor, 39 opposed, 15 abstentions. **The amendment passed.**

Walsh opened the floor to discussion of the third section as amended.

Senator Huntley made a motion to extend the meeting by 29 minutes.

Walsh called for a vote on the motion. The result was 51 in favor, 47 opposed. **The motion to extend failed.**

Senator Huntley made a motion to call the question and end debate on the third section as amended. Walsh asked for a second to the motion to call the question. The motion was seconded.

Walsh called for a vote on the motion to call the question. The result was 90 in favor, 14 opposed. **The motion to call the question passed.**

Walsh called for a vote to adopt the third section of the resolution as amended. The result was 53 in favor, 48 opposed, 6 abstentions. **The third section was approved as amended.**

Chair Walsh opened the floor to discussion of the second section of the resolution.

Senator S. Kahn made a motion for the Senate to hold another special meeting within the next month in order to complete the remaining items on the agenda.

Walsh noted that the SEC could consider that option at its next meeting.

Senator S. Kahn withdrew his motion. He made a motion that the Senate charge the SEC with scheduling a special Senate meeting. Walsh stated that the motion was unnecessary but could be discussed at the next SEC meeting.

Walsh thanked Senators for their time.

NEW BUSINESS

There was no new business.

ADJOURNMENT

The meeting was adjourned at 5:00 p.m.



CALL TO ORDER

Senate Chair Walsh called the meeting to order at 2:00 p.m.

REPORT OF THE CHAIR

Rationale for the Special Meeting

Walsh explained that most of the Senate Meeting on November 7, 2018, was spent discussing and amending the language of the resolution that was the first action item on the agenda. He stated that since the unfinished business from the last meeting included several time-sensitive items and because the upcoming December meeting will include the President's State of the Campus Address and several additional time-sensitive items, the Senate leadership agreed that it was necessary to hold another Special Meeting of the Senate. Walsh stated that it was important that the Senate completes its business and avoid any backlog or the need for an additional meeting at the end of the semester. He thanked Senators for their willingness to accommodate yet another meeting and assured them that the need for additional meetings will not be the norm.

Protocols

Walsh reviewed regular Senate protocols to facilitate the discussion for the afternoon. He noted that speakers must be recognized by the Chair before they can speak on the Senate floor. Walsh also noted that comments, questions, or motions made from the audience would not be acknowledged and asked Senators to come to a microphone to be recognized to speak. He advised Senators to make sure they are making comments that relate to the amendment or motion under consideration and asked that Senators be respectful of other Senators and the Senate as a body.

Procedural Motions

Walsh also reviewed procedural motions that Senators might consider making in the course of a meeting. He stated that a motion to call the question is a motion to end debate on a specific issue before the Senate and noted that the motion is unnecessary if there is no remaining discussion. Walsh clarified that if a Senator makes a motion to call the question, the Senate has to vote on whether to end debate on the amendment or motion in front of the Senate, and if that vote passes, then goes directly to a vote on the issue before the Senate. He also provided detailed information on additional potential procedural motions including a motion to postpone consideration as well as the appropriate use of a point of order or a parliamentary inquiry to ask the Parliamentarian or Chair for help.

Walsh called on Pamela Lanford, Chair-Elect, who made a motion that would facilitate completion of the action items on the agenda.

Lanford noted that there are several items on the meeting agenda that were not addressed at the last meeting. She stated that the three PCC items on the agenda would need to be reviewed by the Maryland Higher Education Commission (MHEC) if approved by the Senate and the President, and that if the Senate misses the upcoming January deadline to submit the proposals for consideration, the body would have to wait until April to submit again, which would adversely affect the University's ability to offer these new programs as soon as possible. She noted that the special order

presentation on research misconduct was a critical opportunity for the Senate to provide input to the Faculty Affairs Committee. As the committee plans to report to the Senate with recommendations early in the spring semester, and given the full agenda for the December meeting, this is the Senate's only opportunity to provide feedback that could impact the committee's work. Lanford made a motion to suspend the rules and reorder the Senate agenda to consider the three PCC items and the special order first, followed by the resolution and New Business.

Walsh asked for a second. The motion was seconded.

Walsh called for a vote on the motion. He noted that the motion is not debatable and requires a two-thirds vote to pass. The result was 80 in favor, 5 opposed. **The motion passed.**

PCC PROPOSAL TO ESTABLISH A BACHELOR OF SCIENCE IN NEUROSCIENCE (SENATE DOCUMENT #18-19-13) (ACTION)

Betsy Beise, member of the Programs, Curricula, and Courses (PCC) Committee, presented the PCC Proposal to Establish a Bachelor of Science in Neuroscience (Senate Document #18-19-13) and provided background information on the proposal.

Walsh thanked Beise for her presentation and opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 82 in favor, 1 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

PCC PROPOSAL TO ESTABLISH A BACHELOR OF SCIENCE IN HUMAN DEVELOPMENT (SENATE DOCUMENT #18-19-14) (ACTION)

Betsy Beise, member of the PCC Committee, presented the PCC Proposal to Establish a Bachelor of Science in Human Development (Senate Document #18-19-14) and provided background information on the proposal.

Walsh opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 82 in favor, 0 opposed, and 2 abstentions. **The motion to approve the proposal passed.**

PCC PROPOSAL TO RENAME THE POST-BACCALAUREATE CERTIFICATE IN MSDE ADMINISTRATOR I TO SCHOOL IMPROVEMENT LEADERSHIP (SENATE DOCUMENT #18-19-15) (ACTION)

Betsy Beise, member of the PCC Committee, presented the PCC Proposal to Rename the Post-Baccalaureate Certificate in MSDE Administrator I to School Improvement Leadership (Senate Document #18-19-15) and provided background information on the proposal.

Walsh opened the floor to discussion of the proposal; hearing none, he called for a vote on the proposal. The result was 78 in favor, 2 opposed, and 5 abstentions. **The motion to approve the proposal passed.**

SPECIAL ORDER OF THE DAY

Jack Blanchard, Chair, Faculty Affairs Committee
John Bertot, Associate Provost for Faculty Affairs

Research Misconduct at the University of Maryland

Walsh introduced Jack Blanchard, Chair, Faculty Affairs Committee (FAC), and John Bertot, Associate Provost for Faculty Affairs.

Blanchard provided an overview of the Faculty Affairs Committee charge to consider revisions to the University's Research Misconduct Policy, which was approved by the President on an interim basis in June 2017, reviewed the Committee's work thus far, and emphasized the importance of feedback from the Senate to inform the next steps in its review.

Process and Intent

Blanchard explained that the interim policy was created to address several issues, including aligning with federal guidance from the Department of Health and Human Services Office of Research Integrity (ORI) and the Public Health Service (PHS) on how to resolve research misconduct allegations involving federal funding. The interim policy also satisfies ORI's interest in addressing the misconduct itself and correcting the research record, while recognizing the institution's need to investigate whether University faculty, staff, or students engaged in misconduct.

Blanchard reported that the primary substantive change to the 2017 policy was to permit the University to take interim actions while the review process is ongoing. He noted that depending on the nature of an allegation, the University may need to act to protect the research environment, ensure appropriate management of research funds, or address potential safety issues. The previous policy did not allow for such actions to be taken until the research misconduct investigation was complete. Blanchard stated that the revisions also clarify provisions on committee memberships and allowed for the parties in the case to identify any conflicts of interest as the memberships of committees are being formed.

Blanchard outlined the committee's initial steps including forming a Research Misconduct Working Group to review the interim policy and make recommendations to the full committee. He noted that the Working Group reviewed peer institution policies and consulted with the Office of Faculty Affairs, Office of General Counsel, the Research Council, and the Vice President for Research. He stated that the committee is now focusing on key issues and concerns before finalizing its work.

Blanchard stated that the committee feels that the policy should be broad enough to apply to all types of scholarly misconduct, including misconduct in research as well as in creative activities. This protects ORI's interest in federally-funded research while allowing the policy to address all types of scholarship. He also stated that the committee does not believe that the policy should cover misconduct in instructional activities or professional misconduct and notes that separate University policies and procedures should be used to address activities that fall outside the scope of this policy.

Revisions

Blanchard stated that the revisions that Working Group and committee have primarily focused on the definitions listed in the interim policy and whether they adequately reflect the types of misconduct that may occur. He stated that the current draft includes revisions to or additions of the definitions for fabrication, falsification, improprieties of authorship, and self-plagiarism. Many of these definitions vary by field, and the committee is working to ensure that the definitions are broad enough so as not to inadvertently implicate an individual of misconduct when their actions are not seen as such within their field.

Blanchard noted that the committee has also focused on preserving the due process rights of respondents. The draft revisions clarify the parties' rights to challenge committee membership, and permits the Research Integrity Officer (RIO) to remove a committee member if a conflict of interest emerges during the proceedings. He stated that the FAC is considering how to ensure that the Respondent has an opportunity to provide a written response to an allegation at the beginning of the process and that the committee is also revising the policy to allow the parties to review all evidence and supply corrections or additional supporting documentation as needed in response to the evidence submitted by others.

Blanchard reported that the FAC has also discussed the current infrastructure and role of the Research Integrity Officer (RIO). He noted that the RIO oversees the process of receiving and investigating allegations of research misconduct. At the University, the RIO is the Associate Provost for Faculty Affairs, though at many of its peer institutions, the RIO is a staff member or administrator within the Division of Research, or leads a Research Compliance Office that handles issues related to research misconduct as well as other compliance-related issues. Blanchard stated that the FAC has discussed the administrative burden and expertise involved in managing the research misconduct process and is considering ways to ensure flexibility for any future changes that may need to occur to appropriately support the review process.

Blanchard stated that the committee would continue its work and would report to the Senate with a finalized version of the policy at a future meeting.

Chair Walsh thanked Blanchard for his presentation and opened the floor to questions and comments on the presentation.

Senator T. Cohen, faculty, College of Computer, Mathematical, and Natural Sciences, asked about the definition of self-plagiarism. He commented on the fact that different fields have different norms for what constitutes plagiarism, and advised that the committee be very clear that self-plagiarism should involve an intentional attempt to deceive.

John Bertot, Associate Provost for Faculty Affairs, responded that there are certain thresholds for research misconduct and that intent is one of them, so honest mistakes should not rise to the level of an allegation of misconduct. He noted that there are three investigative processes that occur regarding allegations and that the initial phase would be to determine intent.

Senator Rozenblit, faculty, College of Arts & Humanities asked if the policy is intended to only cover research funded by federal grants, or if the committee intends to develop a larger policy to apply to other possible forms of research misconduct.

Blanchard responded that the intent is to develop a broad policy to apply to all possible research misconduct.

Senator Rozenblit suggested that the language of the policy be broadened to apply to fields of study that do not utilize scientific research. She cited the continual use of "data" in the policy as an example and noted that her field, history, does not typically use data despite its vast opportunities for research.

Blanchard thanked Senator Rozenblit for her observation.

Senator Zimmerman, faculty, School of Public Health commented on the multilevel nature of scholarship at the University and asked how the policy would apply to researchers, such as

graduate students, who are not faculty members and if there would be separate policies or one umbrella policy.

Blanchard responded that the Research Misconduct policy would be the umbrella policy that would apply to everyone on campus.

Bertot noted that the policy is broad so as to address every level of research, and that language has been suggested to involve working with the Office of Student Conduct when appropriate, especially in cases involving students.

Chair Walsh thanked Blanchard and Bertot.

RESOLUTION TO IMPROVE THE STATUS OF SHARED GOVERNANCE IN THE UNIVERSITY SYSTEM OF MARYLAND (SENATE DOCUMENT #18-19-17) (ACTION)

Chair Walsh provided an overview of Senate deliberations on the Resolution to Improve the Status of Shared Governance in the University System of Maryland (Senate Document #18-19-17) at the November 7, 2018 Senate Meeting and noted that the resolution was introduced at that meeting and that discussion was postponed to this meeting due to time constraints. He also noted that the Senate approved a motion to divide the resolution and that the first and third sections were amended and approved at the previous meeting. Walsh stated that the Senate would continue its consideration of the resolution by discussing the proposed amendments to the second section, and then by voting to adopt the second section. After that, the Senate would discuss any other amendments to the resolution, which may be necessary to align the preamble to the amended and approved sections. He reminded Senators that due to the motion to divide, all approved sections would be considered adopted by the Senate, and that there would be no vote on the resolution as a whole.

Walsh reported that the Senators who proposed amendments to the second section at the previous meeting had withdrawn those amendments, and that they will instead propose revised amendments to better reflect the intended principles of the resolution.

Walsh called on Senator Kenny, undergraduate student, College of Behavioral and Social Sciences to present his revised amendment to section two of the resolution.

Senator Kenny thanked the body for attending a second special Senate Meeting to continue discussion of the agenda items from the meeting on November 7th. He made a motion to amend the second section of the resolution.

Requests that the composition of ~~seats on~~ University of Maryland, College Park presidential search committees ~~should mirror representation on be awarded in the same proportion as~~ the University Senate, with a significant majority of seats being held by ~~regards to~~ faculty, staff, and student ~~representatives constituencies~~ appointed by the Chancellor from a diverse pool of candidates suggested by the University Senate.

Walsh asked for a second to the amendment. The amendment was seconded.

Walsh opened the floor to discussion of the amendment.

Senator Breslow, emeriti faculty, College of Arts & Humanities asked if the majority of the seats on the search committees would be students and faculty. He commented that he does not anticipate

that other stakeholder groups who have an interest in personnel decisions at the University would accept that.

Senator Zimmerman thanked the undergraduate student Senators for their work on the resolution and asked if the points of the resolution are binding if the resolution is approved.

Walsh responded that the resolution would be advisory and would not be binding to the Chancellor and the Board of Regents (BOR).

Senator T. Cohen expressed his support for the resolution and stated that regardless of its effectiveness, he hopes that it conveys the seriousness of the Senate body and how it views the upcoming presidential search.

Chair-Elect Lanford introduced Betsy Beise to speak. Beise asked if the intent of the resolution is to suggest that the Chancellor should look to the Senate for representatives and not to the wider campus community to select the members of the presidential search committee.

Senator Stanley, undergraduate student, College of Letters and Sciences thanked Beise for her question and stated that the driving force of the amendment was to provide constructive suggestions on potential members for the search committee as a resource to the Chancellor.

Lanford commended the Senate on crafting language that may be acceptable for the resolution. She cautioned the Senate body on the practice of opinion making. She stated that she believes that doing so is legitimate in some circumstances, but expressed concern that if the Senate were to develop a regular practice of doing so, the impact of its decisions may be lessened over time.

Senator Delaplaine, undergraduate student, College of Behavioral and Social Sciences expressed her support for the resolution and reported that the language is also supported by a wide coalition of student organizations across campus.

Senator Dorland, faculty, College of Computer, Mathematical, and Natural Sciences noted that the resolution says that search committees “should” mirror the Senate constituency rather than “shall”, and expressed his support for the Senate to voice a strong opinion in the aftermath of the death of a student-athlete at the University.

Seeing no further discussion, Walsh called for a vote on the amendment. The result was 66 in favor, 14 opposed, and 5 abstentions. **The amendment passed.**

Walsh opened the floor to discussion of the second section as amended; hearing none, he called for a vote to adopt the second section as amended. The result was 67 in favor, 14 opposed, and 3 abstentions. **The vote to adopt the second section passed as amended.**

Walsh opened the floor to further discussion or amendments to the resolution, including any amendments that may be required to bring the preamble into alignment with the sections that have already been approved. Walsh introduced the preamble as it was originally presented:

WHEREAS, The USM Board of Regents, hereafter referred to as the Board of Regents, has proven itself unresponsive to the concerns of students, faculty, and other Maryland citizens in its handling of the investigation into the death of Jordan McNair.

WHEREAS, Student and faculty concerns have gone unheard in personnel and policy decisions made by the University of Maryland College Park and USM as a whole.

Be it resolved that the University Senate:

Senator Kenny made a motion to amend the preamble to align with the approved sections of the resolution:

WHEREAS, The USM Board of Regents, hereafter referred to as the Board of Regents, has proven itself unresponsive to the concerns of students, faculty, **staff**, and other Maryland citizens in its handling of the investigation into the death of Jordan McNair; **and**

WHEREAS, Student, faculty, and **staff** concerns **related to the values and the future of our institution** have gone unheard in **recent** ~~personnel and policy~~ decisions made by the ~~University of Maryland College Park and~~ USM **Board of Regents as a whole**;

Therefore, Be it resolved that the University Senate:

Senator Levermore, faculty, College of Computer, Mathematical, and Natural Sciences made a motion to amend the amendment to strike 'USM'.

Walsh asked for a second to the motion to amend the amendment. The motion was seconded.

Walsh opened the floor for discussion of the amendment to the amendment:

WHEREAS, The USM Board of Regents, hereafter referred to as the Board of Regents, has proven itself unresponsive to the concerns of students, faculty, **staff**, and other Maryland citizens in its handling of the investigation into the death of Jordan McNair; **and**

WHEREAS, Student, faculty, and **staff** concerns **related to the values and the future of our institution** have gone unheard in **recent** ~~personnel and policy~~ decisions made by the ~~University of Maryland College Park and~~ USM **Board of Regents as a whole**;

Therefore, Be it resolved that the University Senate:

Hearing no discussion, Walsh called for a vote on the amendment to the amendment. The result was 71 in favor, 5 opposed, 7 abstentions. **The amendment to the amendment passed.**

Walsh opened the floor to discussion of the amendment to the preamble as amended.

Hearing no discussion, Walsh called for a vote on the amendment to the preamble as amended. The result was 72 in favor, 5 opposed, 3 abstentions. **The amendment to the preamble passed.**

Walsh called for a vote to adopt the preamble as amended. The result was 71 in favor, 6 opposed, and 3 abstentions. **The vote to adopt the preamble as amended passed.**

Walsh called for additional discussion of the preamble. Hearing none, he stated that the deliberation on the resolution had concluded and declared that the resolution had been formally approved by the Senate.

NEW BUSINESS

Senator Stanley made a motion to charge the Senate Executive Committee (SEC) with compiling a diverse pool of faculty, staff, and student candidates from the campus community for consideration by the Chancellor during the development of the presidential search committee. The SEC should solicit suggestions from the University Senate as it develops the list of potential candidates for the Chancellor. The pool should include diverse representation from a variety of demographic characteristics (e.g. underrepresented minorities, gender identity, and low-income members of the campus community) and should primarily include representatives outside of governance leaders.

Walsh asked for a second to the motion to charge the SEC. The motion was seconded.

Walsh opened the floor to discussion of the motion.

Senator T. Cohen stated that he supports the ideas behind the motion but expressed concern that it gives specific examples of demographics that should be included in the search committee. He noted that there is no way for the Senate to know what an individual's gender identity or family income may be. He suggested removing the "e.g." language from the motion.

Senator Huntley, undergraduate student, College of Agriculture and Natural Resources expressed his support for including the examples of diversity in the motion and stated that the Senate already takes diversity into consideration when populating committees.

Senator Kenny stated that he also supports the inclusion of examples of diversity in the motion and suggested that without guidelines, the charge may not be as effective.

Senator Rozenblit suggested that including examples of demographics is a limited perspective of diversity, noting that differences between the positions of faculty, staff, and other stakeholders should also be considered. She expressed concern that the included list may be too prescriptive, but noted her support for the intent behind the motion.

Senator Coles, faculty, College of Arts & Humanities made a motion to amend the language of the motion.

Motion to charge the Senate Executive Committee (SEC) with compiling a diverse pool of faculty, staff, and student candidates from the campus community for consideration by the Chancellor during the development of the presidential search committee. The SEC should solicit suggestions from the University Senate as it develops the list of potential candidates for the Chancellor. The pool should include **diverse representation** from a variety of demographic **characteristics groups** (e.g. underrepresented minorities, gender identity, and low-income members of the campus community) and should primarily include representatives outside of governance leaders.

Walsh asked for a second to the amendment. The motion was seconded.

Walsh opened the floor to discussion of the amendment.

Senator Dorland stated that if the amendment fails, he would move to amend the language to strike the last sentence from the charge. He expressed his confidence that the SEC is able to review the charge without instruction regarding demographics.

Hearing no further discussion, Walsh called for a vote on the amendment. The result was 61 in favor, 12 opposed, and 7 abstentions. **The amendment passed.**

Walsh opened the floor to discussion of the motion to charge the SEC as amended.

Senator Huntley responded to Senator Rozenblit's comment about the inclusion of faculty from different academic backgrounds and inquired whether amending the charge to include a clause in the list of examples to specify including faculty of different academic disciplines would alleviate her concern.

Senator Rozenblit responded that faculty of different disciplines cannot be considered a demographic group and commented that she did not believe that the charge needed to be made more prescriptive.

Senator Levermore made a motion to amend the charge to strike the final sentence.

Motion to charge the Senate Executive Committee (SEC) with compiling a diverse pool of faculty, staff, and student candidates from the campus community for consideration by the Chancellor during the development of the presidential search committee. The SEC should solicit suggestions from the University Senate as it develops the list of potential candidates for the Chancellor. ~~The pool should include diverse representation from a variety of demographic characteristics groups (e.g. underrepresented minorities, gender identity, and low-income members of the campus community) and should primarily include representatives outside of governance leaders.~~

Walsh asked for a second to the motion. The motion was seconded.

Walsh opened the floor to discussion of the amendment.

Senator Stanley stated that he prefers the language as it was originally amended but expressed his confidence in the SEC to operate effectively if the amendment passes.

Dean Ball, College of Behavioral and Social Sciences expressed his support for the amendment.

Senator Huntley expressed his confidence in the SEC but urged the Senate to retain the final sentence in the charge. He stressed that the list of demographics was included to provide examples rather than requirements.

Senator Edwards, faculty, College of Computer, Mathematical, and Natural Sciences expressed her support for the amendment.

Senator T. Cohen expressed his strong support for the amendment. He commented that he would like to further express his strong support for potential new business related to the mandatory athletic student fee at the University.

Parliamentarian Novara and Chair Walsh stated that Senator Cohen's comments were out of order.

Senator L. Brown, undergraduate student, A. James Clark School of Engineering suggested amending the charge to remove the list of examples but retain the rest of the final sentence.

Parliamentarian Novara clarified that Senator Brown could not propose such a motion while the body was still deliberating the original amendment involving that language.

Senator Kenny stated that he believes that examples of diverse demographics should be included in the charge so that the SEC could better tailor its search for candidates.

William Idsardi, Chair, Department of Linguistics noted that when the Senate charges committees, it typically does not prescribe every step that the committee will take to fulfill the charge.

Senator A. Brown, faculty, College of Computer, Mathematical, and Natural Sciences expressed concern that if a list of examples is included, that those may be the only factors considered as the list for the search committee is compiled. She noted that this may be why so many Senators are in support of the amendment.

Senator Klank, faculty, College of Arts & Humanities expressed his support for including the list of examples because it captures the spirit of the issue.

Senator Huntley urged the Senate to reject the amendment so that the body may discuss the example list specifically, rather than striking the entire sentence.

Senator A. Brown stated that rejecting this amendment and further amending the charge to remove the list of examples may be a good compromise for the Senate.

Senator Rozenblit commented that she supports including the final sentence so that the Senate openly expresses its desire to include diverse groups in the search committee.

Senator Coles made a motion to call the question and end debate on the amendment.

Walsh asked for a second to the motion to call the question. The motion was seconded.

Walsh called for a vote on the motion to call the question and end debate on the amendment. The result was 69 in favor, 8 opposed. **The motion to call the question passed.**

Walsh called for a vote on the amendment to the motion to charge the SEC. The result was 50 in favor, 24 opposed, 2 abstentions. **The amendment passed.**

Walsh opened the floor to discussion of the motion to charge the SEC as amended.

Lanford urged the Senate to reject the motion to charge the SEC. She explained that the charge requires the SEC to compile a list of possible members of the presidential search committee to be delivered to the Chancellor, but that the Chancellor is not required to consider the list.

Senator Kenny noted that the Chancellor has no way of compiling a list of diverse candidates for the presidential search committee. He stated that if the Senate asks the Chancellor to include diverse populations in the search committee, the Senate should also provide a list of potential candidates for the committee.

Senator Coles stated that she agrees with the spirit of the charge, but that she also agrees that the SEC could put a tremendous amount of work into compiling a list that the Chancellor would be free

to ignore. She commented that the Senate might rather devote its energy to arguing the case that the selection committee needs to be restructured.

Senator Ferrick, exempt staff, College of Computer, Mathematical, and Natural Sciences introduced Robert Infantino, Associate Dean, College of Computer, Mathematical, and Natural Sciences. Infantino stated that the Chancellor sought guidance from the campus community for the previous three presidential searches at the University. He expressed concern that providing the Chancellor with a list of candidates from the Senate might preclude the Chancellor from seeking guidance from other members of the campus community.

Senator Stanley clarified that the Senator who planned to introduce a resolution regarding student athletic fees under New Business has decided not to do so. He then responded to Infantino's point and agreed that the Chancellor should listen to input from the campus community. He expressed his belief that it is essential that the Senate provide guidelines regarding the candidates for the presidential search committee in order to pave the way for influencing other University decisions in the future.

Senator Lau, faculty, College of Arts & Humanities stated that she agrees with the sentiment expressed by Lanford and expressed concern that the opportunity cost may be too high to require the SEC to compile a list of candidates that the Chancellor is not bound to review.

Senator Dorland stated that he would vote to support this motion as he feels that it is an appropriate action for the Senate to take under the circumstances.

Senator Huntley expressed concerns that the Chancellor is unfamiliar with the campus community at the University and that he will need guidance in order to select an appropriately diverse group of candidates for the presidential search committee. He urged the Senate to approve the motion to charge the SEC.

Chair-Elect Lanford noted that the SEC has not yet completed its review of the second Athletics report, and expressed concern that this charge would distract the SEC from the important work yet to be done on that charge.

Senator Stanley urged Senators to amend the language of the charge to better reflect their opinions rather than reject the entire charge.

Senator Winters, non-exempt staff, Department of Information Technology expressed his appreciation for statements about the influence of the President across campus. He noted that there have been changes at the University during President Loh's term that have negatively affected facilities management. He urged that the University select a new president who produces ideas that can actually be implemented.

Lanford made a motion to call the question and suspend debate on the motion to charge the SEC.

Walsh asked for a second to the motion. The motion was seconded.

Walsh called for a vote on the motion to call the question. The result was 64 in favor, 6 opposed.

The motion to call the question passed.

Walsh called for a vote on the motion to charge the SEC as amended. The result was 37 in favor, 30 opposed, 3 abstentions. **The motion to charge the SEC as amended passed.**

ADJOURNMENT

The meeting was adjourned at 4:00 p.m.



Nominations Committee Slate 2018-2019

PRESENTED BY Pam Lanford, Chair

REVIEW DATES SEC – November 16, 2018 | SENATE – December 4, 2018

VOTING METHOD In a single vote

**RELEVANT
POLICY/DOCUMENT** N/A

**NECESSARY
APPROVALS** Senate

ISSUE

The University Senate Bylaws state, “By no later than the scheduled December meeting of the Senate, the Committee on Committees shall present to the Senate eight (8) nominees from among outgoing Senate members to serve on the Nominations Committee. The nominees shall include four (4) faculty members, one (1) exempt staff member, one (1) non-exempt staff member, one (1) graduate student, and one (1) undergraduate student. Further nominations shall not be accepted from the floor of the Senate. The Senate, as a body, shall approve the slate of nominees to serve on the Nominations Committee.”

RECOMMENDATION

The Committee on Committees recommends that the Senate approve the slate as presented.

COMMITTEE WORK

The Committee on Committees met on October 23, 2018, to discuss a process for soliciting nominations for the Senate Nominations Committee. The Senate Office had previously contacted all Outgoing Senators regarding the opportunity to serve on the Nominations Committee and received a few volunteers. The Committee on Committees discussed the volunteers at the meeting and additional recruitment tasks were assigned. As required by the Bylaws, the committee assembled a total of eight nominees from among the Outgoing Senators to present to the Senate.

ALTERNATIVES

The Senate can decide not to approve the slate.

RISKS

There are no risks to the University.

FINANCIAL IMPLICATIONS

There are no financial implications.

2018-2019 Senate Nominations Committee Slate

<u>Name/Constituency</u>	<u>Department/Unit</u>	<u>College</u>	<u>Term</u>
Non-Voting Ex-Officio			
Pam Lanford	Office of Research Compliance / Senate Chair-Elect	VPR	2019
Faculty			
Cindy Frank	University Libraries	LIBR	2019
Jim McKinney	Accounting	BMGT	2019
Marc Pound	Astronomy	CMNS	2019
Mega Subramaniam	Information Studies	INFO	2019
Exempt Staff			
Kristin Stenson	Physics	CMNS	2019
Non-Exempt Staff			
Rosanne Hoaas	Department of Public Safety	VPAF	2019
Graduate Student			
Chibuike Abana	A. James Clark School of Engineering	ENGR	2019
Undergraduate Student			
Harry Huntley	Plant Science & Landscape Architecture	AGNR	2019



Establish a Bachelor of Science in Embedded Systems and Internet of Things (PCC 18037)

PRESENTED BY Janna Bianchini, Chair, Senate Programs, Curricula, and Courses Committee

REVIEW DATES SEC – November 16, 2018 | SENATE – December 4, 2018

VOTING METHOD In a single vote

**RELEVANT
POLICY/DOCUMENT** N/A

**NECESSARY
APPROVALS** Senate, President, University System of Maryland Board of Regents, and
Maryland Higher Education Commission

ISSUE

The Department of Electrical Engineering within the A. James Clark School of Engineering (Clark School) proposes to establish a Bachelor of Science degree program in Embedded Systems and Internet of Things. The concept of “embedded systems” is commonly associated with the hardware and software used in devices that operate as part of a larger computing system. These systems are becoming more prevalent in household, healthcare, and transportation systems, as well as industrial applications such as power and manufacturing. The proposed program goes beyond the scope of embedded systems into the realm of what is known as the “Internet of Things” (IoT), which includes smart devices, communication systems and protocols, system architecture, data collection and analysis using so-called edge and cloud computing platforms, and applications. At the foundation of the IoT infrastructure are the microelectronic circuits that perform data acquisition, signal processing, and communications within a device, along with the software codes that determine their functions. These circuits, collectively called smart devices, are interconnected with the network from which applications are implemented. The proposed program will provide students with a solid foundation in the key emerging technologies of the IoT.

This program will be offered at the Universities of Shady Grove and is mainly intended for students who have completed an associate’s degree from a Maryland public community college. The program will be supported through a targeted enhancement-funding request to the State of Maryland, and through tuition revenue. Reallocated funds assume support from the state’s Workforce Development Initiative targeted towards programs to be delivered at the Universities at Shady Grove.

Students applying to the program will need to have completed 60 degree credits, all major courses with a minimum grade of C-, and all lower-level General Education requirements. Students must also meet the Clark School requirements for admission to a Limited Enrollment Program.

The program will offer courses at the 300 and 400-level, which constitute the junior and senior year of the program. The curriculum will require 43 credits of core courses and 18 credits of program-specific electives. Students will be able to focus these major electives into one of the following specializations: Hardware, Computational, or Security. The department expects that graduates will

be in high demand in such occupational areas as computer developers, computer systems analysts, network architects and administrators, information security analysts, information systems analysts and computer programmers.

This proposal was approved by the Senate Programs, Curricula, and Courses committee on November 2, 2018.

RECOMMENDATION(S)

The Senate Committee on Programs, Curricula, and Courses recommends that the Senate approve this new degree program.

COMMITTEE WORK

The committee considered this proposal at its meeting on November 2, 2018. Mel Gomez and Neruh Ramirez, of the Department of Electrical Engineering, and Ken Kiger of the A. James Clark School of Engineering, presented the proposal. The proposal was unanimously approved by the committee. The proposal was initially submitted as “Embedded Systems,” but was later revised to “Embedded Systems and Internet of Things.” This revised title was accepted by the committee.

ALTERNATIVES

The Senate could decline to approve this new degree program.

RISKS

If the Senate declines to approve this degree program, the university will lose an opportunity to take advantage of additional state funding to provide University of Maryland students at Shady Grove with a new program option in a growing technological industry.

FINANCIAL IMPLICATIONS

The program will be supported through a targeted enhancement funding request to the State of Maryland, and through tuition revenue. Reallocated funds assume support from the state’s Workforce Development Initiative targeted towards programs to be delivered at the Universities at Shady Grove.

**University of Maryland PCC
Program/Curriculum/Unit Proposal**

PCC Log No: 18037

Program: Embedded Systems

Department/Unit: Electrical & Computer Engineering

College/School: A. James Clark School of Engineering

Proposal Contact Person (with email): Romel Gomez (rdgomez@ece.umd.edu); Neruh Ramirez (nram@ece.umd.edu)

Type of Action (check one):

- Curriculum change (includes modifying minors, concentrations/specializations and creating informal specializations)
- Curriculum change is for an LEP Program
- Rename a program or formal Area of Concentration
- Establish/Discontinue a formal Area of Concentration
- Other:
- Establish a new academic degree/certificate program
- Create an online version of an existing program
- Establish a new minor
- Suspend/Discontinue a degree/certificate program
- Establish a new Master or Certificate of Professional Studies program
- New Professional Studies program will be administered by Office of Extended Studies

Italics indicate that the proposal must be presented to the full University Senate for consideration.

Approval Signatures - Please print name, sign, and date. For proposals requiring multiple unit approvals, please use additional cover sheet(s).

1. Department Committee Chair for Gong Qu - [Signature] 9/21/18
2. Department Chair [Signature] 9/21/18
3. College/School PCC Chair [Signature] 10/24/18
4. Dean Keneth T. Kujir 10/24/18
5. Dean of the Graduate School (if required) _____
6. Chair, Senate PCC [Signature] Janna Bianchini 11-2-18
7. University Senate Chair (if required) _____
8. Senior Vice President and Provost _____

Instructions:

When approved by the dean of the college or school, please send the proposal and signed form to the Office of the Associate Provost for Academic Planning and Programs, 1119 Main Administration Building, Campus-5031, **and** email the proposal document as an MSWord attachment to pcc-submissions@umd.edu.

Summary of Proposed Action (use additional sheet if necessary):

Unit Code(s) (to be entered by the Office of Academic Planning and Programs):

In order to complete this form, you will need to copy this template to your own document, then complete, print, and submit this proposal with the PCC Cover Sheet

Program: Bachelor of Science in Embedded Systems

Date of Proposal: September 2018

Start Term for New Program: Fall 2020

A new degree program proposal will need to be approved not just by campus but also by the University System of Maryland (USM) Board of Regents and the Maryland Higher Education Commission (MHEC). New certificate programs need to be approved by the USM Chancellor and MHEC. The following prompts are based on academic policies for programs and reflect campus requirements and MHEC requirements. The prompts also include questions frequently asked by review committees. See http://mhec.maryland.gov/institutions_training/Pages/acadaff/AcadProgInstApprovals/NewAcademicProgramProposals.aspx for more information about MHEC requirements. Please feel free to add additional information at the end of this document or in a separate appendix.

Mission and Purpose

1. Describe the program and explain how it fits the institutional mission statement and planning priorities. The University Mission Statement and Strategic Plan can be found on this site: <https://www.umd.edu/history-and-mission>.

With the rapid pace of growth in new products and applications, there is a pressing need in industry and government for engineers with special skills in hardware and software design and who are well-versed with both analog and digital electronics and information systems. This proposed Bachelor of Science in Embedded Systems, to be offered at the Universities at Shady Grove, will address this demand. The establishment of the Embedded Systems major follows the spirit of the University's Strategic plan of creating knowledge to address the most important issues of our time. The program will train future engineers who are cognizant of the latest trends in circuits and hardware-oriented software that are capable of immediate contribution to the private and public sector institutions in which they will work. It is intended to be the first of its kind in the U.S. from a top tier university. This program will draw students from Maryland public community colleges and will admit students who have completed their first two years of coursework as outlined by the program and who satisfy admission requirements to the A. James Clark School of Engineering.

As a society, we are currently within an era of the "Internet of People": Facebook, YouTube, Instagram, and Twitter; along with a myriad other social networking sites being ubiquitous and omnipresent. These social media platforms have revolutionized how people communicate and interact with each other, and their impact is felt in nearly all facets of human enterprise, including commerce, entertainment, health, and politics. Yet despite its current importance, the Internet of People will soon give way to the "Internet of Things" (IoT). In a few years, our human senses to "see, hear, touch, smell and taste" and our ability to rearrange our environment will be supplemented with inanimate sensors and actuators that collect information, and communicate with one another. These devices will be rigidly managed by a control algorithm that will analyze voluminous data and perform appropriate actions to achieve a mission.

At the foundation of an Internet of Things infrastructure are the microelectronic circuits that perform data acquisition, signal processing, and communications within the device. These are performed by integrated circuits and microcontrollers that are incorporated within the device, commonly referred to as “embedded systems.” These systems are becoming more ubiquitous in household, healthcare and transportation systems as well as industrial applications such as power and manufacturing. These are the key elements in popular home automation products such as Google Home and Amazon Alexa, as well self-driving vehicle systems such as Alphabet Waymo and Tesla. At the other end are the data analytics and control systems that process the information and implement applications. In between lies the computing platforms, protocols and gateways that seamlessly connect these devices, and process the data into actionable information while providing security that all is trustworthy and safe.

Program Characteristics

2. Provide the catalog description of the proposed program. As part of the description, please indicate any areas of concentration or specializations that will be offered.

The Bachelor of Science in Embedded Systems will provide students with a solid foundation in key emerging technologies of the Internet of Things (IoT), the ability to integrate devices into complete IoT systems, and an understanding of how IoT fits within the wider context of information and communications technology, including data analytics and cloud computing. At the senior level, students will be able to specialize in one of the following tracks: Hardware, Computational, or Security track. It is expected that graduates will be in high demand in such occupational areas as computer developers, computer systems analysts, network architects and administrators, information security analysts, information systems analysts and computer programmers.

3. What are the educational objectives of the program?

The program education objective of this program is to produce well-trained workforce in the emerging technologies of internet of things. The Bachelor of Science in Embedded Systems and Internet of Things will produce engineering graduates who

- Use their hardware and software engineering design training and problem-solving skills to contribute professionally in an industrial, research and applications environment;
- Demonstrate initiative, leadership, teamwork, and continued professional development;
- Demonstrate understanding of the impact of their professional activities on society.

4. Describe any selective admissions policy or special criteria for students interested in this program.

As an undergraduate program within the A. James Clark School of Engineering, the Embedded Systems major will be designated as a Limited Enrollment Program (LEP). Admission to this program will follow School of Engineering’s admissions criteria found on the LEP website: <http://www.lep.umd.edu>.

2018-2019 PCC New Degree or Certificate Program Proposal

Students beyond their first semester and those off campus wishing to transfer are required to meet the following gateway criteria:

- Completion of MATH 141 (Calculus II) with a minimum grade of B-
- Completion of PHYS 161 (Physics I) with a minimum grade of B-
- Completion of either CHEM 135 or CHEM 271 or CHEM134 with a minimum grade of C-. (Students who take CHEM134 must also have completed CHEM131 with a minimum grade of C-.)

Additionally, students will need to fulfill the following requirements to gain admissions to the Embedded Systems major:

- Completion of all first and second year required major courses (as outlined in section #7) with a minimum grade of a "C-."
- Completion of all lower-level University General Education requirements.
- Completion of 60 degree credits.

A minimum grade point average of 3.0 in all courses taken at the University of Maryland and all other institutions is required for internal and external transfer students.

Due to the similarity in curriculum content and the physical location of course offerings, students in the Electrical Engineering, Computer Engineering, and Computer Science programs at UMD, will not be eligible to add Embedded Systems as a second major or degree (and vice versa).

The proposed curriculum will offer courses at the 300 and 400-level, which constitute the junior and senior year of the program. The program is mainly intended for students transferring from a Maryland public community college. While students at the College Park campus can pursue the program, they will not be able to seek admissions into the School of Engineering and the Embedded Systems major until they have completed the Engineering LEP gateway courses, required first and second year major courses, lower-level General Education requirements, and have earned at least 60 credits.

5. Indicate the course requirements with course numbers, titles and credits. If applicable, indicate if any course will also count for a general education requirement. In an appendix, provide the course catalog information (credits, description, prerequisites, etc.) for all of the courses. Note that suffixed "selected" or "special" topics courses should be avoided. If suffixed-selected or special topics courses are offered regularly in the new program, you should make the courses permanent. Also, please review the basic requirements of degree programs or certificate programs to ensure that they meet the minimum policy requirements.

Please note: new courses or modifications to courses need to be submitted through the Testudo Curriculum Management system and will need to follow the normal VPAC course proposal review process. You may submit individual course changes to VPAC concurrently with the PCC proposal; however, the course changes may be held depending on the outcome of the PCC proposal.

Required Foundation Courses (43 required credits)

Course	Title	Cr
ENEB 302	Analog Circuits	4
ENEB 304	Microelectronics and Sensors	3
ENEB 340	Intermediate Programming Concepts and Applications for Embedded Systems (C/C++)	2
ENEB 341	Introduction to Internet of Things	3
ENEB 344	Introduction to Digital Circuits	4
ENEB 352	Introduction to Networks and Protocols	3
ENEB 353	Computer Organization for Embedded Systems	3
ENEB 354	Discrete Mathematics for Information Technology	3
ENEB 355	Algorithms in Python	3
ENEB 408x	Capstone Design Lab I	3
ENEB 408x	Capstone Design Lab II	3
ENEB 443	Hardware/Software Security for Embedded Systems	3
ENEB 454	Embedded Systems	3
ENGL 393	Technical Writing	3

Elective Courses (18 required elective credits)

Course	Title	Cr
ENEB 453	Web Based Application Development	3
ENEB 455	Advanced FPGA System Design using Verilog	3
ENEB 444	Operating Systems for Embedded Systems	3
ENEB 451	Network Security	3
ENEB 345	Probability and Statistical Inference	3
ENEB 452	Advanced Software for Embedded Systems-Connected Systems	3
ENEB 456	Machine Learning Tools	3
ENEB 457	Database	3

See Appendix A for course descriptions

6. Summarize the factors that were considered in developing the proposed curriculum (such as recommendations of advisory or other groups, articulated workforce needs, standards set by disciplinary associations or specialized-accrediting groups, etc.).

The field of IoT is projected by some experts (Forbes, Dec. 2017) to have a global market value of \$457B by 2020 with a Compound Annual Growth Rate of 28%, and the need for a trained workforce to fuel this growth is essential. The proposed curriculum is a synthesis of some of the core concepts in electrical engineering, computer engineering, computer science, information technology and telecommunications. The curriculum was developed by faculty from the Department of Electrical & Computer Engineering (ECE), with consultations with industrial partners in the hardware (Texas Instruments) and software/data analytics (Microsoft) spaces. The contents are outside the scope of any of these traditional disciplines, making it unique and customized for the anticipated needs of this emerging technology.

7. Sample plan. Provide a term by term sample plan that shows how a hypothetical student would progress through the program to completion. It should be clear the length of time it will take for a typical student to graduate. For undergraduate programs, this should be the *four-year plan*.

FIRST & SECOND YEAR

Prior to being admitted to the Embedded System major, students should have completed the Engineering LEP gateway courses, basic math/science courses, lower-level General Education requirements, and at least 60 credits.

Course	Title	Cr
MATH 140	Calculus I	4
MATH 141	Calculus II	4
ENGL 101	Academic Writing	3
CHEM 135	General Chemistry for Engineers	3
PHYS 161	General Physics: Mechanics and Particle Dynamics	3
PHYS 260	General Physics: Vibration, Waves, Heat, Electricity and Magnetism	3
PHYS 261	General Physics: Vibrations, Waves, Heat, Electricity and Magnetism (Laboratory)	1
Prog Req*	Programming Requirement (see below for details)	2-4
ENES 100	Introduction to Engineering Design	3
MATH 2xx	MATH246 (Diff. Eq.), MATH241 (Calc III), OR MATH240 (Linear Algebra)	3-4
GenEd Courses	General Education Requirements/Additional Electives	28-31
	Total Credits	60

*Programming Requirement:

Embedded Systems major will accept any of the following programming courses or their equivalents:

- ENEE140
- CMSC131
- CMSC106
- Any introductory course in C, C++, Java, or Python (students must submit the course to ECE Department for evaluation)

JUNIOR & SENIOR YEAR AT SHADY GROVE

Junior Year 1st Semester

Course	Title	Cr
ENEB 302	Analog Circuits	4
ENEB 344	Introduction to Digital Circuits	4
ENEB 354	Discrete Mathematics for Information Technology	3
ENEB 340	Intermediate Programming Concepts and Applications for Embedded Systems (C/C++)	2

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ENEB 341	Introduction to Internet of Things	3
	Total Semester Credits	16

Junior Year 2nd Semester

Course	Title	Cr
ENEB 304	Microelectronics and Sensors	3
ENEB 352	Introduction to Networks and Protocols	3
ENEB 353	Computer Organization for Embedded Systems	3
ENEB 355	Algorithms in Python	3
ENGL 393	Technical Writing	3
	Total Semester Credits	15

Senior Year 1st Semester

Course	Title	Cr
ENEB 408x	Capstone Design Lab I	3
ENEB 454	Embedded Systems	3
ENEB 4xx	Senior Level Electives (based on track)	9
	Total Semester Credits	15

Senior Year 2nd Semester

Course	Title	Cr
ENEB 408x	Capstone Design Lab II	3
ENEB 443	Hardware/Software Security for Embedded Systems	3
ENEB 4xx	Senior Level Electives (based on track)	9
	Total Semester Credits	15

TOTAL DEGREE CREDITS	121
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PROGRAM TRACKS

Students in the Embedded Systems major will be required to choose one of three program tracks available in the major. Each track will have its specific senior level course required course(s) and electives.

- The **Hardware Track** is focused primarily on the physical layer and concentrating on operations performed at the device level.
- The **Computational Track** is focused on the modeling and software level, and concentrating on data analytical methods and applications.
- The **Security Track** is focused on security issues on cyber-physical systems and concentrating on hardware and software aspects of data integrity, corruption and threats.

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Hardware Track (18 credits) – *Students must take two required courses and 4 out of the 5 elective courses.*

Status	Course	Title	Cr
Required	ENEB 444	Operating Systems for Embedded Systems	3
Required	ENEB 455	Advanced FPGA System Design Using Verilog	3
Elective	ENEB 453	Web Based Application Development	3
Elective	ENEB 451	Network Security	3
Elective	ENEB 345	Probability and Statistical Inference	3
Elective	ENEB 456	Machine Learning Tools	3
Elective	ENEB 457	Database	3

Computational Track (18 credits) - *Students must take five required courses and 1 out of 3 elective courses.*

Status	Course	Title	Cr
Required	ENEB 444	Operating Systems for Embedded Systems	3
Required	ENEB 453	Web Based Application Development	3
Required	ENEB 345	Probability and Statistical Inference	3
Required	ENEB 456	Machine Learning Tools	3
Required	ENEB 452	Advanced Software for Embedded Systems-Connected Systems	3
Elective	ENEB 455	Advanced FPGA System Design Using Verilog	3
Elective	ENEB 451	Network Security	3
Elective	ENEB 457	Database	3

Security Track (18 credits) - *Students must take five required courses and 1 out of 2 elective courses.*

Status	Course	Title	Cr
Required	ENEB 453	Web Based Application Development	3
Required	ENEB 345	Probability and Statistical Inference	3
Required	ENEB 451	Network Security	3
Required	ENEB 452	Advanced Software for Embedded Systems-Connected Systems	3
Required	ENEB 444	Operating Systems for Embedded Systems	3
Elective	ENEB 455	Advanced FPGA System Design Using Verilog	3
Elective	ENEB 456	Machine Learning Tools	3

See Appendix A for Course Descriptions

8. Indicate whether the program will be offered either online or off-campus. Please note that MHEC requires a separate proposal for off-campus delivery. If the program will be offered exclusively online or will have both a face-to-face and online version of the program, please complete this additional form and add as an appendix:

<https://docs.google.com/document/d/1ojpUBt4mAWINPCIQNzZ48UH68zGPYj31TPgEOIW3q1E/>

The program will be offered exclusively at the Universities at Shady Grove. All undergraduate programs at USG are junior and senior years only. Expectations for lower-level coursework will be established through articulation agreements with the Maryland community colleges or taken at College Park prior to admissions to the School of Engineering and Embedded Systems major.

9. If the program will be offered in a non-semester format, identify the term structure that will be used for the program:

- **Approved Campus 12-Week Term (see Academic Calendars)**
- ***Non-Standard Term**

***If you are using a non-standard term structure, indicate whether relevant offices, such as the Registrar's Office and International Scholar & Student Services, have been notified and support the program. Non-standard terms need to fit within the university's scheduling system calendar, and non-standard terms need to work with international student visa requirements.**

Not applicable to this program.

10. For Master's degree programs, describe the thesis requirement and/or the non-thesis requirement.

Not applicable to this program.

11. List the intended student learning outcomes. In an appendix, provide the plan for assessing these outcomes.

Program Educational Objectives (PEO)

Within 3 to 5 years from graduation, a graduate of BS in Embedded Systems and Internet of Things will have engaged in life-long learning and will have attained any of the following program educational objectives:

PEO #1. Gainful employment and advancement to a leadership position in a reputable industry or government institution.

PEO #2. Successful innvator and/or entrepreneur in embedded systems, information technology or related space.

Student Learning Outcomes (SLO)

The program must enable students to attain, by the time of graduation:

- (a) An ability to apply knowledge of computing and mathematics appropriate to the program's student outcomes and to the discipline;
- (b) An ability to analyze a problem, and identify and define the computing requirements appropriate to its solution;
- (c) An ability to design, implement, and evaluate a computer-based system, process, component, or program to meet desired needs;
- (d) An ability to function effectively on teams to accomplish a common goal;
- (e) An understanding of professional, ethical, legal, security and social issues and responsibilities;
- (f) An ability to communicate effectively with a range of audiences;
- (g) An ability to analyze the local and global impact of computing on individuals, organizations, and society;
- (h) Recognition of the need for and an ability to engage in continuing professional development;
- (i) An ability to use current techniques, skills, and tools necessary for computing practice.

See appendix C for assessment plan.

12. Identify specific actions and strategies that will be utilized to recruit and retain a diverse student body.

Recruitment for the Embedded Systems major will target students attending Montgomery College (MC), which has a very diverse student population. Per the Office of Institutional Research & Analysis, 52% of students at MC are from an underrepresented minority group; from this population 27.4% are Hispanic and 24.6% are African American (Source: MC at Glance <https://cms.montgomerycollege.edu/research/>). The program will also recruit in other Maryland community colleges through transfer fairs, Universities at Shady Grove recruitment programs, and individual institution visits.

To insure the success of a diverse student body, the ECE system will implement a mandatory advising system, where students will be required to meet with an academic advisor each semester to track their academic progress. Furthermore, the Department will identify any major courses with a high DWF rate, and will provide academic support to students in those course. Finally, the ECE Department, will work with the existing academic support units at Shady Grove, such as the Center for Academic Success, to provide academic coaching and support services to our students (<https://shadygrove.umd.edu/student-services/center-for-academic-success>).

Relationship to Other Units or Institutions

13. If a required or recommended course is offered by another department, discuss how the additional students will not unduly burden that department's faculty and resources. Discuss any other potential impacts on another department, such as academic content that may significantly overlap with existing programs. Use space below for any comments. Otherwise, add supporting correspondence as an appendix.

All courses, except for Professional Writing, will be delivered by the ECE department. The Provost's Office will coordinate with the Professional Writing program in the English Department to offer a section of ENGL393 for the Embedded Systems majors.

14. Accreditation and Licensure. Will the program need to be accredited? If so, indicate the accrediting agency. Also, indicate if students will expect to be licensed or certified in order to engage in or be successful in the program's target occupation.

It is expected that the School will seek to include this program within ABET accreditation, once established.

15. Describe any cooperative arrangements with other institutions or organizations that will be important for the success of this program.

Not applicable to this program.

Faculty and Organization

16. Faculty and organization. Who will provide academic direction and oversight for the program? As an appendix, please indicate the faculty involved in the program. Include their titles, credentials, and courses they may teach for the program.

The faculty within the department of Electrical and Computer Engineering will provide academic direction and oversight for the program. Appendix B contains a list of the ECE tenured, tenured-track, and professional track faculty.

Resource Needs and Sources

17. Each new program is required to have a library assessment prepared by the University Libraries in order to determine any new library resources that may be required. Please contact your departmental/programmatic library liaison or Daniel Mack at dmack@umd.edu, Associate Dean of Collections, to request a library assessment that will be added as an appendix.

See attached letter.

18. Discuss the adequacy of physical facilities, infrastructure and instructional equipment.

Required classroom facilities are spaces for four lecture classes/semester of 50-75 students each, and space for hosting a microelectronics lab, an FPGA lab/embedded microcontroller lab, and a software lab. In year two, we will additionally need a general-purpose lab for the capstone projects. We estimate each lab will need a

room of about 400 sq. ft. in area. These spaces are expected to be available (for rent) within the new Biomedical Sciences and Engineering (BSE) Building at the Universities at Shady Grove. The BSE building is scheduled to open in spring 2019.

19. Discuss the instructional resources (faculty, staff, and teaching assistants) that will be needed to cover new courses or needed additional sections of existing courses to be taught. Indicate the source of resources for covering these costs.

Resources required to deliver the program include additional faculty (both tenure track and professional track), academic advisors, and graduate assistants for the teaching laboratories, shared administrative and technical support, some initial operating equipment, ongoing materials and supplies, and some modest scholarship support. The program will be supported through a targeted enhancement funding request to the State of Maryland, and through tuition revenue. As with all other undergraduate programs within the Clark School, students will be expected to pay differential tuition at the approved rate.

20. Discuss the administrative and advising resources that will be needed for the program. Indicate the source of resources for covering these costs.

Shady Grove students will receive academic advising and support from a full-time academic advisor at Shady Grove who will report to the Director, Office of Undergraduate Studies in Electrical and Computer Engineering at UMCP. This advising includes the usual scheduling of classes, evaluation of progress towards the degree, and identification of resources. The Embedded Systems major will have a mandatory advising process, where students will be required to meet with their advisor, once each semester prior to registration, to check up on academic progress.

In addition, the ECE department will maintain offices at Shady Grove. We will designate an ECE faculty member as the Faculty Program Director. The Faculty Program Director will spend one to two days per week at the Shady Grove facility to address the concerns of students, faculty, and instructors. In addition, we will hire a lab technician to maintain the labs at Shady Grove and part-time IT specialist. These personnel will report to the corresponding group leaders in the ECE department at UMCP. Students evaluate courses and faculty through the online course evaluation system for UM courses. The ECE office of external relations in collaboration with the undergraduate office will produce marketing materials and will conduct recruitment events at various times in the year.

21. Use the Maryland Higher Education Commission (MHEC) commission financial tables to describe the program's financial plan for the next five years:
<https://docs.google.com/spreadsheets/d/1V6iSZG05edMirWP6CAOXjCoGO58Gf6VXxPaacKfrhZ4/edit#gid=0>. Add these tables as attachments. Use the space below for any additional comments on program funding.

See attached document.

Implications for the State (Additional Information Required by MHEC and the Board of Regents)

If the proposed program is for a Post-Baccalaureate Certificate that is derived entirely from existing courses within an existing Master's degree program, then you **only** need to respond to prompts 22 (on market demand) and 25 (curriculum of current master's degree program).

22. Explain how there is a compelling regional or statewide need for the program. Argument for need may be based on the need for the advancement of knowledge and/or societal needs, including the need for "expanding educational opportunities and choices for minority and educationally disadvantaged students at institutions of higher education." Also, explain how need is consistent with the Maryland State Plan for Postsecondary Education.

A report by McKinsey¹, Inc. in 2017 has projected that the number of connected "things" will grow from 10 billion today to 30 billion devices by 2020, or about 3 billion new devices per year. It further cites an estimate that the global impact of IoT can be as high as \$6.2 trillion by 2025, or roughly 23% of the US Gross Domestic Product (GDP) projected by the Congressional Budget Office. Graduates of this program will be suitable for the high demand occupational areas as computer developers, computer systems analysts, network architects and administrators, information security analysts, information systems analyst and computer programmers. Students graduating from the program can successfully compete for jobs in the information technology, cyber-security, software engineers and analysts, in addition to the specialized jobs in Internet of Things.

23. Present data and analysis projecting market demand and the availability of openings in a job market to be served by the new program. Possible sources of information include industry or disciplinary studies on job market, the US BLS Occupational Outlook Handbook, or Maryland state Occupational and Industry Projections over the next five years. Also, provide information on the existing supply of graduates in similar programs in the state (use MHEC's Office of Research and Policy Analysis webpage for Annual Reports on Enrollment by Program) and discuss how future demand for graduates will exceed the existing supply. As part of this analysis, indicate the anticipated number of students your program will graduate per year at steady state.

From the US Bureau of Labor Occupational Outlook Handbook (<https://www.bls.gov/ooH/computer-and-information-technology/home.htm>), computer and information technology occupations is projected to grow 13 percent from 2016 to 2026 in the US, faster than the average for all occupations. These occupations are projected to add about 557,100 new jobs. Demand for these workers will stem from greater emphasis on cloud computing, the collection and storage of big data, and information security. For the State of Maryland (<http://www.dlir.state.md.us/lmi/iandoproj/maryland.shtml>), the combined job demand for software systems and applications developers is expected to be around 40,000 in 2024, up by more than 31% from 2014. Similarly, the job search site www.indeed.com, show that there are 570 job listings under the category of internet of things in the zip code 20850 (Universities at Shady Grove.)

¹ <https://www.mckinsey.com/industries/semiconductors/our-insights/the-internet-of-things-sizing-up-the-opportunity>
Disruptive technologies: Advances that will transform life, business, and the global economy

24. Identify similar programs in the state. Discuss any differences between the proposed program and existing programs. Explain how your program will not result in an unreasonable duplication of an existing program (you can base this argument on program differences or market demand for graduates). The MHEC website can be used to find academic programs operating in the state: http://mhec.maryland.gov/institutions_training/pages/HEPrograms.aspx.

To our knowledge, there are no institutions in the state that offer a program that is focused on embedded systems – developing deep expertise in both analog and digital circuits along with the required software skills, would be unique to the region.

25. Discuss the possible impact on Historically Black Institutions (HBIs) in the state. Will the program affect any existing programs at Maryland HBIs? Will the program impact the uniqueness or identity of a Maryland HBI?

Two of the four historically black institutions in Maryland, offer bachelor's programs in electrical engineering, they are the University of Maryland, Eastern Shore (UMES) and Morgan State University. Given the specialization of the Embedded Systems program, we do not expect to draw from students who intend to study electrical engineering at these historically black institutions.

26. For new Post-Baccalaureate Certificates derived from existing master's programs only, include the complete curriculum of the existing master's program.

Not applicable to this program.

Appendix A: Course Descriptions

ENEB 302 Analog Circuits

Foundations of circuits, focusing on applications including signal amplification, power amplification, instrumentation, and filters. Prerequisite: completion of approved MATH2xx course and PHYS260/261 with a grade of "C-" or better.

ENEB 304 Microelectronics and Sensors

The course covers the basics of analog amplifier design starting from single-stage to multiple stage units. The four basic single stage configurations (common-source/common-emitter, follower, cascade and differential pair) are stressed, as are the bias networks that go along with them. Mid-band gains and impedances are derived and the concepts of frequency and time domain analysis are presented. Topics on introductory power electronics will be included. Prerequisite: ENEB302 with a grade of "C-" or better.

ENEB 340 Intermediate Programming Concepts and Applications for Embedded Systems (C/C++)

Description: Principles of software development, high-level languages, input/output, data types and variables, operators and expressions, program selection, repetition, functions, arrays, strings, introduction to algorithms, software projects, debugging, documentation. Target hardware: ARM-based evaluation or development kit, e.g., Atmel AVR. Prerequisite: Completion of required programming course (see first/second year course requirements for details) with a grade of "C-" or better.

ENEB 341 Introduction to Internet of Things

Description: The course begins by covering the fundamentals of IoT, including devices, applications, and business models. The course will include basic tools for networking, protocols, and gateways. Introduction to data analytics and cloud computing platform.

ENEB 344 Introduction to Digital Circuits

Hands-on approach to learning foundations of digital circuits, including input/output, logic gates, Karnaugh maps, latches, flip-flops, and state-machines. Ref: Learn Digital Design with PSoC, a bit at a time, Van Ess. The adoption of PSoC is suggested. Appropriate tutorial on C programming will be supplemented if needed. Co-requisite: ENEB340.

ENEB 345 Probability and Statistical Inference

Simplest tests of statistical hypotheses; applications to before-and-after and matched pair studies. Events, probability, combinations, independence. Binomial probabilities, confidence limits. Random variables, expected values, median, variance, standard distributions, moments, law of large numbers, tests based on ranks, normal approximation, central limit theorem. Sampling methods, estimation of parameters, testing of hypotheses.

ENEB352 Introduction to Networks and Protocols

Description: An overview of design issues and the important industry standards for digital communications networks. This includes protocols, data communications technologies, error correction and detection, congestion control, traffic routing, Local Area Network (LAN) protocols, TCP/IP, and some security issues. It covers layered architectures for the construction of networks, following a simplified OSI reference model. This includes error detection, protocols for retransmission, data link control protocols, medium access control protocols, and both intradomain and interdomain routing. In addition to detailed study of TCP/IP networks,

SONET, ATM, and WDM are also considered. Both wired and wireless local area networks are studied.

Prerequisite: completion of ENEB341 with a grade of "C-" or better.

ENEB353 Computer Organization for Embedded Systems

Description: This course covers the basics of computer organization and design. The topics include assembly and machine instructions, datapath and controller design, pipelining and memory hierarchy. Prerequisite: completion of ENEB344 and ENEB354 with a grade of "C-" or better.

ENEB 354 Discrete Mathematics for Information Technology

Foundations of discrete math for information technology. Topics include sets, relations, functions and algorithms, proof techniques and induction, Number theory, Counting and combinatorics and Graph theory.

ENEB355 Algorithms in Python

Description: A study of Python programming language and its use in some algorithms related to sorting, graphs, and trees, combinatorics. Suggested text: Python Algorithms: Mastering Basic Algorithms, Magnus Lie Hetland. Prerequisite: completion of ENEB354 and ENEB340 with a grade of "C-" or better.

ENGL393 Technical Writing

The writing of technical papers and reports. This course teaches students how to make the technologies they work with understandable to many different types of readers. (Offered by the English department)

ENEB 408x Capstone Design (Two Semester Capstone Design Course)

This focuses on a culminating design experience with specific attention to real-world requirements in terms of constraints and component selection, optimization, security and integration into systems. Prerequisite: Senior level standing in program.

ENEB 443 Hardware/Software Security for Embedded Systems

Description: The objective is to gain a solid understanding of the critical systems level software and hardware issues to be considered when designing industry standard secured embedded systems. Prerequisite: completion of ENEB454 with a grade of "C-" or better.

ENEB 444 Operating System for Embedded Systems

The course will present the theory, design, implementation, and analysis of computer operating systems. Through classroom lectures, homework, and projects, students learn the fundamentals of concurrency, process management, interprocess communication and synchronization, job scheduling algorithms, memory management, input-output devices, file systems, and protection and security in operating systems. Optional topics may include communications protocols, computer security, and real-time operating systems. Prerequisite: completion of ENEB340 and ENEB344 with a grade of "C-" or better.

ENEB 451 Network Security

This course covers the foundations of modern cryptography and the current efforts from both academia and industry in building trustworthy computing. We will focus on the technology advances, industrial standards, and law enforcement that have been or have to be made to establish trust in four key areas to establish the trust in computing: security, privacy, reliability, and business integrity. Prerequisite: completion of ENEB352 with a grade of "C-" or better.

ENEB 452 Advanced Software for Embedded Connected Systems

Description: This course focuses on the hardware and software foundations, evaluation and validation, application mapping, optimization and testing of cyber-physical systems connected via the web. Emphasis is

placed on the two basic technologies of ICT systems, namely, embedded systems and communication technologies. Prerequisite: Senior level standing in program.

ENEB 453 Web-based Applications Development

Description: Introduction to computer programming in the context of developing full featured dynamic websites. Uses a problem-solving approach to teach basics of program design and implementation using JavaScript; relates these skills to the creation of dynamic websites; then explores both the potential and limits of web-based information sources for use in research. Prerequisite: completion of ENEB355 and ENEB341 with a grade of "C-" or better.

ENEB 454 Embedded Systems

Description: This course will provide students with the essential knowledge base that will enable them to tackle complex problems encountered in embedded systems design. In addition to the overview of associated hardware components and software methodologies and tools used in the development of modern embedded systems, and theory behind them, the course will include a carefully selected collection of hands-on Lab exercises that would help students get a sense of how the presented theoretical concepts connect with the real-world embedded systems applications. Prerequisite: completion of ENEB353 with a grade of "C-" or better.

ENEB 455 Advanced FPGA System Design using Verilog

Description: This is a project-oriented course to on digital system design using Verilog hardware description language (HDL) in an industry-standard design environment. Students will implement real-world designs in field programmable gate arrays (FPGAs) as well as test and optimize the FPGA-implemented systems. Prerequisite: completion of ENEB344 and ENEB340 with a grade of "C-" or better.

ENEB 456 Machine Learning Tools

A broad introduction to machine learning and statistical pattern recognition. Topics include: Supervised learning (Bayesian learning and classifier, parametric/non-parametric learning, discriminant functions, support vector machines, neural networks, deep learning networks); Unsupervised learning (clustering, dimensionality reduction, auto-encoders). The course will also discuss recent applications of machine learning, such as computer vision, data mining, autonomous navigation, and speech recognition. Prerequisite: completion of ENEB345 and ENEB341 with a grade of "C-" or better.

ENEB 457 Database

Students are introduced to database systems and motivates the database approach as a mechanism for modeling the real world. An in-depth coverage of the relational model, logical database design, query languages, and other database concepts including query optimization, concurrency control; transaction management, and log-based crash recovery. Distributed and Web database architectures are also discussed. Prerequisite: completion of ENEB345, ENEB352, and ENEB355 with a grade of "C-" or better.

Appendix B: ECE Tenured and Tenure-Track Faculty

All ECE faculty hold doctoral degrees in a field relevant to the discipline. Faculty biographies and research interests can be found in the [ECE department website faculty listings](#). The list below includes tenured/tenured-track and professional track (PTK) faculty.

Faculty Name	Degree Field and Year	Rank
Abed, E.H.	Electrical Engineering, 1982	Prof
Abshire, P.	Electrical Engineering, 2002	Prof
Antonsen, T.	Electrical Engineering, 1977	Prof
Babadi, B.	Engineering Sciences, 2011	Asst Prof
Baras, J.	Applied Mathematics, 1973	Prof
Barg, A.	Electrical Engineering, 1987	Prof
Barua, R.	Electrical & Computer Engineering, 2000	Prof
Beaudoin, B.	Electrical Engineering, 2011	PTK
Bhattacharyya, S.	Electrical & Computer Science, 1994	Prof
Blankenship, G.	Electrical Engineering, 1971	Prof
Chellappa, R.	Electrical Engineering, 1981	Prof
Dachman- Soled, D.	Computer Science, 2011	Asst Prof
Dagenais, M.	Physics, 1978	Prof
Daniels, K.	Electrical Engineering, 2014	Asst Prof
Davis, C.	Physics, 1970	Prof
Dumitras, T.	Electrical Engineering, 2010	Asst Prof
Ephremides, A.	Electrical Engineering, 1971	Prof
Espy-Wilson, C.	Electrical Engineering, 1987	Prof

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Franklin, M.	Computer Science, 1993	Assoc Prof
Ghodssi, R.	Electrical Engineering, 1996	Prof
Goldhar, J.	Physics, 1976	Prof
Goldsman, N.	Electrical Engineering, 1989	Prof
Gomez, R.	Physics, 1990	Prof
Hafezi, M.	Theoretical Physics, 2009	Assoc Prof
Horiuchi, T.	Computation and Neural Systems Program, 1997	Assoc Prof
Iliadis, A.	Electrical Engineering, 1980	Prof
Jacob, B.	Computer Science & Engineering, 1997	Prof
JaJa, J.	Applied Mathematics, 1977	Prof
Khaligh, A.	Electrical Engineering, 2006	Assoc Prof
Krishnaprasad, P.	Engineering 1977	Prof
La, R.	Electrical Engineering, 2000	Prof
Lawson, W.	Electrical Engineering, 1985	Prof
Liu, K. J.	Electrical Engineering, 1990	Prof
Makowski, A.	Mathematics, 1981	Prof
Manocha, D.	Computer Science, 1992	Prof
Marcus, S.	Electrical Engineering, 1975	Prof
Martins, N.	Electrical Engineering and Computer	Assoc Prof
Mayergoyz, I.	Electrical Engineering, 1968	Prof
Milchberg, H.	Astrophysical Sciences, 1985	Prof
Mogul, N.	Science and Technology Studies, 2002	PTK
Munday, J.	Physics, 2008	Assoc Prof

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Murphy, T.	Electrical Engineering, 2001	Prof
Narayan, P.	Electrical Engineering, 1981	Prof
Newcomb, R.	Electrical Engineering, 1960	Prof
Oruc, A.	Electrical Engineering, 1983	Prof
Ott, E.	Electrophysics, 1967	Prof
Papamantou, C.	Computer Science, 2011	Asst Prof
Papamarcou, A.	Electrical Engineering, 1987	Assoc Prof
Qu, G.	Computer Science, 2000	Prof
Romero, D.	Physics, 1999	PTK
Rotkowitz, M.	Aeronautics & Astronautics, 2005	Asst Prof
Shamma, S.	Electrical Engineering, 1980	Prof
Shayman, M.	Applied Mathematics, 1981	Prof
Shoukry, Y.	Electrical Engineering, 2015	Asst Prof
Simon, J.	Physics, 1990	Prof
Sprangle, P.	Physics, 1973	Prof
Srivastava, A.	Computer Science, 2002	Prof
Tits, A.	Electrical Engineering, 1980	Prof
Ulukus, S.	Electrical and Computer Engineering, 1998	Prof
Vishkin, U.	Computer Science, 1981	Prof
Waks, E.	Electrical Engineering, 2003	Prof
Wu, M.	Electrical Engineering, 2001	Prof
Yeung, D.	Electrical Engineering, 1998	Prof

Appendix C: Assessment Plan

Assessment of the Embedded Systems major will follow the same plan that the Department of Electrical & Computer Engineering (ECE) uses for assessing its two other academic majors for ABET accreditation purposes.

Program Educational Objectives (PEO)

ECE faculty members are responsible for establishing and assessing the Program Educational Objectives (PEO) for the Embedded Systems major. The faculty set the indicator levels for successful achievement of the PEOs and review relevant data collected from all the program's constituencies to inform their decisions on this matter. The Department's Undergraduate Affairs Committee evaluates all recommendations for changes to the PEOs and makes appropriate modifications. A fully developed proposal is presented to the Chair, the Department Council, and Department Advisory Board for feedback prior to a vote for adoption by the faculty.

Assessment of PEO's will be done through surveys of the different program constituents (students, faculty, and corporate partners).

Student Learning Outcomes (SLO)

The program's Student Learning Outcomes, support the attainment of the Program Educational Objectives. The Embedded Systems major will have the following SLOs, based on the ABET learning outcomes model:

- (a) An ability to apply knowledge of computing and mathematics appropriate to the program's student outcomes and to the discipline;
- (b) An ability to analyze a problem, and identify and define the computing requirements appropriate to its solution;
- (c) An ability to design, implement, and evaluate a computer-based system, process, component, or program to meet desired needs;
- (d) An ability to function effectively on teams to accomplish a common goal;
- (e) An understanding of professional, ethical, legal, security and social issues and responsibilities;
- (f) An ability to communicate effectively with a range of audiences;
- (g) An ability to analyze the local and global impact of computing on individuals, organizations, and society;
- (h) Recognition of the need for and an ability to engage in continuing professional development;
- (i) An ability to use current techniques, skills, and tools necessary for computing practice.

Student Learning Outcomes are evaluated through course-specific performance indicators. The Department will establish rubrics for each performance indicator and develop a course-related assessment as part of this evaluation. Faculty members will then be asked to complete evaluate the student's through these course assessments. The assessment of learning outcomes will likely take place every year.

RESOURCES AND EXPENDITURES
Department of Electrical & Computer Engineering
Embedded Systems Proposal

TABLE 1: RESOURCES

Resources Categories	Year 1	Year 2	Year 3	Year 4	Year 5
1. Reallocated Funds	\$900,000	\$900,000	\$900,000	\$900,000	\$900,000
2. Tuition/Fee Revenue (c+g below)	\$251,275	\$517,627	\$1,066,311	\$1,372,875	\$1,696,873
a. #FT Students	25	50	100	125	150
b. Annual Tuition/Fee Rate	\$10,051	\$10,353	\$10,663	\$10,983	\$11,312
c. Annual FT Revenue (a x b)	\$251,275	\$517,627	\$1,066,311	\$1,372,875	\$1,696,873
d. # PT Students	0	0	0	0	0
e. Credit Hour Rate	\$ 360.00	\$ 370.80	\$ 381.92	\$ 393.38	\$ 405.18
f. Annual Credit Hours	16	16	16	16	16
g. Total Part Time Revenue (d x e x f)	\$ -	\$ -	\$ -	\$ -	\$ -
3. Grants, Contracts, & Other External Sources	\$ -	\$ -	\$ -	\$ -	\$ -
4. Other Sources	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL (Add 1 - 4)	\$1,151,275	\$1,417,627	\$1,966,311	\$2,272,875	\$2,596,873

Tuition revenue is based on AY2018-19 rates for the A. James Clark School of Engineering. It does not include mandatory fees or laboratory fees. Reallocated funds assume support from the States Workforce Development Initiative targeted towards programs to be delivered at the Universities at Shady Grove.

TABLE 2: EXPENDITURES

Expenditure Categories	Year 1	Year 2	Year 3	Year 4	Year 5
1. Faculty (b+c below)	\$465,500	\$616,455	\$846,598	\$871,996	\$898,156
a. #FTE	3.5	4.5	6.0	6.0	6.0
b. Total Salary	\$350,000	\$463,500	\$636,540	\$655,636	\$675,305
c. Total Benefits	\$115,500	\$152,955	\$210,058	\$216,360	\$222,851
2. Admin. Staff (b+c below)	\$325,850	\$335,626	\$493,849	\$813,863	\$1,047,849
a. #FTE	3.5	3.5	5.0	8.0	10.0
b. Total Salary	\$245,000	\$252,350	\$371,315	\$611,927	\$787,856
c. Total Benefits	\$80,850	\$83,276	\$122,534	\$201,936	\$259,993
3. Total Support Staff (b+c below)	\$166,250	\$171,238	\$176,375	\$181,666	\$187,116
a. #FTE	2.5	2.5	2.5	2.5	2.5
b. Total Salary	\$125,000	\$128,750	\$132,613	\$136,591	\$140,689
c. Total Benefits	\$41,250	\$42,488	\$43,762	\$45,075	\$46,427
4. Equipment	\$50,000	\$25,000	\$25,000	\$25,000	\$25,000
5. Library	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
6. New or Renovated Space	\$0	\$0	\$0	\$0	\$0
7. Other Expenses: Operational Expenses	\$450,000	\$450,000	\$500,000	\$500,000	\$500,000
TOTAL (Add 1 - 7)	\$1,462,600	\$1,603,318	\$2,046,822	\$2,397,525	\$2,663,121

Notes: The “admin staff” category includes graduate assistants to support laboratory instruction. Other expenses include tuition remission for graduate assistants, lab equipment and maintenance (\$200K), materials and supplies, program outreach, and \$75K per year in scholarships.

Library Assessment for Program Proposal

Goldhar, Julius <jgoldhar@umd.edu>
To: "Ramirez, Neruh" <nram@ece.umd.edu>
Cc: "R. D. Gomez" <rdgomez@ece.umd.edu>

Wed, Sep 19, 2018 at 2:11 PM

Dear Neruh,

The students and faculty at the Shady Grove Campus should have online access to the University of Maryland Libraries. I think that they will not require any additional library resources.

Sincerely,

Julius Goldhar

ECE Department Library Liaison

On Mon, Sep 17, 2018 at 4:13 PM, Ramirez, Neruh <nram@ece.umd.edu> wrote:

Hello Dr. Goldhar,

As you may know, we are in the process of getting our new Embedded Systems program approved. This is the new program that will be based in Shady Grove. As part of the proposal, we are required to have a library assessment in order to determine if any new library resources that may be required for the new program. The instructions from the University is to contact our Departmental library liaison to request the library assessment. As the ECE library liaison, would you be able to assist us with this? Thank you.

- Neruh

Mr. Neruh Ramirez

Director of Undergraduate Studies
Department of Electrical & Computer Engineering
A. James Clark School of Engineering
University of Maryland

PH: (301) 405-3685 | FAX: (301) 314-6082

E-mail: nram@umd.edu

Visit us online at: www.ece.umd.edu

Addendum: Revised Program Title

The program proposal was submitted with the name “Embedded Systems,” but the program title should be “Embedded Systems and Internet of Things.”

This request is made for the following reasons:

1. "Embedded Systems" is commonly associated only with the hardware and software for the devices that operate as part of a larger computing system. The proposed program is broader in scope than narrowly focused on embedded systems. It includes the smart devices, the communication system and protocols, the system architecture, data collection and analysis using so-called edge and cloud computing platforms and of course, the applications. All of the aforementioned inclusions are in the realm of what we currently call "Internet of Things".
2. “Internet of things” may sound transitory at the moment, however we submit that it will eventually become a permanent field of concentration that merges electrical engineering, computer engineering, computer science and information technology. This is similar to the situation several decades ago when computer engineering was argued to be a special application of electrical engineering.
3. Lastly, we submit that a degree that explicitly mentions “Internet of Things” is easier to appreciate than “Embedded Systems” alone from the standpoint of students and employers. With the proposed name, it will be clear that the degree will encompass subject areas not limited to smart devices but also machine learning, system architecture, data analytics and cyber security in both hardware and software areas.



Establish a Bachelor of Arts in Philosophy, Politics, and Economics (PCC 18024)

PRESENTED BY Janna Bianchini, Chair, Senate Programs, Curricula, and Courses Committee

REVIEW DATES SEC – November 16, 2018 | SENATE – December 4, 2018

VOTING METHOD In a single vote

RELEVANT POLICY/DOCUMENT N/A

NECESSARY APPROVALS Senate, President, University System of Maryland Board of Regents, and Maryland Higher Education Commission

ISSUE

The Department of Philosophy within the College of Arts and Humanities proposes to establish a Bachelor of Arts degree program in Philosophy, Politics, and Economics (PPE). The undergraduate major in PPE is an interdisciplinary program that uses tools and methods from economics and political science to help answer difficult social and political questions that have traditionally been the domain of philosophy: How should we live together? What would be the best way for us to organize our social and political institutions? How should we address our most difficult problems, from inequality to discrimination to immigration to climate change?

The questions that PPE poses are distinct from those that economics, political science, and public policy ask. They are fundamentally normative questions (e.g., concerning justice), traditionally in the domain of moral and political philosophy. These questions focus on what ought to be the case, which often contrasts with what has been or even likely will be the case. The tools and methods PPE uses to help answer these normative questions – the tools and methods of economics and political science – are ones philosophy has traditionally eschewed.

PPE as an undergraduate major is already well established at several major universities across the world. Though originally started at Oxford University in 1920, several top U.S. universities now have PPE programs, including the Universities of Arizona, Michigan, North Carolina, Notre Dame, Pennsylvania, Pittsburgh, and Virginia, along with Duke, Rutgers, and Tulane.

The curriculum will consist of 39 credits organized into the following categories:

- 18 credits of disciplinary foundations courses from Economics, Government and Politics, Philosophy and Public Policy.
- 9 credits of core courses from PPE (using the new course prefix PHPE)
- 12 credits of restricted electives

The program’s learning outcomes are as follows: (1) equip students with methods from the disciplines of philosophy, political science, and economics; (2) encourage students to apply these methods to a diverse array of topics and questions across disciplinary boundaries, especially to normative topics and questions; (3) combine these methods in productive ways to carry out thoughtful, original research; (4) equip students with the ability to write clearly and concisely, read

and distil information carefully, and construct arguments in an organized and convincing manner; and (5) inspire a love for learning from a diverse array of scholarly disciplines. PPE majors will be well suited for careers in law, government, business, and non-profits/NGOs. As leaders in their professions and as citizens, graduates will be able to think rigorously about pressing social and political questions.

Other than the new PHPE courses, the program draws on existing courses in a manner that offers a unique educational opportunity for undergraduate students without requiring additional resources in terms of physical facilities, infrastructure, and instructional equipment.

The Philosophy Department consulted faculty administrators in Economics, Government and Politics, and Public Policy, as well as associate deans in the College of Behavioral and Social Sciences and the School of Public Policy. All such individuals have written letters of support for the program. Moreover, courses from departments outside of Philosophy were included the curriculum only with the approval of departmental Chairs, all expressed in letters of support.

This proposal was approved by the Senate Programs, Curricula, and Courses committee on November 2, 2018.

RECOMMENDATION(S)

The Senate Committee on Programs, Curricula, and Courses recommends that the Senate approve this new degree program.

COMMITTEE WORK

The committee considered this proposal at its meeting on November 2, 2018. Sam Kerstein, Professor and Chair of Philosophy, Brian Kogelmann, Assistant Professor of Philosophy, and Ralph Bauer, Associate Dean for the College of Arts and Humanities, presented the proposal. The proposal was unanimously approved by the committee.

ALTERNATIVES

The Senate could decline to approve this new degree program.

RISKS

If the Senate declines to approve this degree program, the university will lose an opportunity to utilize existing departmental resources to offer a new educational opportunity for students interested in applying tools and methods from economics and political science to help answer difficult social and political questions.

FINANCIAL IMPLICATIONS

There are no significant financial implications with this proposal for campus as the courses and advising resources already exist at the university.

University of Maryland PCC
Program/Curriculum/Unit Proposal

PCC Log No: 18024

Program: Philosophy, Politics, & Economics (PPE)

Department/Unit: Philosophy Department

College/School: Arts & Humanities

Proposal Contact Person (with email): Brian Koselmann, bkosel69@gmail.com

- Type of Action (check one):
- Curriculum change (includes modifying minors, concentrations/specializations and creating informal specializations)
 - Curriculum change is for an LEP Program
 - Rename a program or formal Area of Concentration
 - Establish/Discontinue a formal Area of Concentration
 - Other:
 - Establish a new academic degree/certificate program
 - Create an online version of an existing program
 - Establish a new minor
 - Suspend/Discontinue a degree/certificate program
 - Establish a new Master or Certificate of Professional Studies program
 - New Professional Studies program will be administered by Office of Extended Studies

Italics indicate that the proposal must be presented to the full University Senate for consideration.

Approval Signatures - Please print name, sign, and date. For proposals requiring multiple unit approvals, please use additional cover sheet(s).

1. Department Committee Chair Brian Koselmann, [Signature] 9-25-18
2. Department Chair [Signature] Samuel Kerstein 25 Sept '18
3. College/School PCC Chair Alejandro Canegue Herreria 27 Sept 2018
4. Dean Ralph Bauer [Signature] 7/27/18
5. Dean of the Graduate School (if required) _____
6. Chair, Senate PCC [Signature] Janna Bianchini 11-2-18
7. University Senate Chair (if required) _____
8. Senior Vice President and Provost _____

Instructions:
When approved by the dean of the college or school, please send the proposal and signed form to the Office of the Associate Provost for Academic Planning and Programs, 1119 Main Administration Building, Campus-5031, **and** email the proposal document as an MSWord attachment to pcc-submissions@umd.edu.

Summary of Proposed Action (use additional sheet if necessary):
Propose new academic ~~and~~ undergraduate major, Philosophy, Politics, & Economics (PPE).

Unit Code(s) (to be entered by the Office of Academic Planning and Programs):

In order to complete this form, you will need to copy this template to your own document, then complete, print, and submit this proposal with the [PCC Cover Sheet](#)

Program: Philosophy, Politics, and Economics

Date of Proposal: September 27, 2018

Start Term for New Program: Fall 2019

A new degree program proposal will need to be approved not just by campus but also by the University System of Maryland (USM) Board of Regents and the Maryland Higher Education Commission (MHEC). New certificate programs need to be approved by the USM Chancellor and MHEC. The following prompts are based on academic policies for programs and reflect campus requirements and MHEC requirements. The prompts also include questions frequently asked by review committees. See http://mhec.maryland.gov/institutions_training/Pages/acadaff/AcadProgInstitApprovals/NewAcademicProgramProposals.aspx for more information about MHEC requirements. Please feel free to add additional information at the end of this document or in a separate appendix.

Mission and Purpose

1. Describe the program and explain how it fits the institutional mission statement and planning priorities. The University Mission Statement and Strategic Plan can be found on this site: <https://www.umd.edu/history-and-mission>.

The Philosophy, Politics, and Economics (PPE) undergraduate major is an interdisciplinary program that uses tools and methods from economics and political science to help answer difficult social and political questions that have traditionally been the domain of philosophy: How should we live together? What would be the best way for us to organize our social and political institutions? How should we address our most difficult problems, from inequality to discrimination to immigration to climate change?

We believe a PPE education is important because many of the world's most pressing problems are incredibly complex. Though philosophy has always promised to address issues of this kind, we believe that successfully tackling these sorts of problems requires more than philosophy alone. Our future leaders and fellow citizens need to know about ethics, rationality and reasoning, and the nature of knowledge (philosophy); about institutions and collective action (politics); and about the economy, formal modeling, and rational choice (economics). The proposed PPE major will train students in this kind of thinking. In using tools and methods from economics and political science to help answer difficult social and political questions we expand students' reasoning tool kit so they have more resources to bring to bear on some of the world's most difficult problems.

A PPE education offers something new to University of Maryland students. The *questions* that PPE poses are distinct from those that economics, political science, and public policy ask. They are fundamentally normative questions (e.g., concerning justice), traditionally in the domain of moral and political philosophy. These questions focus on what *ought* to be the case, which often contrasts with what has been or even likely will be the case. The questions center not primarily on locating efficient means to ends, but on determining which ends we ought to pursue and how morality constrains how we may do so. The *tools and methods* PPE uses to help answer these normative questions – the tools and methods of economics and political science – are ones philosophy has traditionally eschewed. The PPE major thus offers an educational experience distinct from those currently available. In sum, PPE's fundamental questions differ from those typically pursued in Government and Politics, Economics, or Public Policy; and PPE uses tools for answering the questions that Philosophy does not typically exploit.

PPE as an undergraduate major is already well-established at several major universities across the world. Though originally started at Oxford University in 1920, several top U.S. universities now have PPE programs, including the Universities of Arizona, Duke, Michigan, North Carolina, Notre Dame, Pennsylvania, Pittsburgh, Rutgers, Tulane, and Virginia. We believe that the University of Maryland belongs on such a list. Moreover, beyond undergraduate education, PPE is becoming established as a separate field of scholarly inquiry. The PPE Society held its first annual meeting in March of 2017 in New Orleans, LA. The journal *Politics, Philosophy, & Economics* ran its first issue in 2002.

The proposed PPE major will further several undergraduate education objectives from the University of Maryland's Mission Statement and Strategic Plan. The major will help "improve student learning and success through innovative teaching methods" (2014 Mission and Goals Statement, 5). It will truly be an interdisciplinary program, combining different fields of study across the social sciences and humanities in a novel way. It will thus promote the University's goal (2016 Strategic Plan Update, 25) of adding new, interdisciplinary fields for undergraduates to major in. Not only will students, as required by the major, receive training in Philosophy, Government and Politics, Public Policy, and Economics courses, but the novel PPE courses they will be required to take combine these subject areas in a single-class format. Our *Individual and Group Decision-Making* course, for instance, not only teaches students the tools of rational choice theory but also encourages philosophical reflection on the uses and limits of these tools, as well as examines different applications of these tools to unique problems in philosophy and politics. New meaning can now be put to John Rawls's famous phrase that the "the theory of justice is a part, perhaps the most significant part, of the theory of rational choice." A model syllabus for this course can be found in Appendix 1. Our *Social Philosophy and Political Economy* course examines different ways of organizing social and political institutions through historical, economic, and ethical lenses. Examining these questions through different perspectives is, we think, deeply important: institutions that are just might be horribly inefficient, and institutions that are economically efficient might be deeply unjust. Choosing between different institutions that allow us to live together requires examining them from many different perspectives, not just one. A model syllabus for this course can be found in Appendix 2.

Moreover, the proposed major will also help further the undergraduate education objective to "expand opportunities for students to develop skills and habits of mind to tackle the world's toughest challenges" (2014 Mission and Goals Statement, 5). As we have said, many of the world's most pressing problems are incredibly complex. Moral and political philosophers have always taken such questions as their focus, but resources from the philosopher's tool kit alone cannot solve them. Consider, for instance, problems related to climate change. Questions of justice are, of course, relevant here. What do developed countries owe underdeveloped ones? Is it fair for developed countries, in their efforts to save the planet, to prevent underdeveloped countries from developing? Yet even if we decide what to do from the standpoint of justice, there are other questions we must ask, for example: What will the economic effects of implementing policy changes be? An answer to this question could raise new ethical questions. For example, suppose that addressing climate change would require cutting global GDP in half. Would doing this be worth it, morally speaking? And finally, we need to think about how climate-change mitigation can be put in place. Given the international political system, will treaties of the kind proposed be self-enforcing? Given the incentives politicians face in domestic elections, is it realistic to think that climate change can make its way on to the political agenda? Giving students an interdisciplinary education from philosophy, political science, and economics will better prepare them to tackle climate change, as well as some of world's other complex problems (e.g., refugee crises).

Program Characteristics

2. Provide the catalog description of the proposed program. As part of the description, please indicate any areas of concentration or specializations that will be offered.

The Philosophy, Politics, and Economics major brings together insights and methods from several different disciplines to help students think rigorously and creatively about pressing social and political questions. The major not only combines classes from distinct disciplines (Philosophy, Government and Politics, Public Policy, and Economics), it features courses specifically designed to integrate material from them. The skills developed in the major will be useful for careers in law, government, business, or any field that requires rigorous reasoning with a diverse set of insights, tools, and methods.

3. What are the educational objectives of the program?

The PPE program aims to: (1) equip students with methods from the disciplines of philosophy, political science, and economics; (2) encourage students to apply these methods to a diverse array of topics and questions across disciplinary boundaries, especially to normative topics and questions; (3) combine these methods in productive ways to carry out thoughtful, original research; (4) equip students with the ability to write clearly and concisely, read and distil information carefully, and construct arguments in an organized and convincing manner; and (5) inspire a love for learning from a diverse array of scholarly disciplines.

4. Describe any selective admissions policy or special criteria for students selecting this program.

There will be no selective admissions policies or special criteria for students selected into program.

5. Indicate the course requirements with course numbers, titles and credits. If applicable, indicate if any course will also count for a general education requirement. In an appendix, provide the course catalog information (credits, description, prerequisites, etc.) for all of the courses. Note that suffixed "selected" or "special" topics courses should be avoided. If suffixed-selected or special topics courses are offered regularly in the new program, you should make the courses permanent. Also, please review the basic requirements of [degree programs](#) or [certificate programs](#) to ensure that they meet the minimum policy requirements.

Please note: new courses or modifications to courses need to be submitted through the Testudo Curriculum Management system and will need to follow the normal VPAC course proposal review process. You may submit individual course changes to VPAC concurrently with the PCC proposal; however, the course changes may be held depending on the outcome of the PCC proposal.

Disciplinary Foundations (All required) (18 credits)

PHIL140: Contemporary Moral Issues

PHIL245: Political and Social Philosophy I

ECON200: Principles of Microeconomics

ECON201: Principles of Macroeconomics

GVPT170: American Politics

PLCY100: Foundations of Public Policy

Core Sequence (All required) (9 credits)

PHPE400: Individual and Group Decision-Making

PHPE401: Social Philosophy and Political Economy

PHPE402: Senior Capstone Seminar in Philosophy, Politics, and Economics

Electives (Four required) (12 credits)

AASP301: Applied Policy Analysis and the Black Community

AASP314: The Civil Rights Movement

AASP499A: Special Topics in Public Policy and the Black Community

COMM458: Seminar in Political Communication

COMM469: The Discourse of Social Movements

ECON311: American Economic History Before the Civil War

ECON312: American Economics After the Civil War

GVPT409I: The Politics of Human Rights

GVPT439A: Comparative Constitutional Law

HIST415: Ideas and Politics in Europe Since 1900

HIST450: American Capitalism, 1600-1900

HIST451: American Capitalism, 1900-present

PHIL341: Ethical Theory

PHIL347: Philosophy of Law

PHIL440: Contemporary Ethical Theory

PHIL445: Contemporary Political Philosophy

PHIL446: Law, Morality, and War

WMST 400: Theories of Feminism

The above courses will constitute electives at the outset of the program, but individual courses may be subtracted by the Director of PPE through the campus PCC process. Moreover, a PPE student may petition the Director of PPE to have an individual course (300-level or above) count as an elective contributing to that student's completion of the PPE major. The Director has the authority to grant the student's request on a case-by-case basis. Moreover, the Director is at discretion to officially add the course to the elective list via the campus PCC process, should he or she deem it beneficial for all future PPE students to have the opportunity to take the course, and should the Chair of the department offering the course agree to listing the course as a PPE elective.

Total credits for proposed PPE major: 39 credits, or 13 courses.

Further course information is provided in Appendix 3.

6. Summarize the factors that were considered in developing the proposed curriculum (such as recommendations of advisory or other groups, articulated workforce needs, standards set by disciplinary associations or specialized-accrediting groups, etc.).

Two main factors went into the development of the curriculum. First, our core inspiration came from Oxford University's famous program in Philosophy, Politics, and Economics. Established in 1920 and initially known as Modern Greats, PPE at Oxford "was born of the conviction that study of the great modern works of social, political and philosophical thought could have a transformative effect on students' intellectual lives, and thereby on society at large." Indeed, several world leaders – from Bill Clinton to Benazir Bhutto to David Cameron – studied PPE at Oxford.

Though our core inspiration came from Oxford's PPE program our proposed program was modeled after existing U.S. programs. This led to the second factor considered in the development of our proposed PPE major: we conducted a survey of existing PPE (or similar) programs offered by major universities across the United States. Representative programs included those at the Universities of Arizona, Bowling Green State, Duke, Michigan, North Carolina, Pennsylvania, Richmond, and Virginia. In our analysis we found that, although differences abound, most programs consist of (i) gateway courses in the form of introductory courses from philosophy, political science, and economics departments; (ii) novel PPE courses that combine and synthesize elements from these introductory courses; and (iii) elective courses in the form of upper level courses from the three disciplines. Our proposed curriculum reflects this common pattern.

7. Sample plan. Provide a term by term sample plan that shows how a hypothetical student would progress through the program to completion. It should be clear the length of time it will take for a typical student to graduate. For undergraduate programs, this should be the *four-year plan*.

Year 1, Fall:

- Academic Writing (FSAW) – 3 credits
- GVPT170 (DSHS) – 3 credits *
- MATH107 (FSMA) – 3 credits
- 1xx-2xx open course – 3 credits
- ARHU158 – 3 credits

Year 1, Spring:

- PHIL140 (DSHU) – 3 credits *
- FSAR course – 3 credits
- DSNS course – 4 credits *
- DSSP course – 3 credits *
- 1xx-2xx open course – 3 credits

Year 2, Fall:

- ECON200 (DSHS) – 3 credits *
- Oral Communication (FSOC) – 3 credits
- Global Engagement Requirement 1 – 3 credits
- DSNL course – 3 credits *
- PLCY100 – 3 credits

Year 2, Spring:

- ECON201 (DSHS) – 3 credits *
- Global Engagement Requirement 2 – 3 credits
- 1xx-2xx open course – 3 credits
- DSSP course – 3 credits *
- PHIL245 (DSHU) – 3 credits *

Year 3, Fall:

- PHPE400 – 3 credits
- PPE elective (3xx-4xx level) – 3 credits
- PPE elective (3xx-4xx level) – 3 credits
- Professional Writing (FSPW) – 3 credits
- 3xx-4xx open course – 3 credits

Year 3, Spring:

- PHPE401 – 3 credits
- PPE elective (3xx-4xx level) – 3 credits
- PPE elective (3xx-4xx level) – 3 credits
- 3xx-4xx open course – 3 credits
- 3xx-4xx open course – 3 credits

Year 4, Fall:

- PHPE402 – 3 credits
- PPE elective (3xx-4xx level) – 3 credits
- 3xx-4xx open course – 3 credits
- 3xx-4xx open course – 3 credits
- 3xx-4xx open course – 3 credits

Year 4, Spring:

- 3xx-4xx open course – 3 credits

*All students must complete two Distributive Studies courses that are approved for I-series courses. The Understanding Plural Societies and Cultural Competence courses may also fulfill Distributive Studies categories

8. Indicate whether the program will be offered in a non-standard delivery format, such as online delivery, off-campus, or through non-standard terms. Please note that MHEC requires a separate proposal for online or off-campus delivery. If the program will be offered in non-standard terms, describe the term structure and whether the Office of the Registrar and the Office of International Scholar and Student Services have been notified and support the proposal.

The program will not be offered in non-standard delivery format.

9. For Master's degree programs, describe the thesis requirement and/or the non-thesis requirement.

N/A.

10. List the intended student learning outcomes. In an appendix, provide the plan for assessing these outcomes.

By the end of the program of study:

- (1) Students will be able to competently apply basic methods from philosophy, political science, and economics to their reasoning about difficult social and political questions.
- (2) Students will be able to write and think clearly and in an organized fashion about difficult social and political questions.
- (3) Students will be able to engage in original research to present convincing arguments for their views on difficult social and political questions.

The plan for assessing these learning outcomes can be found in Appendix 4.

11. Identify specific actions and strategies that will be utilized to recruit and retain a diverse student body.

Many of the problems faced by underrepresented groups are multi-faceted in their nature. No one discipline can tell us how to remedy the deep problems of social and political inequity faced by marginalized populations. We believe that a PPE major would be a compelling choice for members of underrepresented groups. The PPE curriculum would develop the kind of reasoning skills helpful when thinking carefully about deep social ills (e.g., mass incarceration of African-Americans).

In order to attract a diverse student body, we will emphasize PPE's potential to generate compelling solutions to difficult social and political problems. There are two primary ways we will do this. First, we will advertise PPE's benefits in student clubs and organizations that attract diverse students. And second, we would like to host campus debates that advertise the PPE way of thinking. We would pick a topic – say, social mobility and inequality in America – and have different members of the PPE faculty debate the relevant issue through different lenses: what do economists have to say about these issues? Philosophers? Political scientists? If the topics are picked appropriately, we believe these debates could do much to recruit a diverse student body into the major.

Relationship to Other Units or Institutions

12. If a required or recommended course is offered by another department, discuss how the additional students will not unduly burden that department's faculty and resources. Discuss any other potential impacts on another department, such as academic content that may significantly overlap with existing programs. Use space below for any comments, otherwise add supporting correspondence as an appendix.

We have consulted faculty administrators in Economics, Government and Politics, and Public Policy, as well as associate deans in the College of Behavioral and Social Sciences and the School of Public Policy.

We have met with Department of Economics Chair Maureen Cropper and Director of Undergraduate Studies Cindy Clement. They expressed the view that it would be no problem to require ECON200 and ECON201 as a

part of our disciplinary foundations, as these courses have open enrollment. There was a problem, however, with using 300 and 400 level classes, as the economics department only permits students majoring in economics to take these courses. In order to use ECON311 and ECON312 the following deal was struck: PPE students can take ECON311 and ECON312 for credit for their PPE major if and only if economics students can take PHPE400 and PHPE401 for credit for their economics major. This will first be accomplished with cross-listing the courses; as enrollments rise in the PPE program then we may have to switch to a model involving setting aside a specific number of seats in these course for students from different majors.

In terms of our consultation with the Department of Government and Politics, we have corresponded extensively with Chair Irwin Morris and Director of Undergraduate Studies David Cunningham. They have agreed to let us use GVPT170 as a core course. Moreover, in a similar deal to that struck with Economics, PPE students can take GVPT409I and GVPT439A for credit for their PPE major if and only if government students can take PHPE400 and PHPE401 for credit for their government major. This will first be accomplished with cross-listing the courses; as enrollments rise in the PPE program then we may have to switch to a model involving setting aside a specific number of seats in these course for students from different majors.

Associate Dean Katherine Russell of the College of Behavioral and Social Sciences expressed to us enthusiasm about the program. She suggested that, in order to incorporate the disciplines constituting PPE, the governing structure of the PPE major should include a steering committee consisting of at least one faculty member from the Department of Government and Politics and one faculty member from the Department of Economics. We have embraced this suggestion, as reflected in our answer to question 15 below.

Finally, we have met with the Associate Dean of Undergraduate Studies at the School of Public Policy, Nina Harris. Associate Dean Harris has granted our request to use PLCY100 as a part of our disciplinary foundations. We reached an agreement with her that we would follow up 1-2 years after PPE's launch to determine whether increasing numbers of PPE majors in PLCY 100 would necessitate Department of Philosophy support for an additional TA for the course.

We list as electives courses from departments outside of Philosophy only with the approval of departmental Chairs.

Letters of agreement/support from the participating departments are included in Appendix 8.

13. Accreditation and Licensure. Will program need to be accredited? If so, indicate the accrediting agency. Also, indicate if students will expect to be licensed or certified in order to engage in or be successful in the program's target occupation.

The program will not need accreditation.

14. Describe any cooperative arrangements with other institutions or organizations that will be important for the success of this program.

We do not foresee the need for cooperative arrangements with institutions or organizations outside of departments within the University of Maryland, College Park.

Faculty and Organization

15. Faculty and organization. Who will provide academic direction and oversight for the program?

As an appendix, please indicate the faculty involved in the program. Include their titles, credentials, and courses they may teach for the program.

Once established the PPE program will be led by a Director of PPE, who shall be a faculty member in the Department of Philosophy. The Director will be appointed by the Chair of Philosophy in consultation with the Steering Committee (detailed below) and Philosophy faculty, especially those involved in teaching PPE courses. The PPE major was developed by Philosophy faculty: Harjit Bhogal, Brian Kogelmann, Dan Moller, Christopher Morris, Eric Pacuit, and Rachel Singpurwalla. These individuals will continue to advise the Director of PPE once the major is launched.

A Steering Committee will provide advice and guidance for the program. It will be constituted by: the Chair of Philosophy; the Director of PPE; the Director of Undergraduate Studies in Philosophy; a tenure track faculty member from the Department of Economics; and a tenure track faculty member from the Department of Government and Politics.

The Steering Committee will advise the PPE program on matters including but not limited to: the appointment of a Director of PPE; new electives; the structure and content of core courses; hiring of new tenure track or professional track faculty; undergraduate advising; and new modes of interdepartmental collaboration.

Further faculty information can be found in Appendix 5.

Resource Needs and Sources

16. Each new program is required to have a library assessment in order to determine any new library resources that may be required. Please contact your departmental/programmatic library liaison or Daniel Mack at dmack@umd.edu, Associate Dean of Collections, to request a library assessment that will be added as an appendix.

The library assessment for the proposed PPE major can be found in Appendix 6.

17. Discuss the adequacy of physical facilities, infrastructure and instructional equipment.

Since the program as proposed only consists of adding three new courses (PHPE 400, PHPE 401, and PHPE 402) we do not foresee any difficulties in terms of physical facilities, infrastructure, and instructional equipment. We believe current facilities are adequate.

18. Discuss the instructional resources (faculty, staff, and teaching assistants) that will be needed to cover new courses or needed additional sections of existing courses to be taught. Indicate the source of resources for covering these costs.

No new faculty are needed to teach the three new courses being developed (PHPE 400, PHPE 401, and PHPE 402). All of these courses will be taught by existing faculty (for an overview see Appendix 5). Depending on enrollment size in these new classes new funds for teaching assistants may be required to aid in grading.

19. Discuss the administrative and advising resources that will be needed for the program. Indicate the source of resources for covering these costs.

As the major grows resources will be required for administration and advising. Currently, the Philosophy Department employs two graduate students to act as undergraduate student advisers. These graduate students work roughly five hours a week each. There is thus roughly ten hours a week required for roughly 100 students majoring in philosophy. Since we expect a similar number of majors in the long run (see Question 21 below) we would require similar resources to cover advising for our majors.

20. Use the Maryland Higher Education Commission (MHEC) commission financial tables to describe the program’s financial plan for the next five years: <https://docs.google.com/spreadsheets/d/1V6iSZG05edMitWP6CAOXjCoGO58Gf6VXxPaacKfrhZ4/edit#gid=0>. **Add these tables as attachments. Use the space below for any additional comments on program funding.**

The program’s financial plan for the next five years can be found in Appendix 7.

Implications for the State (Additional Information Required by MHEC and the Board of Regents)

If the proposed program is for a Post-Baccalaureate Certificate that is derived entirely from existing courses within an existing Master’s degree program, then you **only** need to respond to prompts 21 (on market demand) and 24 (curriculum of current master’s degree program).

21. Explain how there is a compelling regional or statewide need for the program. Argument for need may be based on the need for the advancement of knowledge and/or societal needs, including the need for “expanding educational opportunities and choices for minority and educationally disadvantaged students at institutions of higher education.” Also, explain how need is consistent with the [Maryland State Plan for Postsecondary Education](#).

As the state of Maryland’s flagship university and given its close approximation to Washington, DC, we believe that students at the University of Maryland should be able to think rigorously about pressing social and political questions. This, we have emphasized, is the central goal of the PPE major: to teach students how to think about difficult and multi-faceted questions by drawing on insights from several different disciplines and a diverse array of tools and methods. Unfortunately, however, there are few such programs in the DMV area (see Question 23 below).

Beyond this, though, we believe there is sufficient untapped demand for such a program. Indeed, consider enrollment numbers from other leading PPE programs around the country.

University of Pennsylvania	300 total majors, 170 in current senior class, which puts PPE at more senior enrollments than any other major in the college.	No limits on enrollment in major, though the major requires 16 courses, whereas most majors require 12.
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University of Arizona	Currently 169 total majors (107 at freshman/sophomore level, 62 in advanced standing).	Students freely declare major during freshman year, though only 32 per year are allowed to progress to advanced standing. They are looking to increase this to 40 a year to accommodate demand while still maintaining high advancement standards.
University of Michigan	550 per class express interest, 70 apply, 40 admitted	This is an honors program with fairly strong filters prior to application.
Bowling Green State University	46 total majors, 11 total minors, 57 degree students overall.	Students must have a B average in three of four of required intro courses (Micro, Macro, American Government, and Applied Ethics) to declare major.

We believe that students in the state of Maryland exhibit similar interests to those in the states of the aforementioned universities. Thus, not only will the PPE major be good for student development, it will also likely fulfill student demand.

Finally, developing the PPE major is consistent with the Maryland State Plan for Postsecondary education. One of the six central goals of this plan is innovation in higher education and we believe the PPE major does this – it combines existing courses and disciplines in a manner that offers a unique educational opportunity for undergraduate students. Moreover, we believe that creating the PPE major is consistent with the goal of quality and effectiveness, as we have emphasized the inadequacy of thinking about difficult social problems through one disciplinary lens alone.

22. Present data and analysis projecting market demand and the availability of openings in a job market to be served by the new program. Possible sources of information include industry or disciplinary studies on job market, the USBLS [Occupational Outlook Handbook](#), or Maryland state [Occupational and Industry Projections](#) over the next five years. Also, provide information on the existing supply of graduates in similar programs in the state (use MHEC’s Office of Research and Policy Analysis [webpage](#) for Annual Reports on Enrollment by Program) and discuss how future demand for graduates will exceed the existing supply. As part of this analysis, indicate the anticipated number of students your program will graduate per year at steady state.

We think that students majoring in PPE are suited for careers in law, government, business, and non-profits/NGOs. According to the Occupational Outlook Handbook by the Bureau of Labor Statistics, demand for such careers tends to grow at least as fast as average, oftentimes faster than average. Looking at legal occupations in particular, demand for paralegals and legal assistants is projected to increase 15% over the next ten years, which is *much faster than average*; demand for lawyers is projected to increase 9% over the next ten years, which is *average*; and demand for arbitrators, mediators, and conciliations is projected to increase 11% over the next ten years, which is *faster than average*. Turning to business, demand for administrative services managers is projected to increase 10% over the next ten years, which is *faster than average*; and demand for management analysts is project to increase 12% over the next ten years, which is *faster than average*.

23. Identify similar programs in the state. Discuss any differences between the proposed program and existing programs. Explain how your program will not result in an unreasonable duplication of an existing program (you can base this argument on program differences or market demand for graduates). The MHEC website can be used to find academic programs operating in the state:

http://mhec.maryland.gov/institutions_training/pages/HEPrograms.aspx.

There is one similar program in the state: a Philosophy, Politics, and Economics major at Mount St. Mary's University. Though there are many similarities between our program and the one at Mount St. Mary's University, we believe that undergraduate students in the state of Maryland should be afforded the opportunity to study philosophy, politics, and economics in an interdisciplinary manner at a public, rather than private, university.

In terms of the broader DMV area, American University also has a PPE major, with a very similar structure to the one we have developed. But again, we believe students in the DMV area should be afforded the opportunity to study philosophy, politics, and economics in an interdisciplinary manner at a public, rather than private, university.

Finally, George Mason University allows for a concentration in PPE. For instance, one could major in philosophy with a PPE concentration, major in government with a PPE concentration, and so forth. We believe this is an inadequate model. The core of a PPE program should consist of courses where students "put it all together," so to speak – this is accomplished in our program with the introduction of PHPE400, PHPE401, and PHPE402. George Mason's mere concentration does not have anything like this; a student majoring in philosophy with a PPE concentration would simply complete the traditional philosophy major plus a few courses in economics or political science. We believe this is inadequate for a proper PPE education, which is why we have decided to propose a new major rather than a PPE concentration for the existing philosophy major.

24. Discuss the possible impact on Historically Black Institutions (HBIs) in the state. Will the program affect any existing programs at Maryland HBIs? Will the program impact the uniqueness or identity of a Maryland HBI?

We do not think our new program will impact Historically Black Institutions in the state, particularly their uniqueness or identity.

25. For new Post-Baccalaureate Certificates derived from existing master's programs only, include the complete curriculum of the existing master's program.

N/A.

Appendix 1: Model Syllabus for Individual and Group Decision-Making (PHPE 400)

This course introduces students to the basic concepts and techniques used in philosophical and economic analyses of individual and group decision making. Students will study the main foundational issues that arise when studying mathematical models of individual and group decision making, and explore key applications of these mathematical models in philosophy, politics and economics.

The first part of the course is focused on rational choice theory. Students will explore the relationship between instrumental rationality and formal utility theory, discuss different conceptions of preference and utility, and examine objections to the standard model of rational choice. Topics include ordinal and cardinal utility theory (including the von Neumann-Morgenstern Representation Theorem and a brief discussion of Savage's Representation Theorem), the Allais paradox, the Ellsberg paradox, causal and evidential decision theory (i.e., different reactions to Newcomb's paradox), a brief introduction to game theory and the Prisoner's dilemma, rationality of the Nash equilibrium, debates about backward induction, and the Sleeping Beauty/Absent-Minded Driver Problem.

The second part of the course will introduce students to the ways in which formal models of rational choice have been applied to issues in social and political philosophy. The course will examine both the formal aspects of social choice and their applications to democracy. Topics include voting methods, voting paradoxes, May's Theorem, Arrow's Theorem, strategic voting, judgement aggregation, topics in research on the wisdom of the crowd (e.g., the Condorcet Jury Theorem and the Hong-Page Theorem), Sen's impossibility of the Paretian liberal, interpersonal comparison of utilities and Harsanyi's Theorem.

The course will take various formats during class meetings, including lecture, discussion, working on exercises together, and small group work. The main objective is to train students in the formal thinking and reasoning used in the interdisciplinary research area Philosophy, Politics and Economics.

The course will be based on readings from various textbooks and journal articles. The relevant material will be made available on the course website. Many of the readings will be chapters from the following textbooks:

- G. Gaus, *On Philosophy, Politics and Economics*, Wadsworth Philosophical Topics, 2008.
- D. Hausman, *Preference, Value, Choice and Welfare*, Cambridge University Press, 2012.
- M. Peterson, *An Introduction to Decision Theory*, 2nd Edition, Cambridge University Press, 2017.
- J. Reiss, *Philosophy of Economics: A Contemporary Introduction*, Routledge, 2013.

Tentative Schedule

Introduction and Course Overview (1 lecture)

Reading:

- G. Gaus, *On Philosophy, Politics and Economics*, Chapter 1: Instrumental and Economics Rationality
- I. Gilboa, *Rational Choice*, Chapter 1: Feasibility and Desirability

Part 1: Individual Decision Making

Preferences, Utility and Choices (2 lectures)

Reading:

- D. Hausmann, *Preference, Value, Choice and Welfare*, Ch. 1: Preferences, Comparative Evaluation and Reasons and Ch. 2: Preference Axioms and their Implications
- E. Pacuit, Notes on preferences, utilities and choices

Additional reading:

- G. Gaus, *On Philosophy, Politics and Economics*, Chapter 2, Utility Theory, pp. 30 - 40
- I. Gilboa, *Rational Choice*, Chapter 2: Utility Maximization

Expected Utility and Cardinal Utility (2 lectures)

Reading:

- M. Peterson, *An Introduction to Decision Theory*, Chapter 5: Utility
- J. Broome, "Utility", *Economics & Philosophy*, 7:1, 1991, pp. 1 - 12

Objections to the Standard Model of Rational Choice (3 lectures)

Reading:

- J. Reiss, *Philosophy of Economics*, Chapter 3: Rational-Choice Theory, pp. 45 - 53
- M. Peterson, *An Introduction to Decision Theory*, Chapter 4: Decisions Under Risk, pp. 80 - 96 and Chapter 9: Causal vs. Evidential Decision Theory

Additional Reading:

- G. Gaus, *On Philosophy, Politics and Economics*, Chapter 2: Utility Theory, pg. 50 - 65
- R. Briggs, Normative Theories of Rational Choice: Expected Utility, Stanford Encyclopedia of Philosophy: <https://plato.stanford.edu/entries/rationality-normative-utility/>
- A. Sen (1977), Rational Fools: A Critique of the Behavioral Foundations of Economic Theory, *Philosophy & Public Affairs*, 6(4), pp. 317-344

Brief Introduction to Game Theory and the Prisoner's Dilemma (2 lectures)

Reading:

- G. Gaus, *On Philosophy, Politics and Economics*, Chapter 4: Game Theory
- J. Reiss, *Philosophy of Economics*, Chapter 4: Game Theory, pp. 63 - 81
- M. Peterson (ed.), *The Prisoner's Dilemma*, Chapter 2: Why all the fuss? The many aspects of the Prisoner's Dilemma by K. Binmore

Additional reading:

- M. Peterson (ed.), *The Prisoner's Dilemma*, Chapter 3: Taking the Prisoner's Dilemma seriously: what can we learn from a trivial game? by D. Hausman

- M. Peterson (ed.), *The Prisoner's Dilemma*, Chapter 4: Prisoner's Dilemma doesn't explain much by R. Northcott and A. Alexandrova

Inter-temporal Choice, Debates about Backward Induction, and the Absent-Minded Driver Problem (3 lectures)

Reading:

- E. Pacuit, Notes on backward induction
- P. Pettit and R. Sugden (1989), The Backward Induction Paradox, *The Journal of Philosophy*, 86(4), pp. 169 - 182
- W. Schwarz (2015), Lost memories and useless coins: Revisiting the absentminded driver, *Synthese*, 192 (9), pp. 3011-3036

Part 2: Group Decision Making

Voting and Social Choice (2 lectures)

Reading:

- C. List, Social Choice Theory (<http://plato.stanford.edu/archives/win2013/entries/social-choice/>), Section 1, The Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), 2013.
- E. Pacuit, Voting Methods (<http://plato.stanford.edu/entries/voting-methods/>) Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), 2011.
- E. Pacuit (2018), Voting Methods, manuscript

Additional reading:

- H. Peyton Young. Optimal Voting Rules (1995). *The Journal of Economic Perspectives*, 9:1, pp. 51 - 64.

May's Theorem and Arrow's Theorem (3 lectures)

Reading:

- E. Pacuit, Notes on the proof of May's Theorem
- C. List, Social Choice Theory (<http://plato.stanford.edu/archives/win2013/entries/social-choice/>), Section 2, The Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), 2013.
- M. Morreau, Arrow's Theorem(<http://plato.stanford.edu/entries/arrows-theorem/>), Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), 2014.

Additional reading:

- M. Fey, A Straightforward Proof of Arrow's Theorem, *Economics Bulletin*, Vol. 34, 2014, pp. 1792-1797

Strategic Voting: Gibbard-Satterthwaite Theorem (2 lectures)

Reading:

- A. Taylor, *Social Choice and the Mathematics of Manipulation*, Chapter 2: An Introduction to Manipulability

- K. Dowding and M. van Hees (2008). In Praise of Manipulation, *British Journal of Political Science*, 38:1, pp. 1 - 15.

Social Choice Theory and Democracy - Implications of the Theorems (1 lecture)

Reading:

- J. Patty and E. Penn, *Social Choice and Legitimacy: The Possibilities of Impossibility*, Chapter 2: The Debates Surrounding Social Choice pp. 26 - 35
- G. Mackie (2006), The Reception of Social Choice Theory by Democratic Theory

Judgement Aggregation (2 lectures)

Reading:

- C. List, Social Choice Theory (<http://plato.stanford.edu/archives/win2013/entries/social-choice/>), Section 5 Judgment aggregation, The Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), 2013.

The Condorcet Jury Theorem and Wisdom of the Crowd (2 lectures)

Reading:

- F. Dietrich (2008), The Premises of Condorcet's Jury Theorem Are Not Simultaneously Justified, *Episteme*, 5(1), pp. 56-73
- A. Lyon and E. Pacuit (2013), The Wisdom of Crowds: Methods of Human Judgement Aggregation, in *Handbook of Human Computation*, pp. 599 - 614,
- C. List, Social Choice Theory (<http://plato.stanford.edu/archives/win2013/entries/social-choice/>), Section 5 Judgment aggregation, The Stanford Encyclopedia of Philosophy, Edward N. Zalta (ed.), 2013.

Sen's Impossibility of Paretian Liberal (1 lecture)

Reading:

- W. Gaertner, *A Primer in Social Choice Theory*, Chapter 4: Individual Rights

Additional reading:

- A. Sen (1983), Liberty and Social Choice, *The Journal of Philosophy*, 80(1), pp. 5 - 28

Interpersonal Comparison of Utilities and Harsanyi's Theorem (3 lectures)

Reading:

- M. Resnik, *Choices: An Introduction to Decision Theory*, Section 6-4: Utilitarianism
- D. Hausman (1995), The Impossibility of Interpersonal Utility Comparisons, *Mind*, 104(415), pp. 473-490

Additional reading:

- M. Peterson, *An Introduction to Decision Theory*, Section 13.4: Harsanyi's Utilitarian Theorems, pp. 301 – 307

Appendix 2: Model Syllabus for Social Philosophy and Political Economy (PHPE 401)

This course examines capitalism and socialism as differing modes of economic production through several different theoretical lenses. We begin by examining capitalism and socialism as they developed historically, by looking primarily at the work of Adam Smith and Karl Marx. Then, we turn our attention to one of the most important debates in 20th century economics: to what extent rational economic calculation is possible in a socialist commonwealth. Here we examine the work of important 20th century economists such as Ludwig von Mises, Oscar Lange, and Abba Lerner among others.

After this we turn our attention to how capitalist and socialist modes of production functioned in practice. In doing so we read two great treatises written by two 20th century economists who at the time watched the rise of the Soviet Union – F.A. Hayek’s *The Road to Serfdom* and Joseph Schumpeter’s *Capitalism, Socialism, and Democracy*. As we shall see, Hayek is deeply pessimistic about a socialist future, while Schumpeter is deeply pessimistic about the future of capitalism.

We end by turning our attention to the ethics of capitalism and socialism: which mode of economic production is most just? We here read G.A. Cohen’s now classic work, *Why Not Socialism?*, followed by a recent rebuttal by Jason Brennan, *Why Not Capitalism?* The course ends with a recent piece by John Roemer offering a new normative justification for socialism.

Unit One: Capitalism and Socialism in History

Week One: Jean-Jacques Rousseau on property and the division of labor

Reading: Jean-Jacques Rousseau, *Discourse on the Origin and Basis of Inequality Among Men*.

Week Two: Adam Smith on the division of labor, the extent of the market, and the invisible hand

Reading: Adam Smith, selections from *An Inquiry into the Nature and Causes of the Wealth of Nations*.

Week Three: Karl Marx on capitalist mode of production and the market

Reading: Karl Marx, selections from *Das Kapital*.

Week Four: Karl Marx on socialism

Reading: Karl Marx and Friedrich Engels, *The Communist Manifesto*.

Karl Marx, “Critique of the Gotha Program.”

Unit Two: The Socialist Calculation Debate

Week Five: Ludwig von Mises’s critique of socialism

Reading: Ludwig von Mises, “Economic Calculation in the Socialist Commonwealth.”

Week Six: The socialist response

Reading: Oscar Lange, “On the Economic Theory of Socialism.”

Abba Lerner, “Theory and Practice in Socialist Economics.”

Week Seven: The market response

Reading: F.A. Hayek, “The Use of Knowledge in Society”

F.A. Hayek, “Socialist Calculation: the Competitive Solution.”

Week Eight: Planning or the market? Why not both?

Reading: Ronald Coase, “The Nature of the Firm.”

Unit Three: Capitalism and Socialism in Practice

Week Nine: F.A. Hayek on capitalism and socialism

Reading: F.A. Hayek, selections from *The Road to Serfdom*.

Week Ten: F.A. Hayek on capitalism and socialism

Reading: F.A. Hayek, selections from *The Road to Serfdom*.

Week Eleven: Joseph Schumpeter on capitalism and socialism

Reading: Joseph Schumpeter, selections from *Capitalism, Socialism, and Democracy*.

Week Twelve: Joseph Schumpeter on capitalism and socialism

Reading: Joseph Schumpeter, selections from *Capitalism, Socialism, and Democracy*.

Unit Four: The Ethics of Capitalism and Socialism

Week Thirteen: Socialism as an ideal

Reading: G.A. Cohen, *Why Not Socialism?*

Week Fourteen: Capitalism as an ideal

Reading: Jason Brennan, *Why Not Capitalism?*

Week Fifteen: A New Socialism

Reading: John E. Roemer, "Socialism Revised."

Appendix 3: Further Course Information

In this appendix is full course catalog information for those courses that are (i) already existing, and that are (ii) required by the PPE major. Those courses satisfying criteria (i) and (ii) are all and only those constituting our disciplinary foundations courses.

PHIL 140 Contemporary Moral Issues (3) The uses of philosophical analysis in thinking clearly about such widely debated moral issues as abortion, euthanasia, homosexuality, pornography, reverse discrimination, the death penalty, business ethics, sexual equality, and economic justice.

PHIL 245 Political and Social Philosophy I (3) A critical examination of such classical political theories as those of Plato, Hobbes, Locke, Rousseau, Mill, Marx, and such contemporary theories as those of Hayek, Rawls, and recent Marxist thinkers.

GVPT 170 American Government (3) A comprehensive study of national government in the United States.

PLCY100 Foundations of Public Policy (3) A survey course, focusing on public policy institutions and analytical issues as well as on overview of key public policy problems. Students will be introduced to public policy as a discipline, with a brief overview of the actors and institutions involved in the process, and familiarize themselves with the kinds of problems typically requiring public action. The course will examine these problems from a multijurisdictional and multisectoral perspective. Specific policy areas examined include education policy, health policy, economic and budgetary policy, criminal justice policy, environmental policy, and national and homeland security policy. The course should permit students to have broad foundational exposure to the field that will give them a solid base for more advanced courses.

ECON 200 Principles of Microeconomics (3) Prerequisite: MATH110; or must have math eligibility of MATH111 or higher. Credit only granted for: ECON200, AREC240, or AREC250. Additional information: It is recommended that students complete ECON200 before taking ECON201. Introduces economic models used to analyze economic behavior by individuals and firms and consequent market outcomes. Applies conceptual analysis to several policy issues and surveys a variety of specific topics within the broad scope of microeconomics.

ECON 201 Principles of Macroeconomics (3) Prerequisite: MATH110; or must have math eligibility of MATH111 or higher. Recommended: ECON200. Credit only granted for: ECON201 or ECON205. An introduction to how market economies behave at the aggregate level. The determination of national income/output and the problems of unemployment inflation, will be examined, along with monetary and fiscal policy.

Philosophy, Politics, and Economics Learning Outcomes

Criterion for review of student work	Descriptions of levels of student performance			
	Exceeds Standards	Meets Standards	Approaches Standards	Below Standards
Employing methods from philosophy, politics, and economics to address normative issue	Methods from the three different disciplines present in the analysis, and all applications of these methods are correct.	Methods from the three different disciplines present in the analysis, though some applications of these methods are tenuous.	Methods from the three different disciplines present in the analysis, but application of some methods is seriously misguided.	Student fails to apply methods from all three disciplines in the analysis.
Ability to write and think clearly	Student has clear thesis statement and supports the thesis with compelling arguments.	Student has clear thesis statement, attempts to support thesis with arguments, but these arguments are not compelling.	Thesis statement is not clear, the arguments are not very compelling.	No thesis statement or coherent arguments are presented.
Ability to conduct original research	Student identifies a novel research question and musters compelling analysis in attempt to answer this question.	Student identifies a novel research question and musters analysis in attempt to answer this question that is not necessarily compelling.	Student identifies a research question that is not necessarily novel; the analysis is not necessarily compelling.	No coherent research question present; no compelling analysis offered.

Appendix 5: Further Faculty Information

In this appendix is the faculty of the proposed PPE program, as well as the courses they will teach.

Here is the faculty composing the PPE program:

- Harjit Bhogal, Assistant Professor of Philosophy, University of Maryland
- Brian Kogelmann, Assistant Professor of Philosophy, University of Maryland
- Dan Moller, Associate Professor of Philosophy, University of Maryland
- Christopher Morris, Professor of Philosophy, University of Maryland
- Eric Pacuit, Assistant Professor of Philosophy, University of Maryland
- Rachel Singpurwalla, Associate Professor of Philosophy, University of Maryland

As detailed in Question 5 above, the proposed PPE major entails constructing three new courses. Here are the faculty who would teach these new courses:

- PHPE 400: Individual and Group Decision-Making
 - Bhogal, Kogelmann, and Pacuit
- PHPE 401: Social Philosophy and Political Economy
 - Kogelmann, Moller, and Morris
- PHPE 402: Senior Capstone Seminar
 - Bhogal, Kogelmann, Moller, Morris, Pacuit, and Singpurwalla

**Library Collection Assessment for Proposed Philosophy, Politics, and Economics
Undergraduate Major**

(PPE)

DATE: 7/23/2018
TO: Dr. Brian Kogelmann, Assistant Professor of Philosophy
FROM: On behalf of the University of Maryland Libraries:
Chuck Howell, Subject Librarian for Philosophy
Maggie Saponaro, Head of Collection Development
Daniel Mack, Associate Dean, Collection Strategies & Services
RE: Library Collection Assessment

We are providing this assessment in response to a proposal by the Department of Philosophy in the College of Arts and Humanities to create a Philosophy, Politics, and Economics (PPE) undergraduate major. The Department of Philosophy asked that we at the University of Maryland Libraries assess our collection resources to determine how well the Libraries support the curriculum of this proposed program.

Serial Publications

The University of Maryland Libraries currently subscribe to a large number of scholarly journals—almost all in online format--that focus on the three areas of study comprising this interdisciplinary degree.

The Libraries subscribe to all ten of the top ranked journals that are listed in the Philosophy category in *Scimago Journal Rankings**, all of which are available online:

- NOUS
- THE PHILOSOPHICAL REVIEW
- PHILOSOPHERS' IMPRINT (Open Access)
- INTERNATIONAL THEORY: A JOURNAL OF INTERNATIONAL POLITICS, LAW AND PHILOSOPHY
- ETHICS
- POLITICAL PSYCHOLOGY
- BRITISH JOURNAL FOR THE PHILOSOPHY OF SCIENCE
- THE JOURNAL OF PHILOSOPHY
- PHILOSOPHY AND PHENOMENOLOGICAL RESEARCH
- PHILOSOPHICAL STUDIES

The Libraries also subscribe to the ten top ranked journals in the areas of Economics and Political Science as listed in the Social Science Citation Index of *Journal Citation Reports*. * These journals include the following, all of which are available online:

10 Top Economics Journals

- QUARTERLY JOURNAL OF ECONOMICS
- JOURNAL OF HUMAN RESOURCES
- JOURNAL OF ECONOMIC GROWTH
- ECONOMIC GEOGRAPHY
- JOURNAL OF ECONOMIC PERSPECTIVES
- VALUE IN HEALTH
- JOURNAL OF FINANCE
- JOURNAL OF POLITICAL ECONOMY

- JOURNAL OF FINANCIAL ECONOMICS
- AMERICAN ECONOMIC JOURNAL-APPLIED ECONOMICS

10 Top Political Science Journals

- AMERICAN JOURNAL OF POLITICAL SCIENCE
- INTERNATIONAL ORGANIZATION
- JOURNAL OF PUBLIC ADMINISTRATION RESEARCH AND THEORY (12 month embargo)
- GOVERNANCE-AN INTERNATIONAL JOURNAL OF POLICY ADMINISTRATION AND INSTITUTIONS
- ANNUAL REVIEW OF POLITICAL SCIENCE
- EUROPEAN JOURNAL OF POLITICAL RESEARCH
- POLITICAL GEOGRAPHY
- JOURNAL OF CONFLICT RESOLUTION
- BRITISH JOURNAL OF POLITICAL SCIENCE
- AMERICAN POLITICAL SCIENCE REVIEW

*Note: *Scimago Journal Rankings* and *Journal Citation Reports* are tools for evaluating scholarly journals. These publications compute and evaluate the relative impact and prestige of journals by tracking the average number of citations of articles from a title over the last three years.

Databases

The Libraries' *Database Finder* (<http://www.lib.umd.edu/dbfinder>) resource offers online access to databases that provide indexing and access to scholarly journal articles and other information sources. Many of these databases cover subject areas that would be relevant to this proposed program. Here are some examples:

Philosophy

[Encyclopedia of Philosophy](#)

[International Encyclopedia of Ethics](#)

[Philosophers Index with Full Text](#)

[Past Masters: Philosophy](#)

Political Science

[Congressional Publications \(Proquest\)](#)

[International Political Science Abstracts](#)

[Government, politics, and protest--essential primary sources](#)

[HeinOnline Federal Register Library](#)

[Oxford handbooks online. Political science](#)

Economics

[Business Source Complete](#)

[EconLit](#)

Oxford Encyclopedia of Economic History

World Development Indicators Online

Also, four general/multidisciplinary databases, *Academic Search Premier*, *JSTOR*, *MasterFILE Premier* and *ProjectMUSE* are good sources of articles relevant to this program.

In many- likely most--cases, these indexes offer full text copies of the relevant journal articles. In those instances in which the journal articles are available only in print format, the Libraries can make copies available to graduate students through either the Libraries' Scan & Deliver Program (<http://www.lib.umd.edu/access/scan-deliver>) or via Interlibrary Loan. (Note: see below.)

Monographs

The three departments partnering in the creation of this new undergraduate program have long tenure at the University of Maryland. The Libraries have historically supported the research goals of these programs, regularly acquiring scholarly monographs in the disciplines of Philosophy, Political Science, Economics and allied subjects. Monographs not already part of the collection can usually be added upon request.

Scan & Deliver and Interlibrary Loan

These services offer online delivery of bibliographic materials that otherwise would not be available online. As a result, remote users who take online courses may find these services to be helpful. Scan & Deliver and Interlibrary Loan are available free of charge.

The Scan & Deliver service scans and delivers journal articles and book chapters within three business days of the request--provided that the items are available in print on the UM Libraries' shelves or in microform. In the event that the requested article or chapter is not available on campus, Scan & Deliver will automatically refer the request to Interlibrary Loan (ILL). Interlibrary Loan is a service that enables borrowers to obtain online articles and book chapters from materials not held in the University System of Maryland.

Big Ten Academic Alliance

With a number of Big Ten Schools ranking in the top 25 nationally for the disciplines comprising this new program, the Libraries' membership in the Big Ten Academic Alliance (BTAA) dramatically increases the resources available in these subject areas:

Big Ten Academic Alliance Top 25 programs in Philosophy (APDA) -

Rutgers
Wisconsin
Michigan
Indiana

Big Ten Academic Alliance Top 25 programs in Political Science (US News) -

Illinois
Ohio State
Wisconsin
Michigan
Northwestern

Big Ten Academic Alliance Top 25 programs in Economics (US News) -

Wisconsin
Michigan

BTAA's Uborrow program allows students access to monographs from member institutions more quickly and on less restrictive terms than traditional ILL. Additionally, as with our own materials, students can request that chapters be copied from these BTAA books if the books are not available electronically.

Additional Materials and Resources

In addition to serials, monographs and databases available through the University Libraries, students in the proposed program will have access to a wide range of media, datasets, software, and technology. Library Media Services (<http://www.lib.umd.edu/lms>) houses media in a variety of formats that can be utilized both on-site and via ELMS course media. GIS Datasets are available through the GIS Data Repository (<http://www.lib.umd.edu/gis/dataset>) while statistical consulting and additional research support is available through the Research Commons (<http://www.lib.umd.edu/rc>) and technology support and services are available through the Terrapin Learning Commons (<http://www.lib.umd.edu/tlc>).

The subject specialist librarians for the disciplines of political science and economics also serve as an important resource to programs such as the one proposed:

Politics

Judith Markowitz

Gov/Politics, Public Policy, Women's Studies Lib.
Humanities & Social Sciences Librarians / Research & Learning
Phone-301-314-1316
Email-judym@umd.edu
4109 McKeldin Library

Economics

Zaida Diaz

Business & Economics Librarian
Humanities & Social Sciences Librarians / Research
& Learning
Phone-301-405-9156
Email-zdiaz@umd.edu
5101D McKeldin Library

Economics

Lily Griner

Business & Economics Librarian, Coordinator for
PWP Program
Humanities & Social Sciences Librarians / Research
& Learning
Phone-301-405-9278
Email-griner@umd.edu
4109 McKeldin Library

Other Research Collections

Because of the University's unique physical location near Washington D.C., Baltimore and Annapolis, University of Maryland students and faculty have access to some of the finest libraries, archives and research centers in the country, many of vital importance for researchers in Philosophy, Politics, and Economics. These include the Library of Congress, the National Archives and Records Administration, the National Agricultural Library, the Smithsonian Institution, as well as the George Peabody Library at Johns Hopkins University, the Joseph Mark Lauinger Memorial Library at Georgetown University and the Gelman Library at George Washington University, to name just a few.

Conclusion

With our substantial journals holdings and index databases, as well as additional support services and resources, the University of Maryland Libraries have the resources to support teaching and learning for the proposed interdisciplinary undergraduate degree. These materials are supplemented by a strong monograph collection. Additionally, our membership in the Big Ten Academic Alliance, along with the Libraries Scan & Deliver and Interlibrary Loan services make materials that otherwise would not be available accessible to UMD users. As a

result, our assessment is that the University of Maryland Libraries are able to meet the curricular and research needs of the proposed Undergraduate Degree in Philosophy, Politics, and Economics (PPE).

Appendix 7: Maryland Higher Education Commission (MHEC) Financial Tables

TABLE 1: RESOURCES					
Resources Categories	Year 1	Year 2	Year 3	Year 4	Year 5
1. Reallocated Funds	\$ 101,068	\$ 142,184	\$ 143,710	\$ 147,856	\$ 152,127
2. Tuition/Fee Revenue (c+g below)	\$ -	\$ -	\$ -	\$ -	\$ -
a. #FT Students	20	40	80	100	100
b. Annual Tuition/Fee Rate	\$ 13,575	\$ 13,982	\$ 14,402	\$ 14,834	\$ 15,279
c. Annual FT Revenue (a x b)	\$ -	\$ -	\$ -	\$ -	\$ -
d. # PT Students	5	10	10	10	10
e. Credit Hour Rate	\$ 565.40	\$ 582.36	\$ 599.83	\$ 617.83	\$ 636.36
f. Annual Credit Hours	20	20	20	20	20
g. Total Part Time Revenue (d x e x f)	\$ -	\$ -	\$ -	\$ -	\$ -
3. Grants, Contracts, & Other External Sources	\$ -	\$ -	\$ -	\$ -	\$ -
4. Other Sources	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL (Add 1 - 4)	\$101,068	\$142,184	\$143,710	\$147,856	\$152,127
Undergraduate	Full time	Part Time		Full time	Part time
(FY2019)	annual	per credit hour	inflation	% in-state	
resident tuition	\$ 8,651.00	\$ 360.00	1.03	0.80	0.90
non-resident tuition	\$ 33,272.00	\$ 1,387.00		0.20	0.10
diff'l addition (BMGT, ENGR, CS)	\$ 1,400.00	\$ 116.00			
Graduate					
(FY2019)	annual	per credit hour			
resident	\$ 17,208.00	\$ 717.00			
non-resident	\$ 37,152.00	\$ 1,548.00			

The university does not anticipate overall enrollment growth as a result of this major (more so a shift in major selection by matriculating students), so no new tuition revenue is assumed in identifying resources.

Resources will come from redirection of instructional resources from the collaborating departments in the college and the university.

Change rows 7 and 12, depending on whether this is a graduate or undergraduate program.

Appendix 8: Letters of Support



Samuel J. Kerstein <kerstein@umd.edu>

Fwd: PPE major

1 message

Katherine Ford Russell <krussell@umd.edu>

Sat, Jul 7, 2018 at 7:01 AM

To: "Samuel J. Kerstein" <kerstein@umd.edu>

Dear Sam,

Thanks for forwarding the revised PPE proposal. It looks great.

I will confer with GVPT and ECON and ask each to send you a fresh email of support that includes a pledge regarding the courses and their departmental faculty representation on the PPE steering committee.

Best,
Katherine

Katherine F. Russell, PhD
Associate Dean
College of Behavioral and Social Sciences
University of Maryland
2141 Tydings Hall
7342 Preinkert Drive
301-405-1692, krussell@umd.edu

----- Forwarded message -----

From: **Samuel J. Kerstein** <kerstein@umd.edu>

Date: Thu, Jul 5, 2018 at 1:06 PM

Subject: PPE major

To: BSOS-UGDean@umd.edu

Dear Associate Dean Russell,

I hope this finds you well. I am writing to follow up on the discussion we had a month ago concerning the development of a Philosophy, Politics, and Economics major. Please find attached the latest version of our proposal. As you suggested at our meeting, we now propose a Steering Committee (Section 15, pp. 8-9). Please let me know if its constitution and duties are acceptable to you. As I mentioned at the meeting, I and my colleagues would be grateful if we could at some point this summer receive from the Chair of Economics and the Chair of Government and Politics confirmation of agreements we have pursued with them concerning PPE students taking certain courses in their departments. (We outline our understanding of the agreements in Section 12, p. 7.) Would this be a good time for me to reach out to Professor Cropper and Professor Morris? Thank you very much for your help with this.

Best wishes,
Sam

Samuel Kerstein, Professor and Chair, Dept. of Philosophy
University of Maryland, 1125 Skinner Building
4300 Chapel Lane, College Park, MD 20742

kerstein@umd.edu; 301-405-3119

<http://faculty.philosophy.umd.edu/SKerstein/>



PPE Proposal Draft 11.docx

53K



UNIVERSITY OF MARYLAND

DEPARTMENT OF GOVERNMENT AND POLITICS

3140 Tydings Hall
College Park, MD 20742-7215
(301) 405-6862 TEL (301) 314-9690 FAX

August 13, 2018

Dear Samuel:

The interdisciplinary major in *Philosophy, Politics, and Economics* (PPE) that your department is proposing looks very interesting. Per your request, GVPT 170 will obviously be available to these students. We will also make seats available in GVPT 409I: The Politics of Human Rights and GVPT 439A: Comparative Constitutional Law. In exchange, we appreciate your willingness to make PHPE 400: Individual and Group Decision Making and PHPE 401: Social Philosophy and Political Economy available to GVPT majors. Professor David Cunningham, our Director of Undergraduate Studies, has also agreed to serve on the PPE Steering Committee.

We look forward to working with you all in this new endeavor and are fully supportive of your efforts to finalize the programmatic details.

Yours,

A handwritten signature in black ink that reads 'Irwin L. Morris'.

Irwin L. Morris
Professor and Chair

Economics Department Support for PPE Major

Maureen Cropper <mcropper@econ.umd.edu>

Mon, Jul 9, 2018 at 1:59 PM

To: "kerstein@umd.edu" <kerstein@umd.edu>

Cc: "krussell@umd.edu" <krussell@umd.edu>, Cindy Clement <Clement@econ.umd.edu>

Samuel Kerstein, Professor and Chair, Dept. of Philosophy

University of Maryland, 1125 Skinner Building
4300 Chapel Lane, College Park, MD 20742

kerstein@umd.edu

Dear Professor Kerstein,

I am happy to offer the Economics Department's support to the new undergraduate major in Philosophy, Politics, and Economics. The curriculum you and your colleagues are proposing will provide students with a valuable opportunity to develop a full understanding of the philosophical underpinnings regarding how complex societies organize and evolve over time. Interdisciplinary programs may present a few administrative challenges, but since many of my colleagues have always shared interests with your colleagues, we have a strong basis from which to proceed.

I already have identified a colleague who will represent Economics on the Steering Committee and will provide you with contact information later. We are happy to share seats in ECON311 and ECON312 with PHPE students, and we anticipate that our majors will welcome the opportunity take PHPE400 and PHPE401. Once the proposal has been approved at the campus level, please work with Dr. Cindy Clement, Director of Undergraduate Studies, to arrange the logistical details of scheduling and student registration.

Regards,

Maureen L. Cropper

Distinguished University Professor and Chair

Department of Economics



DEPARTMENT OF HISTORY

2115 Francis Scott Key Hall 4282 Chapel Lane
College Park, MD 20742-7315 301.405.4263 TEL
301.314.9399 FAX

July 26, 2018

Samuel Kerstein
Professor & Chair
Department of Philosophy
University of Maryland
College Park, MD 20742

Dear Sam:

Thank you for informing me about your plans (together with the Departments of Government and Politics and Economics) to offer a new major in Politics, Philosophy and Economics (PPE). I have discussed this possibility with history faculty who teach courses related to these areas (Professors Herf, Raianu, Kosicki, and Sicilia) and they are excited about this plan.

We would be happy to offer seats to students in this program as elective credit and we are happy to have the courses you have mentioned to me in your correspondence listed in your plans for PPE (HIST415, Ideas and Politics in Europe Since 1900; HIST450, American Capitalism, 1600-1900; HIST451, American Capitalism, 1900-present).

I wish you good luck in seeking approval for this new program.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip M. Soergel".

Philip M. Soergel
Professor and Chair

Re: PPE major

Nina P. Harris <nharris@umd.edu>

Thu, May 31, 2018 at 1:28 PM

To: "Samuel J. Kerstein" <kerstein@umd.edu>

Cc: Jennifer Nash Littlefield <jnlittle@umd.edu>, Brian Kogelmann <bkogel89@gmail.com>

Dear Sam-

Thank you for following up.

We agree to the use of PLCY100 as part of the requirements of your proposed major. I recommend that we revisit the impact of PPE majors on this course one-two years after you launch to determine if additional teaching assistants are needed.

Once this is underway, we would be thrilled to explore the reciprocity in seats. Thank you for offering.

On Tue, May 29, 2018 at 3:03 PM, Samuel J. Kerstein <kerstein@umd.edu> wrote:

Hi Nina (and Jennifer),

I apologize for not following up regarding the philosophy department's request to use PLCY100 ("Foundations of Public Policy") as a required course for a new major in Philosophy, Politics, and Economics (PPE). I wasn't aware of your email exchange with Ralph Bauer.

In any case, I've attached the latest version of our proposal for the new major. It's not the document we'll end up with--we're in the process of adding other materials--but I hope it gives you an updated idea of our plan.

We would be very grateful if you would send us a note indicating your agreement with PLCY100 being a required course for PPE majors. As we discussed in our meeting, we believe that the new major will start small, and so pose no significant burden on enrollments in PLCY100. But we are happy to make arrangements with you to support an additional teaching assistant for PPE majors in the course, should enrollment from PPE students grow. We are also happy to discuss allotting seats in PPE or political philosophy courses to interested PLCY majors.

Please let me know if you'd like any further information.

Thanks,
Sam

Samuel Kerstein, Professor and Chair, Dept. of Philosophy
University of Maryland, 1125 Skinner Building
[4300 Chapel Lane, College Park, MD 20742](http://4300.Chapel.Lane.College.Park.MD.20742)

kerstein@umd.edu; 301-405-3119
<http://faculty.philosophy.umd.edu/SKerstein/>

Regards,

Dr. Nina P. Harris

Associate Dean, Undergraduate Studies
School of Public Policy
301-405-0390 / nharris@umd.edu

Re: Philosophy, Politics, and Economics major

1 message

Ruth Enid Zambrana <rzambran@umd.edu>

Sat, Aug 11, 2018 at 4:57 PM

To: "Samuel J. Kerstein" <kerstein@umd.edu>

Cc: J V Sapinoso <sapinoso@umd.edu>

Dear Sam,

I hope your weekend is going well. Please excuse my delay in responding , chairing is no easy feat.

Let us go ahead and include WMST 400 as an elective in your proposed new major. Two important considerations: WMST majors and minors have priority in those courses which I generally do not think will be a concern; and second as we in ARHU are all trying to increase our majors, I want us to think through any and all opportunities for WMST to derive some benefit from this arrangement.

I look forward to working together.

Best wishes,

Ruth

-

Ruth Enid Zambrana, Ph.D.

University of Maryland

Professor, Department of Women's Studies

Director, Consortium on Race, Gender and Ethnicity

ADVANCE Fellow

1208 Cole Student Activities Building

College Park, MD 20742

TEL: [301-405-3447](tel:301-405-3447)

FAX: [301-314-9190](tel:301-314-9190)

(Located inside the Main Door of the David C. Driskell Center)

Please see my book: [The Magic Key: The Educational Journey of Mexican Americans from K-12 to College and Beyond](#) @

<http://utpress.utexas.edu/index.php/books/zambrana-hurtado-magic-key>

On Aug 9, 2018, at 2:16 PM, Samuel J. Kerstein <kerstein@umd.edu> wrote:

Hi Ruth,

Hope you're doing well. Sorry to be a bother, but have you had a chance to consider our request to use WMST 400: "Theories of Feminism" as an elective in our proposed new major in Philosophy, Politics, and Economics (PPE)? I'm trying to get the proposal ready to move forward in early September.

Best,

Sam

Samuel Kerstein, Professor and Chair, Dept. of Philosophy

University of Maryland, 1125 Skinner Building

4300 Chapel Lane, College Park, MD 20742

kerstein@umd.edu; 301-405-3119

<http://faculty.philosophy.umd.edu/SKerstein/>

Re: Philosophy, Politics, and Economics

Oscar Barbarin <barbarin@umd.edu>

Tue, Aug 21, 2018 at 3:25 PM

To: kerstein@umd.edu

Hi Sam,

Thanks for your kind words.

I think the proposed major is very interesting and need. We would not only be very open to your listing these courses as electives, we would be honored if you did so.

Oscar

On Tue, Aug 21, 2018 at 3:19 PM Samuel J. Kerstein <kerstein@umd.edu> wrote:

Hi Oscar,

In your presentation last week for new administrators (which was very helpful, by the way) you suggested that at UMD students don't get enough engagement with courses that have a focus on diversity. I believe you're right.

You got me thinking about a new major that the philosophy department is proposing in Philosophy, Politics, and Economics (PPE). I've attached the latest draft of our proposal. In addition to some foundational courses and a core sequence, the major is slated to include electives at the 300 or 400 level: each major would be required to complete four. I would like to ask you whether you would be willing to let us list one or more courses from your department as electives. I was thinking of AASP499A: Special Topics in Public Policy and the Black Community: Reducing Black - White Achievement Gaps (your course), AASP301: Applied Policy Analysis and the Black Community, or AASP314: The Civil Rights Movement. Taking any of these would, I think, be great for PPE students, but I'm open to other suggestions, of course. As of now, there are 15 courses on the list of PPE electives. I envisage that, especially at the beginning of the new major (assuming it gets approved!), PPE student enrollments in AASP courses would be small, say, a few students per course. Please let me know what you think.

Thanks,
Sam

P.S.: In case you don't have the time (or inclination) to read through a lengthy proposal, here are a few paragraphs that should give you an idea of how we envisage PPE:

The Philosophy, Politics, and Economics (PPE) undergraduate major is an interdisciplinary program that uses tools and methods from economics and political science to help answer difficult social and political questions that have traditionally been the domain of philosophy: How should we live together? What would be the best way for us to organize our social and political institutions? How should we address our most difficult problems, from inequality to discrimination to immigration to climate change?

We believe a PPE education is important because many of the world's most pressing problems are incredibly complex. Though philosophy has always promised to address issues of this kind, we believe that successfully tackling these sorts of problems requires more than philosophy alone. Our future leaders and fellow citizens need to know about ethics, rationality and reasoning, the nature of knowledge (philosophy); about institutions and collective action (politics); and about the economy, formal modeling, and rational choice (economics). The proposed PPE major will train students in this kind of thinking. In using tools and methods from economics and political science to help answer difficult social and political questions we expand students' reasoning tool kit so they have more resources to bring to bear on some of the world's most difficult problems.

A PPE education offers something new to University of Maryland students. The *questions* that PPE poses are distinct from those that economics, political science, and public policy ask. They are fundamentally normative questions (e.g., concerning justice), traditionally in the domain of moral and political philosophy. These questions focus on

what *ought* to be the case, which often contrasts with what has been or even likely will be the case. The questions center not primarily on locating efficient means to ends, but on determining which ends we ought to pursue and how morality constrains how we may do so. The *tools and methods* PPE uses to help answer these normative questions – the tools and methods of economics and political science – are ones philosophy has traditionally eschewed. The PPE major thus offers an educational experience distinct from those currently available. In sum, PPE's fundamental questions differ from those typically pursued in Government and Politics, Economics, or Public Policy; and PPE uses tools for answering the questions that Philosophy does not typically exploit.

Samuel Kerstein, Professor and Chair, Dept. of Philosophy
University of Maryland, 1125 Skinner Building
[4300 Chapel Lane, College Park, MD 20742](#)

kerstein@umd.edu; 301-405-3119
<http://faculty.philosophy.umd.edu/SKerstein/>

--

Oscar A. Barbarin

Chair & Professor of African American Studies Department, Professor of Psychology

DEPARTMENT OF AFRICAN AMERICAN STUDIES 1119 TALIFERRO HALL

College Park, Maryland 20742 301.405.1169 TEL 301.405.9932 FAX

Re: electives for new major

Shawn J. Parry-Giles <spg@umd.edu>

Mon, Sep 10, 2018 at 6:45 AM

To: "Samuel J. Kerstein" <kerstein@umd.edu>

Cc: Kristjana Lyn Maddux <klmaddux@umd.edu>

Hi Sam. That is more than fine to add those two courses. Thanks for including them. Let me know if you would like to talk further. Good luck with the proposal! Shawn

On Sun, Sep 9, 2018 at 1:00 PM Samuel J. Kerstein <kerstein@umd.edu> wrote:

Hi Shawn,

The philosophy department is developing a new major in Philosophy, Politics, and Economics (PPE). It's now going through the approval process in ARHU. Among the requirements for the proposed major are 4 elective courses at the 300 or 400 level. Kristy Maddux, in her role on the ARHU PCC committee, suggested that some COMM courses might work really well as electives. The philosophy faculty working on the new major agree, and we believe that COMM 458 "Seminar in Political Communication" and COMM 469 "The Discourse of Social Movements" would be a particularly good fit. So I would like to ask your permission to add these two courses to the 15 or so electives PPE now lists. At the outset of the major (assuming it gets approved), I envisage that listing the courses as PPE electives would add a few students to them per academic year. Please let me know if you'd like more information. I've attached a draft of the PPE proposal in case you're interested in having a look.

Thanks,
Sam

Samuel Kerstein, Professor and Chair, Dept. of Philosophy
University of Maryland, 1125 Skinner Building
[4300 Chapel Lane, College Park, MD 20742](http://4300.Chapel.Lane.College.Park.MD.20742)

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<http://faculty.philosophy.umd.edu/SKerstein/>

--

Shawn J. Parry-Giles, Ph.D.
Professor and Chair, Department of Communication
Director, Center for Political Communication and Civic Leadership
University of Maryland
[4300 Chapel Lane](http://4300.Chapel.Lane)
2130 Skinner Building
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spg@umd.edu
fax #: (301) 314-9471

**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 instructors of each course.**

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 are 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.~~

~~ⁱWe 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.~~

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

~~ⁱⁱⁱStudents 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.~~

~~^vPertinent 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.~~

~~^xDe 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 1 - Clean Version of Proposed Revisions from the Student Conduct Committee

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 instructors of each course.

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.~~ 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 or 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 theirthe 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.~~



Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records

PRESENTED BY Marsha Rozenblit, Chair

REVIEW DATES SEC – November 16, 2018 | SENATE – December 4, 2018

VOTING METHOD In a single vote

RELEVANT POLICY/DOCUMENT [III-6.30\[A\] – UMD Policy and Procedures on the Disclosure of Student Education Records](#)

NECESSARY APPROVALS Senate, President

ISSUE

In November 2017, the Senate Executive Committee (SEC) received a proposal to revise the UMD Policy and Procedures on the Disclosure of Student Education Records, which establish certain rights and practices associated with the Family Educational Rights and Privacy Act (FERPA). The University's policy and procedures have not been updated since 2002 and are out of compliance with federal law. In January 2018, the SEC charged the Educational Affairs Committee with reviewing current University policy and practices, consulting with stakeholders, considering similar policies at Big 10 and peer institutions, and proposing revisions to the policy and procedures, as necessary.

RECOMMENDATIONS

The Educational Affairs Committee recommends that the Senate approve the revised Policy and Procedures on the Disclosure of Student Education Records (III-6.30[A]), which immediately follow this report.

The committee also recommends that the Office of the Registrar should consider updating and enhancing existing resources, including tutorials and any trainings that it facilitates, to ensure that they are sufficiently comprehensive and inform relevant members of the campus about their responsibilities under FERPA.

COMMITTEE WORK

Over the course of the fall semester, the Educational Affairs Committee consulted with the University Registrar, the Office of General Counsel, the Office of Faculty Affairs, and the Senate Student Affairs Committee, and reviewed similar policies at Big 10 and peer institutions. The committee made additional revisions to reflect existing University practices and policies. It also identified opportunities for improvement in the ways the University educates members of the campus community on their responsibilities under FERPA, which led to an additional recommendation. The committee's final recommendations were approved by an email vote concluding on November 8, 2018.

ALTERNATIVES

The Senate could choose to retain the current policy and procedures, which do not comply with federal law.

RISKS

There are no associated risks.

FINANCIAL IMPLICATIONS

There are no financial implications.



Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records

2018-2019 Committee Members

Marsha Rozenblit (Chair)
Lindsey Anderson (Faculty)
Shakia Asamoah (Graduate Student)
Michele Callaghan (Faculty)
Lindsay Carpenter (Faculty)
Cathy Fisanich (Non-Exempt Staff)
Jeffrey Henrikson (Faculty)
Steven Jin (Ex-Officio SGA Rep)
Katy Lawley (Faculty)
Linda Macri (Ex-Officio Graduate School Rep)
David Myers (Faculty)
David Nguyen (Undergraduate Student)
Marcio Oliveira (Ex-Officio Division of IT Rep)
Joseph Oudin (Faculty)

Binbin Peng (Ex-Officio GSG Rep)
Elizabeth Pichowicz (Undergraduate Student)
Doug Roberts (Ex-Officio Associate Dean for General Education)
Scott Roberts (Ex-Officio Provost's Rep)
Matthew Sinclair (Exempt Staff)
Ann Smith (Ex-Officio Undergraduate Studies Rep)
Beth St. Jean (Faculty)
Yukako Tatsumi (Faculty)
Yunfeng Zhang (Faculty)

Date of Submission

November 2018

BACKGROUND

In November 2017, the Senate Executive Committee (SEC) received a proposal to revise the UMD Policy and Procedures on the Disclosure of Student Education Records. The policy and procedures establish certain rights and practices associated with the Family Educational Rights and Privacy Act (FERPA). The revisions were jointly proposed by the University Registrar and the Office of General Counsel. The revisions are intended to bring the policy and procedures, which have not been updated since 2002, into compliance with recent changes in law and practice.

In January 2018, the SEC charged the Educational Affairs Committee with reviewing current University policy and practices, consulting with stakeholders, considering similar policies at Big 10 and peer institutions, and proposing revisions to the policy and procedures, as necessary (Appendix 2).

CURRENT PRACTICE

The University Registrar has primary responsibility for ensuring that the University is complying with FERPA. The Office of the Registrar considers requests to inspect or amend student education records, and facilitates the appeals process for denied amendment requests. It processes student requests to prohibit the disclosure of certain types of information, and considers requests for access to student records from University and external entities. The Office of the Registrar annually communicates to all students their rights under the law, and provides a tutorial required of all school officials before they can access education records. The Office of the Registrar's procedures have adjusted to comply with changes to FERPA requirements that have been adopted since the policy and procedures were last reviewed; the revisions suggested in the proposal were intended to bring the document into alignment with current practice and the law.

COMMITTEE WORK

The Educational Affairs Committee began discussing the charge in spring 2018. Work on a prior charge prevented further progress during the spring semester. In September 2018, the committee met with the University Registrar and a representative of the Office of General Counsel to discuss the proposed revisions. The suggested revisions accommodate new technologies and practices—such as the use of biometric records and the growth of online instruction—and update the list of locations at which various types of education records are maintained. The revisions also update definitions to stipulate that peer-graded assignments are not considered education records until they are collected by the instructor, and to add students serving on various University bodies to the list of school officials permitted to access student records when there is a legitimate educational interest. They also revise the circumstances under which education records can be shared without a student’s consent.

The policy and procedures provide a list of what the University considers “Directory Information.” Directory Information can be disclosed under certain circumstances without a student’s express consent, and includes information such as name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, and dates of attendance (a complete list can be found in the proposed policy and procedures immediately following this report). Directory Information is distinct from the more limited information that can be accessed through the online University of Maryland Directory Search. Characteristics that can be considered Directory Information are established by FERPA. Directory Information can be disclosed under specific circumstances, including for enrollment certification and graduation verification, production of ID cards, University communication with students, and reporting to local, state, and federal governments. The University does not sell Directory Information to outside entities, and routinely denies requests made for commercial purposes.

The committee consulted with representatives from the Division of Information Technology and the Office of General Counsel regarding the European Union’s General Data Protection Regulation (GDPR). The GDPR, which has been in effect since May 2018, establishes privacy protections for individuals who are permanent European Union residents. The committee learned that GDPR’s protections are generally more restrictive than FERPA, particularly when it comes to the ways information is transferred and how personal data is defined. The GDPR will have ramifications for how the University collects and stores data on European Union residents. The Division of Information Technology is in the process of an extensive review of University practices to ensure compliance with GDPR, which will likely take years. The committee determined that there is nothing in the revised policy and procedures that will conflict with GDPR.

The committee considered similar policies at Big 10 and peer institutions during its review. It found that other institutions’ policies were quite similar, and decided to focus on areas where practices differed (Appendix 1). The committee identified minor variations in what institutions identify as Directory Information, reviewed procedures students use to opt out of disclosures of Directory Information, and reviewed circumstances under which parents are provided access to student education records. The committee did not identify any consistent best practices at peer institutions, and did not recommend any additional revisions to the revised policy and procedures based on its research.

In the course of its review, the committee consulted with the Senate Student Affairs Committee and the Associate Provost for Faculty Affairs to gain perspective on how the proposed revisions might impact students and faculty. Based on the feedback it gathered, the Educational Affairs Committee

made several minor corrections to the revised policy and procedures. After consulting with the Director of the Office of Student Conduct, the committee added a reference to the University's Sexual Misconduct Policy & Procedures to reflect the fact that certain sexual offenses referenced by FERPA are covered by that policy and procedures, rather than by the *Code of Student Conduct*.

In the course of its work, the committee identified general confusion over the difference between Directory Information and the online University of Maryland Directory Search. The committee also heard from faculty, staff, and students who expressed concerns with the adequacy of current training for those who work with education records. Members learned of supplemental training that occurs in academic departments and the Department of Resident Life, and observed that the mandatory FERPA tutorial is outdated and cursory. While a thorough review of existing training resources was beyond the scope of the committee's charge, the committee voted to recommend that the Office of the Registrar consider assessing and enhancing current FERPA resources.

After due consideration, the Educational Affairs Committee voted to approve the proposed revisions to the policy at its meeting on November 5, 2018. It voted to approve an associated recommendation on training and resources by an email vote concluding on November 8, 2018.

RECOMMENDATIONS

The Educational Affairs Committee recommends that the Senate approve the revised Policy and Procedures on the Disclosure of Student Education Records (III-6.30[A]), which immediately follow this report.

The committee also recommends that the Office of the Registrar should consider updating and enhancing existing resources, including tutorials and any trainings that it facilitates, to ensure that they are sufficiently comprehensive and inform relevant members of the campus about their responsibilities under FERPA.

APPENDICES

Appendix 1 — Big 10 and Peer Institution Research

Appendix 2 — Senate Executive Committee Charge on the Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records (Senate Document #17-18-16)

III-6.30(A) UNIVERSITY OF MARYLAND POLICY AND PROCEDURES ON THE DISCLOSURE OF STUDENT EDUCATION RECORDS

(APPROVED BY THE PRESIDENT 1 AUGUST 1991; updated April 15, 1996, June 2, 1997, and October 1, 2002 by President's Legal Office)

I. POLICY

- A.** It is the policy of UMD~~CP~~ to comply with the requirements of the Federal Family Educational Rights and Privacy Act (**FERPA**), **also** known as the Buckley Amendment, concerning the disclosure of student records. **FERPA affords eligible students certain rights with respect to their education records. These rights include:**
- 1. The right to inspect and review the student's education records;**
 - 2. The right to request the amendment of the student's education records; and**
 - 3. The right to provide written consent before UMD discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.**
 - 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UMD to comply with the requirements of FERPA.**
- B.** Following is an outline of the policy, and an explanation of the procedures by which students may obtain access to education records. **Accordingly, UMD shall provide students with annual notification of their rights pursuant to FERPA.** ~~A copy of this policy shall be furnished annually to each student with registration materials.~~

II. DEFINITIONS

- A.** “**Attendance**” includes but is not limited to attendance in person or by **paper** correspondence, **videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom**; and the period during which a person is working under a work-study program.
- B.** “**Directory Information**” means information which would generally not be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, a student's name, address, telephone listing, e-mail address, date and place of birth, major field of study, full-time/part-time status, participation in officially recognized activities and sports, weight and height of **members of** athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.
- C.** “**Disclosure**” means to permit access to or the release, transfer, or other communication of, **PII contained in** education records ~~to any party~~ by any means, including oral, written,

or electronic means, **to any party except the party identified as the party that provided or created the record.**

D. “Education Records” means those records **directly related to a student and** maintained by UMD~~CP~~ or by a party acting on UMD’s behalf. ~~which contain information directly related to a student except:~~ **Education records do not include:**

1. **Sole possession records:** ~~R~~records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record~~made by instructors, professors, and administrators for their own use, and not shown to others.~~
2. Records maintained by **the UMD~~CP~~ Police Department** solely for law enforcement purposes and kept separately from the education records described above.
3. Records of employment which relate exclusively to the individual in that individual’s capacity as an employee, and are not available for use for any other purpose.

(NOTE: If a currently enrolled student is employed as a result of **their** ~~his or her~~ status as a student, records relating to that employment are education records.)

4. **Medical** ~~R~~records on a student who is eighteen years of age or older made by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional made or used only for treatment purposes and available only to persons providing treatment.

(NOTE: Treatment for the purposes of this definition does not include remedial educational activities.)

5. **Post-attendance records: also called a**~~A~~**lumni records, are records** which contain only information relating to a person’s activities *after* that person is no longer a student at UMD~~CP~~ and do not relate to that person as a student.
6. **Grades on peer-graded papers before they are collected and recorded by a teacher.**

E. “Eligible Student” means a student who has reached the age of 18 *or* is attending UMD.

F. “Parent” means a parent of a student, and includes a natural or adoptive parent, a guardian, or, in the absence of natural or adoptive parents, an individual acting as a parent.

G. “Party” means an individual, agency, institution, or organization.

H. “Personally identifiable information” or “PII” means **data or information which includes, but is not limited to,** a student’s name; a name of a student’s parent or family member; an address of a student or a student’s family; a personal identifier, such as a social security number, **University Identification Number (UID)** ~~or student number,~~ or **biometric record; other indirect identifiers, such as mother’s maiden name; other information that alone, or in combination, is linked or linkable to a specific student and that would allow a reasonable person in the UMD community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or information requested by a person who UMD reasonably believes knows the identity of the student to whom the education record relates.** ~~a list of personal characteristics or any information that would make a student’s identity traceable.~~

I. “Record” means any information **or data** recorded in any ~~way~~ **medium (e.g. including but not limited to** handwriting, print, tape, film, microfilm, ~~and~~ microfiche, **database, or any form of electronic data storage including emails).**

~~“Student” means any individual who is or has been in attendance at UMCP and on whom education records are maintained.~~

J. “School Official” is a person **employed by any institution within the University System of Maryland in an administrative, supervisory, academic, research, or support staff role; a member of the Board of Regents; or a person engaged, employed by, or under contract with UMD to perform a special task, such as an attorney, auditor, or student serving on a UMD committee (e.g., University Student Judiciary, Honor Council, Standing Review Committee, scholarship & awards committees, etc.).**

K. “Student Recruiting Information” is information identified in the Solomon Amendment that UMD is required to provide to military recruiters upon request. Those items are: student name, addresses, telephone listings, age (or year of birth), class level, academic major, degrees received, and the most recent educational institution in which the student was enrolled.

III. ~~RIGHT OF ACCESS~~ TO INSPECT AND REVIEW EDUCATION RECORDS

A. Each student in attendance at UMDCP has a right to inspect and review **their** ~~his or her~~ education records **within 45 days after the day UMD receives a request for access.** A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

B. Procedure

~~A student may waive the right of access to confidential recommendations in the following areas~~

- ~~• admission to any educational institution;~~
- ~~• job placement;~~
- ~~• receipt of honors and awards.~~

~~The waiver must be in writing, and UMCP shall not require such waivers as a condition to admission, or the receipt of any service or benefit. If right of access is waived, a student will be notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations shall be used only for the purpose for which they were specifically intended. A waiver may be revoked in writing at any time, and will only apply to subsequent recommendations.~~

1. Form of Request

Requests for access to education records must be made in writing, **and** signed by the student, ~~and must include the student's social security number.~~

2. Place of Request

Requests are made to:

Office of the Registrar's Office
1130 Clarence M. Mitchell, Jr. Building
College Park, Maryland 20742-5231

3. Response by UMDCP

UMDCP will comply with a request for access within a reasonable **period of** time, not to exceed 45 days **after UMD receives a request for access.**

Whenever possible, arrangements shall be made for the student to read ~~his or her~~ **the** records in the presence of a staff member.

4. Reproduction of Records

A student may ordinarily obtain copies of education records by paying the cost of reproduction. The fee for photocopies is \$0.25 per page. There is no charge for staff time to search for or collect education records. Only copies of a student's current UMDCP transcript will be provided. **However, an official UMD transcript** ~~Official University of Maryland transcripts with the seal of the University will~~ can be provided **upon specific request of the student and subsequent payment of costs for the document at a higher cost.**

CB. Types and Locations of Education Records Maintained at UMDCP

(NOTE: All requests must be routed through the **Office of the Registrar's Office.**)

1. Admissions (**e.g.** applications and transcripts from institutions previously attended):

a. Undergraduate:

Director of **Undergraduate** Admissions
1130 Clarence M. Mitchell, Jr. Building

b. Graduate:
Director of Graduate Records
Lee Building

2. **Records & Registrations Services (e.g. a**All on-going academic and biographical records, undergraduate and graduate)**:-**

Office of the Registrar ~~Director of Registrations~~
1130 Clarence M. Mitchell, Jr. Building

3. Departments

Departmental Offices
Chair **or Head** of the Department

4. Deans

~~Miscellaneous records.~~
Dean's **O**ffice of each **S**chool/**C**ollege

5. Resident Life (e.g. student's housing records)

Director of Resident Life

6. Advisors (e.g. **with student permission: L**etters of evaluation, personal information sheet, **transcript**, test scores ~~(with student permission)~~:-

~~Pre-law advisor: Hornbake Library~~
~~Pre-dental advisor: Hornbake Library~~
~~Pre-medical advisor: Hornbake Library~~

7. **Office of Student Conduct**~~Judicial Affairs~~ (e.g. **S**tudent's judicial and disciplinary records)**:-**

Director of ~~Judicial Programs~~ the **Office of Student Conduct**
1130 Clarence M. Mitchell, Jr. Building

8. Counseling Center (e.g. **B**biographical data, summaries of conversations with students, test results)**:-**

Director **of the Counseling Center**
Shoemaker ~~Building-Hall~~

(NOTE: Where records are used only for treatment purposes, they are not education records and are not subject to this policy.)

9. Financial Aid (e.g. Financial Aid applications, needs analysis statements, awards made):-

~~Undergraduate:~~

Director of Financial Aid
Lee Building

~~Graduate:~~

~~Deans' Offices~~

(NOTE: There is no student access to parents' confidential statements.)

10. **University Career Development Center** (e.g. Recommendations, unofficial copies of academic records):-

Director **of the Career Center**
Hornbake Library

11. Office of **Student Financial Services** ~~the Bursar~~ (e.g. Student accounts receivable, records of students' financial charges and credits with **UMDCP**):-

Office of Student Financial Services ~~The Bursar~~
Lee Building

DC. Waiver of Access to Confidential Recommendations

1. **A student may waive any or all of their rights to review confidential letters of recommendation, subject to the following conditions:**
 - a. **The waiver must be in writing, signed by the student, regardless of age;**
 - b. **UMD shall not require such waivers as a condition to admission, or the receipt of any service or benefit;**
 - c. **If right of access is waived, a student will be notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations shall be used only for the purpose for which they were specifically intended.**
2. **A waiver may be revoked in writing at any time; however, by revoking it, the student does not have the right to inspect and review documents collected while the waiver was in force.**

IV. RIGHT TO REQUEST THE AMENDMENT OF EDUCATION RECORDS

It is the policy of UMD to provide students the opportunity to request that amendments be made to their education records which are believed to be inaccurate, misleading, or which violate the right to privacy or other rights.

A. Request to Amend an Education Record

- 1. A request must be in writing to the Office of the Registrar.**
- 2. A request must contain:**
 - a. the specific document(s) being challenged; and**
 - b. the basis for the challenge.**
- 3. UMD shall decide within a reasonable period of time whether to amend the document(s). The student shall be notified of the decision in writing, and if the decision is to refuse to amend, the student shall be notified of the right to a hearing.**

B. Right to a Hearing

- 1. Upon request, a student shall be provided an opportunity for a hearing to challenge the content of education records.**
- 2. A request for a hearing must be made in writing to the Office of the Registrar.**
- 3. Within a reasonable period of time, the student shall be given reasonable advance notice in writing of the date, place, and time.**

C. Conduct of Hearing

- 1. The hearing shall be conducted by a UMD official with no direct interest in the outcome.**
- 2. The student shall have a full and fair opportunity to present evidence, and may be represented by individuals of their choice, including an attorney. The cost for such representation shall be the responsibility of the student.**

D. Decision

- 1. The student shall be notified in writing within a reasonable period of time.**
- 2. The decision is to be based solely upon evidence presented at the hearing, and must include a summary of the basis of the decision.**

3. In cases where the challenged information is found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the education records shall be amended accordingly within a reasonable time.
4. In cases where the challenged information is not found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of a student, the student shall be informed in writing of the right to place in the challenged record a statement commenting on the information and explaining any reasons for disagreeing with the decision.
5. The statements described above shall be kept as part of the student's record and disclosed whenever that portion of the record is disclosed.

IV. DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION

It is the policy of UMDCP to limit disclosure of **PII** ~~personally identifiable information~~ without a student's prior written consent, subject to the following limitations and exceptions:

A. Directory Information

1. This information may be disclosed and may appear in public documents unless a student files a written notice not to disclose any or all of the information (**i.e. opts out**) ~~within three weeks of the first day of the semester in which the student begins each year. This~~ **Such** notice must be filed **annually** with the **Office of the Registrar's Office** ~~within the allotted time to avoid automatic disclosure of directory information.~~
2. Students will be given annual notice of the categories of information designated as directory information.

B. Prior Consent Not Required

Prior consent is not required for disclosure of education records **in several circumstances. These circumstances include disclosure** ~~to the following parties:~~

1. **To the student.**
2. **To anyone, if UMD has obtained the prior written consent of the student.**
3. **To anyone, in response to request for directory information, unless the student has opted out.**
4. **To UMD school officials** ~~of UMCP determined to have a legitimate educational interest. They may access student education records within the scope of performing their job duties who are or may be in a position to use the information in furtherance of a legitimate educational objective. A school official is:~~
 - a. ~~A person employed by the University of Maryland System in an administrative, supervisory, academic, research or support staff position.~~

- ~~b. A member of the Board of Regents.~~
- ~~e. A person employed by or under contract to the University to perform a special task, such as an attorney or auditor~~

A school official has a legitimate educational interest if the official is:

- a. Performing a task that **has been assigned as part of their duties or is specified in his or her, a** position description or **by** contract.
- b. Performing a task related to a student's education.
- c. Performing a task related to the discipline of a student.
- d. Providing a service or benefit relating to the student's family, such as health care, counseling, job placement, or financial aid.

52. To officials of **another schools institution of post-secondary education where the student seeks or intends to enroll, or where the student is already enrolled, if the disclosure is for purposes related to the student's enrollment or transfer in which a student seeks or intends to enroll or is enrolled.** A student will be provided with a copy of the records which have been transferred upon request and payment of copying fees as described above.

63. To authorized representatives **of the following government entities** ~~Comptroller General of the United States, the Secretary of Education, the Commissioner of the Office of Education, the Director of the National Institute of Education, the Administrator of the Veterans' Administration, the Assistant Secretary of Education, and State educational authorities,~~ **if the disclosure is but only** in connection with the audit or evaluation of federal-~~ly~~ **or state-**supported education programs, or **for in connection with** the enforcement of or compliance with federal legal requirements **that relateing** to those programs: **U.S. Comptroller General, U.S. Secretary of Education, U.S. Attorney General or state and local educational authorities, such as the Maryland Higher Education Commission (MHEC), the authority that is responsible for supervising UMD's education programs.**

Subject to controlling federal law, these officials will protect information received so as not to permit personal identification of students to outsiders.

74. To authorized persons and organizations, **such as the Department of Veterans Affairs or an employer, in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the**

terms and conditions of the aid ~~who are given work in connection with a student's application for or receipt of financial aid to the extent necessary.~~

- ~~85.~~ To state and local officials to which such information is required to be reported by effective state law adopted prior to November 19, 1974.
- ~~96.~~ To organizations conducting education studies for, **or on behalf of, UMD** for the purpose of developing, validating, or administering predictive tests; administering student programs; and improving instruction. The studies shall be conducted so as not to permit personal identification of students to outsiders, and the information is to be destroyed when no longer needed for these purposes.
- ~~107.~~ **To a** Accrediting organizations **to carry out their accrediting** ~~for purposes necessary to carry out their~~ functions.
- ~~118.~~ **To either p** Parents of a student who is **claimed as a** dependent for income tax purposes **by at least one parent.**
- ~~12.~~ **To parents when their student (under age 21) is found to have violated UMD's alcohol or drug policies.**
- ~~139.~~ **To a** Appropriate parties ~~in connection with an emergency, where knowledge of when UMD determines that disclosure is necessary to protect the health or safety of the student or other individuals and the information will assist in resolving the emergency is necessary to protect the health or safety of the student or other individuals.~~
- ~~1410.~~ In response to a court order or subpoena, **including ex parte orders under the USA Patriot Act.** Unless the issuing entity orders ~~the university~~ **UMD** against prior notification, **UMD the university** will make reasonable efforts to notify the student before complying with the court order **or subpoena.**
- ~~1511.~~ To an alleged victim of **any** crime of violence **when the disclosure is of** the results of ~~any institutional~~ disciplinary **hearing regarding proceedings against** the alleged perpetrator of that crime with respect to that crime.
- ~~16.~~ **To anyone requesting the final results of a disciplinary hearing against an alleged perpetrator who has been found in violation of the UMD Code of Student Conduct or UMD Sexual Misconduct Policy and Procedures relating to a crime of violence or non-forcible sex offense.**
- ~~17.~~ **To the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) for the purpose of complying with a request from ICE relative to UMD's participation in the Student and Exchange Visitor Program (SEVIS).**

18. To military recruiters who request “Student Recruiting Information” for recruiting purposes only (e.g. Solomon Amendment).
19. To the Internal Revenue Service (IRS) for purposes of complying with the Taxpayer Relief Act of 1997.
20. When the disclosure concerns sex offenders and other individuals required to register under state or federal law, and the information was provided to the University under 42 U.S. C. 14071 and applicable federal guidelines

C. Prior Consent Required In All Other Cases

1. UMD~~CP~~ will not release **PII** ~~personally identifiable information~~ in education records, or allow access to those records without prior consent from the student.
2. The consent must be in writing, signed by the student, and dated. **The consent will remain in effect until rescinded by the student, or its purpose is achieved.**
3. The student must specify the records to be disclosed, the identity of the recipient, and the purpose of the disclosure.
4. A copy of the record disclosed will be provided to the student upon request and payment of copying fees described above.

D. Record of Disclosures

1. **Maintenance of List:** UMD shall maintain a list of each request and each disclosure of **PII** ~~personally identifiable information~~ with each student’s education records. The list shall include:
 - a. the parties who have requested **and/or** received the information; **and**
 - b. the legitimate interest the parties had in requesting **and/or** receiving the information.
2. **Inspection of List:** The list of disclosures may be inspected by:
 - a. the student;
 - b. the official custodian of the record; and
 - c. other UMD and governmental officials.

3. Exceptions

~~The following d~~Disclosures in the following circumstances do not need to be recorded ~~are not listed~~:

- a. disclosures to the student;
- b. disclosures pursuant to written consent;
- c. disclosures to **school officials including** instructional or administrative officials of UMD**CP**;
- d. disclosures of directory information; ~~and~~;
- e. **disclosures related to judicial orders or lawfully issued subpoenas.**

~~V. CORRECTION OF EDUCATION RECORDS~~

~~It is the policy of UMCP to provide students the opportunity to seek corrections to education records which are believed to be inaccurate, misleading, or which violate the right to privacy or other rights.~~

~~A. Request to Correct an Education Record~~

~~1. A request must be in writing to the Registrar's Office.~~

~~2. A request must contain:~~

- ~~a. the specific document(s) being challenged; and~~
- ~~b. the basis for the challenge.~~

~~3. UMCP shall decide within a reasonable time whether to amend the document(s). The student shall be notified of the decision in writing, and if the decision is to refuse to amend, the student shall be notified of the right to a hearing.~~

~~B. Right to a Hearing~~

~~Upon request, a student shall be provided an opportunity for a hearing to challenge the content of education records. A request for a hearing must be made in writing to the Registrar's Office. Within a reasonable time, the student shall be notified in writing of the date, place, and time. The student shall be given reasonable advance notice of the hearing.~~

~~C. Conduct of Hearing~~

~~1. The hearing shall be conducted by a UMCP official with no direct interest in the outcome.~~

~~2. The student shall have a full and fair opportunity to present evidence, and may be represented by individuals of his or her choice, including an attorney. The cost for such representation shall be the responsibility of the student.~~

~~D. Decision~~

~~1. The student shall be notified in writing within a reasonable amount of time.~~

~~2. The decision is to be based solely upon evidence presented at the hearing, and must include a summary of the basis of the decision.~~

- ~~3. In cases where the challenged information is found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the education records shall be amended accordingly within a reasonable time.~~
- ~~4. In cases where the challenged information is not found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of a student, the student shall be informed in writing of the right to place in the challenged record a statement commenting on the information and explaining any reasons for disagreeing with the decision.~~
- ~~5. The statements described above shall be kept as part of the student's record and disclosed whenever that portion of the record is disclosed.~~

VI. RIGHT TO FILE A COMPLAINT

- A. **Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by UMD to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: ~~alleging noncompliance with the Family Educational Rights and Privacy Act may file a complaint with the~~**

Family Policy Compliance Office
U.S. Department of Education,
6400 Independence Avenue, S.W.,
Washington, D.C. 20202-4605.

	Covers former students	Opt Out Formal/On Paper	Opt Out Online	Opt Out All or Nothing	Opt Out Granular	No Info	Parent Access w/ Permission	Parent Access if Dependent	Parent Access if Dependent w/ Permission	Full Parent Access
UMCP										
Iowa		*								
Indiana										
Illinois										
Michigan										
Michigan State										
Minnesota										
Nebraska										
Northwestern										
Ohio State										
Penn State										
Purdue										
Rutgers										
Wisconsin										
UC-Berkeley										
UNC										
UCLA										
Other	12	11	8	10	6	1	7	5	2	2

Prior Students, Opt-Out, & Parental Access

	UMCP	https://president.umd.edu/administration/policies/section-iii-academic-affairs/iii-630a
	Iowa	https://opsmannual.uiowa.edu/students/treatment-student-education-records
	Indiana	https://registrar.indiana.edu/policies/student-privacy-ferpa.shtml https://policies.iu.edu/policies/uss-05-release-student-information/index.html
	Illinois	https://www.uis.edu/registrar/records/studentrecordpolicy/
	Michigan	https://ro.umich.edu/records-registration/student-rights-records
	Michigan State	https://reg.msu.edu/AcademicPrograms/Print.aspx?Section=542
	Minnesota	http://regents.umn.edu/sites/regents.umn.edu/files/policies/Student_Education_Records.pdf https://policy.umn.edu/education/studentrecords https://policy.umn.edu/education/studentrecords-proc01 https://policy.umn.edu/education/studentrecords-proc02 https://policy.umn.edu/education/studentrecords-proc03 https://policy.umn.edu/education/studentrecords-proc04 https://policy.umn.edu/education/studentrecords-proc05
	Nebraska	https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf?1a=en https://ferpa.unl.edu/
	Northwestern	https://www.registrar.northwestern.edu/records/student-information-privacy/privacy-policy-ferpa.html
	Ohio State	https://registrar.osu.edu/policies/releaseinfo.asp
	Penn State	https://policy.psu.edu/policies/ad11
	Purdue	https://www.purdue.edu/policies/records/viia4.html
	Rutgers	No policy, per se: https://uec.rutgers.edu/programs/ferpa-student-privacy/
	Wisconsin	No policy per se: https://registrar.wisc.edu/ferpa/
	UC - Berkeley	https://registrar.berkeley.edu/academic-policies-procedures/ferpa
	UNC	https://policies.unc.edu/files/2016/06/FERPA.pdf
	UCLA	https://www.registrar.ucla.edu/Faculty-Staff/FERPA

Big 10

Other

FERPA Policy Links



Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records (Senate Document #17-18-16)
Educational Affairs Committee | Chair: Toby Egan

The Senate Executive Committee (SEC) and Senate Chair Falvey request that the Educational Affairs Committee review the Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records and evaluate whether revisions to the University's policy are necessary.

Specifically, we ask that you:

1. Review the University of Maryland Policy and Procedures on the Disclosure of Student Education Records (III 6.0[A]).
2. Review similar policies on disclosure of student education records at Big 10 and other peer institutions.
3. Consult with the University Registrar on the proposal.
4. Consult with a representative of the Office of the Provost on how best to ensure that faculty are informed of potential changes to the policy.
5. Consult with the Senate Student Affairs Committee on the proposal.
6. Consider the impact of the European Union's General Data Protection Regulation (GDPR) on handling records for international students.
7. Consult with a representative of the Office of General Counsel on federal guidance on the Family Educational Rights and Privacy Act (FERPA) and any recent amendments as well as any proposed changes to the University's policy.
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 **May 1, 2018**. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



University Senate PROPOSAL FORM

Name:	Adrian Cornelius
Date:	11/17/2017
Title of Proposal:	Proposal to Amend the UMD Policy and Procedures on the Disclosure of Student Education Records
Phone Number:	4-8249
Email Address:	adrianc@umd.edu
Campus Address:	1130 Mitchell Building
Unit/Department/College:	Office of the Registrar
Constituency (faculty, staff, undergraduate, graduate):	Staff
Description of issue/concern/policy in question:	This is the UMD policy to comply with the federal Family Educational Rights and Privacy Act (FERPA). The last update to this policy was 10/01/2002. Since that time, the federal policy has had three amendments. I believe the University policy should be amended to accommodate the necessary FERPA amendments, and the document itself should be reworded for correctness and reformatted, as necessary, to improve the flow and understanding of the information.
Description of action/changes you would like to see implemented and why:	<ul style="list-style-type: none"> - Reword for correctness and reformat the document for improved flow and understanding of the information. - Update the definition of "Attendance" to include online options. - Update the "Education Records" exclusion related to peer-graded papers - Update the definition of "Personally Identifiable Information" to include biometric record. - Update the definition of "School Official" to include students serving on UMD committees. - Update the "Prior Consent Not Required" sub-section of the "Disclosure of Personally Identifiable Information" portion of the policy to include items 1, 2, 3, 12, 14, 16, 17, 18, 19, and 20 (see attached).

	<p>These changes are to accommodate the necessary FERPA amendments in the University policy since the UMD policy's last update in 2002.</p>
<p>Suggestions for how your proposal could be put into practice:</p>	<p>Compliance with the amendments of the federal FERPA policy is already in effect. The proposed updates are intended to bring the University policy in alignment with the compliances.</p>
<p>Additional Information:</p>	<p>I have worked with Attorney Laura Anderson-Wright (UMD Office of General Counsel) on this policy update proposal, and am submitting it on behalf of both of us.</p>

III-6.30(A) UNIVERSITY OF MARYLAND POLICY AND PROCEDURES ON THE DISCLOSURE OF STUDENT EDUCATION RECORDS

(APPROVED BY THE PRESIDENT 1 AUGUST 1991; updated April 15, 1996, June 2, 1997, and October 1, 2002 by President's Legal Office; updated November xx, 2017)

I. POLICY

A. It is the policy of UMD to comply with the requirements of the federal Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment, concerning the disclosure of student records. FERPA affords eligible students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records;
2. The right to request the amendment of the student's education records; and
3. The right to provide written consent before UMD discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UMD to comply with the requirements of FERPA.

B. Following is an outline of the policy, and an explanation of the procedures by which students may obtain access to education records. Accordingly, UMD shall provide students with annual notification of their rights pursuant to FERPA.

II. DEFINITIONS

A. "Attendance" includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

B. "Directory Information" means information which would generally not be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, a student's name, address, telephone listing, e-mail address, date and place of birth, major, field of study, full-time/part-time status, participation in officially recognized activities and sports, weight and height of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended.

C. "Disclosure" means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

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Deleted: A copy of this policy shall be furnished annually to each student with registration materials.

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D. "Education Records" means those records directly related to a student and maintained by UMD, or by a party acting on UMD's behalf. Education records do not include:

1. Sole possession records: records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

2. Records maintained by UMD, Police solely for law enforcement purposes and kept separately from the education records described above.

3. Records of employment which relate exclusively to the individual in that individual's capacity as an employee, and are not available for use for any other purpose.

(NOTE: If a currently enrolled student is employed as a result of his or her status as a student, records relating to that employment are education records.)

4. Medical records: records on a student who is eighteen years of age or older made by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional made or used only for treatment purposes and available only to persons providing treatment.

(NOTE: Treatment for the purposes of this definition does not include remedial educational activities.)

5. Post-attendance records: also called alumni records, are records which contain only information relating to a person's activities after that person is no longer a student at UMD, and do not relate to that person as a student.

6. Grades on peer-graded papers before they are collected and recorded by a teacher.

E. "Eligible Student" a student who has reached the age of 18 or is attending UMD.

F. "Parent" means a parent of a student, and includes a natural or adoptive parent, a guardian, or, in the absence of natural or adoptive parents, an individual acting as a parent.

G. "Party" means an individual, agency, institution, or organization.

H. "Personally identifiable information" or "PII" means data or information which includes, but is not limited to, a student's name, a name of a student's parent or family members, an address of a student or a student's family, a personal identifier, such as a social security number, University Identification Number (UID), or biometric record; other indirect identifiers, such as mother's maiden name; other information that alone, or in combination, is linked or linkable to a specific student and that would allow a reasonable person in the UMD community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or information

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requested by a person who UMD reasonably believed knows the identity of the student to whom the education record relates.

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I. "Record" means any information or data recorded in any medium (e.g. handwriting, print, tape, film, microfilm, microfiche, database, any form of electronic data storage including emails).

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J. "School Official" is a person employed by any institution within the University of System of Maryland in an administrative, supervisory, academic, research or support staff role; a member of the Board of Regents; or a person engaged, employed or under contract with UMD to perform a special task, such as an attorney, auditor or student serving on a UMD committee (e.g., University Student Judiciary, Honor Council, Standing Review Committee, scholarship & awards committees, etc.).

Deleted: "Student" means any individual who is or has been in attendance at UMCP and on whom education records are maintained.

K. "Student Recruiting Information" is information identified in the Solomon Amendment that UMD is required to provide to military recruiters upon request. Those items are: student name, addresses, telephone listings, age (or year of birth), class level, academic major, degrees received and the most recent educational institution in which the student was enrolled.

III. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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A. Each student in attendance at UMD has a right to inspect and review his or her education records within 45 days after the day UMD receives a request for access. A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

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B. Procedure

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1. Form of Request

Requests for access to education records must be made in writing and signed by the student.

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2. Place of Request

Requests are made to:

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Office of the Registrar,
1130 Clarence Mitchell Building
College Park, Maryland 20742-5231

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3. Response by UMD,

UMD will comply with a request for access within a reasonable period of time, not to exceed 45 days after UMD received a request for access. Whenever possible, arrangements shall be made for the student to read the records in the presence of a staff member.

Reproduction of Records

A student may ordinarily obtain copies of education records by paying the cost of reproduction. The fee for photocopies is \$.25 per page. There is no charge for staff time to search for or collect education records. Only copies of a student's current UMD transcript will be provided. However, an official UMD transcript can be provided upon specific request of the student and subsequent payment of costs for the document.

C. Types and Locations of Education Records Maintained at UMD

(NOTE: All requests must be routed through the Office of the Registrar)

1. Admissions (e.g. applications and transcripts from institutions previously attended)

a. Undergraduate:

Director of Undergraduate Admissions
Clarence Mitchell Building

b. Graduate:

Director of Graduate Records
Lee Building

2. Records & Registration Services (e.g. all on-going academic and biographical records, undergraduate and graduate)

Office of the Registrar
1130 Clarence Mitchell Building

3. Departments

Departmental Offices
Chair or Head of the Department

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4. Deans

Dean's Office of each School/College

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5. Resident Life

Student's housing records
Director of Resident Life

6. Advisors (e.g. with student permission: letters of evaluation, personal information sheet, test scores).

7. Office of Student Conduct (e.g. student's judicial and disciplinary records)

Director of the Office of Student Conduct
Clarence Mitchell Building

8. Counseling Center (e.g. biographical data, summaries of conversations with students, test results)

Director of the Counseling Center
Shoemaker Hall

(NOTE: Where records are used only for treatment purposes, they are not education records and are not subject to this policy)

9. Financial Aid (e.g. financial Aid applications, needs analysis statements, awards made)

Director of Financial Aid
Lee Building

(NOTE: There is no student access to parents' confidential statements)

10. University Career Center (e.g. recommendations, unofficial copies of academic records)

Director of the Career Center
Hornbake Library

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- Deleted: Pre-dental advisor: Hornbake Library
- Deleted: Pre-medical advisor: Hornbake Library
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11. Office of the Bursar (e.g. student accounts receivable, records of students' financial charges and credits with UMD).

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Office of the Bursar
Lee Building

D. Waiver of Access to Confidential Recommendations

1. A student may waive any or all of their rights to review confidential letters of recommendation, subject to the following conditions:

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a. The waiver must be in writing, signed by the student, regardless of age;

b. UMD shall not require such waivers as a condition to admission, or the receipt of any service or benefit;

c. If right of access is waived, a student will be notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations shall be used only for the purpose for which they were specifically intended;

2. A waiver may be revoked in writing at any time; however, by revoking it, the student does not have the right to inspect and review documents collected while the waiver was in force.

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IV. RIGHT TO REQUEST THE AMENDMENT OF EDUCATION RECORDS

It is the policy of UMD to provide students the opportunity to request that amendments be made to their education records which are believed to be inaccurate, misleading, or which violate the right to privacy or other rights.

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A. Request to Amend an Education Record

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1. A request must be in writing to the Office of the Registrar.

2. A request must contain:

- a. the specific document(s) being challenged; and
- b. the basis for the challenge.

3. UMD shall decide within a reasonable of time whether to amend the document(s). The student shall be notified of the decision in writing, and if the decision is to refuse to amend, the student shall be notified of the right to a hearing.

B. Right to a Hearing

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1. Upon request, a student shall be provided an opportunity for a hearing to challenge the content of education records.

2. A request for a hearing must be made in writing to the Office of the Registrar.

3. Within a reasonable period of time, the student shall be given reasonable advanced notice in writing of the date, place, and time.

C. Conduct of Hearing

1. The hearing shall be conducted by a UMD official with no direct interest in the outcome.

2. The student shall have a full and fair opportunity to present evidence, and may be represented by individuals of his or her choice, including an attorney. The cost for such representation shall be the responsibility of the student.

D. Decision

1. The student shall be notified in writing within a reasonable period of time.

2. The decision is to be based solely upon evidence presented at the hearing, and must include a summary of the basis of the decision.

3. In cases where the challenged information is found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the education records shall be amended accordingly within a reasonable time.

4. In cases where the challenged information is not found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of a student, the student shall be informed in writing of the right to place in the challenged record a statement commenting on the information and explaining any reasons for disagreeing with the decision.

5. The statements described above shall be kept as part of the student's record and disclosed whenever that portion of the record is disclosed.

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V. DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION

It is the policy of UMD to limit disclosure of personally identifiable information or PII without a student's prior written consent, subject to the following limitations and exceptions:

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A. Directory Information

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1. This information may be disclosed and may appear in public documents unless a student files a written notice not to disclose any or all of the information (i.e. opts-out). Such notice must be filed with the Office of the Registrar.

2. Students will be given annual notice of the categories of information designated as directory information.

B. Prior Consent Not Required

Prior consent is not required for disclosure of education records in several circumstances. These circumstances include:

- 1. To the student.
- 2. To anyone, if UMD has obtained the prior written consent of the student;
- 3. Anyone, in response to request for directory information, unless the student has opted-out;
- 4. To UMD school officials determined to have a legitimate educational interest. They may access student education records within the scope of performing their job duties.

A school official has a legitimate educational interest if the official is:

- a. Performing a task that has been assigned as part of his or her duties or is specified in a position description or contract.
- b. Performing a task related to a student's education.
- c. Performing a task related to the discipline of a student.
- d. Providing a service or benefit relating to the student's family, such as health care, counseling, job placement, or financial aid.

5. To officials of another institution of post-secondary education where the student seeks or intends to enroll, or where the student is already enrolled, if the disclosure is for purposes related to the student's enrollment or transfer. A student will be provided with a copy of the records which have been transferred upon request and payment of copying fees as described above.

6. To authorized representatives of the following government entities, if the disclosure is in connection with the audit or evaluation of federal or state supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs: U.S. Comptroller General, the U.S. Secretary of Education, U.S. Attorney General or State and local educational authorities, such as the Maryland Higher Education Commission (MHEC), the authority that is responsible for supervising UMD's education programs.

Subject to controlling federal law, these officials will protect information received so as not to permit personal identification of students to outsiders.

7. To authorized persons and organizations, such as the Department of Veteran's Affairs or an employer, in connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for

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. b. A member of the Board of Regents. .
. c. A person engaged, employed by or under contract with the University to perform a special task, such as an attorney, or auditor and student serving on University committee (e.g University Student Judiciary, Honor Council, SRC, scholarship & awards committees, etc.).
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the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. 8. To State and local officials to which such information is required to be reported by effective state law adopted prior to November 19, 1974.

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9. To organizations conducting education studies for, or on behalf of, UMD for the purpose of developing, validating, or administering predictive tests, administering student programs, and improving instruction. The studies shall be conducted so as not to permit personal identification of students to outsiders, and the information is to be destroyed when no longer needed for these purposes.

10. To accrediting organizations to carry out their accrediting functions.

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11. To either parent of a student who is claimed as a dependent for income tax purposes by at least one parent.

12. To parents when their student (under age 21) is found to have violated UMD's alcohol or drug policy. 13. To appropriate parties, when UMD determines that disclosure is necessary to protect the health or safety of the student or other individuals and the information will assist in resolving the emergency.

14. In response to a court order or subpoena, including *ex parte* orders under the USA Patriot Act. Unless the issuing entity orders UMD against prior notification, UMD will make reasonable efforts to notify the student before complying with the court order or subpoena.

15. To an alleged victim of a crime of violence when the disclosure is the results of a disciplinary hearing regarding the alleged perpetrator of that crime with respect to that crime.

16. To anyone requesting the final results of a disciplinary hearing against an alleged perpetrator who has been found in violation of the UMD Code of Student Conduct relating to a crime of violence or non-forcible sex offense.

17. To the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) for the purpose of complying with a request from ICE relative to UMD's participation in SEVIS.

18. To military recruiters who request "Student Recruiting Information" for recruiting purposes only (e.g. Solomon Amendment).

19. To the Internal Revenue Service (IRS) for purposes of complying with the Taxpayer Relief Act of 1997.

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20. When the disclosure concerns sex offenders and other individuals required to register under state or federal law, and the information was provided to the University under 42 U.S.C. 14071 and applicable federal guidelines.

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C. Prior Consent Required in All Other Cases

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1. UMD will not release personally identifiable information in education records, or allow access to those records without prior consent from the student.

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2. The consent must be in writing, signed by the student, and dated. The consent will remain in effect until rescinded by the student, or its purpose is achieved.

3. The student must specify the records to be disclosed, the identity of the recipient, and the purpose of the disclosure.

4. A copy of the record disclosed will be provided to the student upon request and payment of copy fees described above.

D. Record of Disclosures

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1. Maintenance of List: UMD shall maintain a list of each request and each disclosure of personally identifiable information with each student's education records. The list shall include:

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- a. the parties who have requested or received the information;
- b. the legitimate interest the parties had in requesting or receiving the information.

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2. Inspection of List: The list of disclosures may be inspected by:

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a. the student;

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b. the official custodian of the record; and

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c. other UMD and governmental officials.

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3. Exceptions

Disclosures in the following circumstances do not need to be recorded:

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a. disclosures to the student;

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b. disclosures pursuant to written consent;

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c. disclosures to school officials including instructional or administrative officials of UMD;

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d. disclosures of directory information; and

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e. disclosures related to some judicial orders or lawfully issued subpoenas.

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VI. RIGHT TO FILE A COMPLAINT

A. Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by UMD to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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Family Policy Compliance Office

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U.S. Department of Education

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400 Independence Avenue, S.W.

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- Washington, D.C. 20202

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A student may waive the right of access to confidential recommendations in the following areas admission to any educational institution; job placement; receipt of honors and awards.

The waiver must be in writing, and UMCP shall not require such waivers as a condition to admission, or the receipt of any service or benefit. If right of access is waived, a student will be notified, upon written request, of the names of all persons making confidential recommendations. Such recommendations shall be used only for the purpose for which they were specifically intended. A waiver may be revoked in writing at any time, and will only apply to subsequent recommendations.

Miscellaneous records

Graduate:

Deans' Offices

Comptroller General of the United States, the Secretary of Education, the Commissioner of the Office of Education, the Director of the National Institute of Education, the Administrator of the Veterans' Administration, the Assistant Secretary of Education, and State educational authorities

V. CORRECTION OF EDUCATION RECORDS

It is the policy of UMCP to provide students the opportunity to seek corrections to education records which are believed to be inaccurate, misleading, or which violate the right to privacy or other rights.

A. Request to Correct an Education Record

1. A request must be in writing to the Registrar's Office.
2. A request must contain:
 - a. the specific document(s) being challenged; and
 - b. the basis for the challenge.
3. UMCP shall decide within a reasonable time whether to amend the document(s). The student shall be notified of the decision in writing, and if the decision is to refuse to amend, the student shall be notified of the right to a hearing.

B. Right to a Hearing

Upon request, a student shall be provided an opportunity for a hearing to challenge the content of education records. A request for a hearing must be made in writing to the Registrar's Office. Within a reasonable time, the student shall be notified in writing of the date, place, and time. The student shall be given reasonable advance notice of the hearing.

C. Conduct of Hearing

1. The hearing shall be conducted by a UMCP official with no direct interest in the outcome.
2. The student shall have a full and fair opportunity to present evidence, and may be represented by individuals of his or her choice, including an attorney. The cost for such representation shall be the responsibility of the student.

D. Decision

1. The student shall be notified in writing within a reasonable amount of time.
2. The decision is to be based solely upon evidence presented at the hearing, and must include a summary of the basis of the decision.

3. In cases where the challenged information is found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the education records shall be amended accordingly within a reasonable time.

4. In cases where the challenged information is not found to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of a student, the student shall be informed in writing of the right to place in the challenged record a statement commenting on the information and explaining any reasons for disagreeing with the decision.

5. The statements described above shall be kept as part of the student's record and disclosed whenever that portion of the record is disclosed.