

ACADEMIC MISCONDUCT POLICY (SU)

- [See Also Faculty Handbook: Chapter 6](#)

Integrity is a principle that permeates all the activities of the University and guides the behavior of faculty, students and staff. The spirit of academic integrity denotes adherence to the precept that one's work is one's own. The process by which integrity is upheld assumes clear communication of University expectations, standards and policies and clear communication of students and faculty rights and responsibilities. This policy applies to both undergraduate and graduate students.

Definitions

This policy is intended to foster student academic integrity and to address cases of student academic misconduct which may include, but are not limited to, the following:

Lying

Communicating untruths or withholding information as part of an investigation, or in order to gain an academic advantage.

Cheating

The act of wrongfully using or attempting to use unauthorized materials, information, study aids or the ideas or work of another in order to gain an advantage. Acts of cheating include but are not limited to:

- giving unauthorized aid to another student or receiving unauthorized aid from another person on tests, quizzes, assignments or projects;
- using or consulting unauthorized materials or using unauthorized equipment or devices on tests, quizzes, assignments or projects;
- submitting as one's own work material written by someone else, whether purchased or not;
- altering or falsifying any information on tests, quizzes, assignments or projects;
- working on any project, test, quiz or assignment outside of the time constraints imposed;
- submitting an assignment in a somewhat altered form or using any material portion of a paper or project to fulfill the requirements of more than one course unless the student has received prior faculty permission to do so;
- failing to adhere to an instructor's specific directions with respect to the terms of academic integrity or academic honesty;
- using fraudulent methods in laboratory, studio, field, computer work or professional placement;
- other acts generally recognized as dishonorable or dishonest which bear upon academic endeavors.

Misappropriation of Course-Based Intellectual Property

Lectures delivered by faculty in class, as well as course materials faculty create and distribute, are protected by federal copyright law as their original work. Misappropriation of intellectual property is the act of intentionally taking the intellectual property of faculty or others, and/or the sale or distribution of class notes, tests, assignments or class projects for profit, either directly or through a third party, without the express consent or permission of the faculty member or lecturer, or without documentation to demonstrate the need for such

accommodations. Such property includes, but is not limited to class notes, tests, assignments, class projects or other academically related work. All academic work undertaken by a student must be completed independently unless instructed otherwise by a faculty member or other responsible authority.

Plagiarism

Students are responsible for learning proper scholarly procedures which require that all quoted material be identified by quotation marks or indentation on the page, and the source of information and ideas, if from another, must be identified and be attributed to that source. Acts of plagiarism include but are not limited to:

- intentionally or unintentionally deceiving or disregarding proper scholarly procedures;
- participating in illicit collaboration with other individuals in the completion of course assignments;
- presenting information, thoughts or ideas from another source as if they are your own, or without giving appropriate attribution;
- other acts generally recognized as plagiarism.

Procedures

The following procedures are intended to provide direction to all parties (e.g., faculty and students) regarding the appropriate steps necessary to initiate and administratively adjudicate a reported act of academic misconduct. While the steps are designed with most case and/or situation types in mind, the Office of Academic Affairs and the Academic Policies Committee reserve the right to modify the process to best accommodate special situations or circumstances as necessary.

Course-based Faculty Action

Individual faculty members will, in most cases, have the right and responsibility to deal directly with any cases of academic misconduct that arise in their courses. If a faculty member believes a student has committed an act of academic misconduct, the following procedures should be followed:

1. *Advise Student* - The faculty member will advise the student in a timely fashion of the accusation and will allow the student an opportunity to question or respond to the charge before implementing a sanction.
2. *Determine Sanction* – The sanction issued should reflect the seriousness of the act. The faculty member may impose the following sanctions:
 - a. warning
 - b. reduction in grade recorded for a test, assignment, etc.
 - c. issuance of an F on test, assignment, etc.
 - d. issuance of an F and removal from a course

If the faculty member determines that the academic misconduct warrants a sanction greater than issuance of an F and removal from the course or if the professional program determines that the academic misconduct warrants action more severe than dismissal from a program (see Dismissal from Professionally Accredited Programs), the faculty member or professional program may recommend a greater sanction (e.g. suspension or expulsion from the University) for consideration by the Academic Policies Committee (APC). To recommend suspension or expulsion as a sanction, the faculty member or professional program must submit to the Office of Academic Affairs a letter of recommended sanction and letters of endorsement from the Chair of the department or

program involved and the Dean of the School for review and consideration by the Academic Policies Committee. A copy of all such referrals must be sent to the student.

1. *Complete Report* - The faculty member must complete an Academic Misconduct Incident Report form (available in the *Faculty Handbook* and by clicking on this link: [AcademicMisconductIncidentReportfrm](#)) for any incident in which a sanction has been issued or recommended, including a warning sanction. This form and all materials or documents that may be pertinent to the Academic Misconduct Incident (e.g. correspondence, copy of assignment/test, etc.) must be sent in a timely manner to the Office of Academic Affairs.
2. *Maintain Records* – All materials or documents that may be pertinent to an act of Academic Misconduct (e.g. Academic Misconduct Incident Report, correspondence, etc.) will be retained in the Office of Academic Affairs for a period of five years. This provides a long-term central location of Academic Misconduct sanctions which is important for reviewing repeat offenders.
3. *Repeat Offenders* – The Office of Academic Affairs will forward the names of students who have been reported for more than one act of academic misconduct to the APC. Based on the severity of the offender history, the Academic Policies Committee may elect to impose additional sanctions which may include but are not limited to suspension or expulsion from the university.
4. *Communication* – The Office of Academic Affairs will send a copy of the Academic Misconduct Incident Report and an official letter outlining the sanction to the student, faculty member, faculty's Department Chair, student's major Department Chair, Registrar's Office, and Dean of Students.

Dismissal from Professionally Accredited Programs

The sanction of dismissal from a professional accredited program (i.e., M.B.A., Nursing, Social Work, Education, etc.) based on an academic misconduct incident may be issued at the departmental level but must follow a clearly stated program policy and procedure that has been made available to students. The program must submit an Academic Misconduct Incident Report and a copy of the program dismissal letter to the student and the Office of Academic Affairs within 10 working days from any dismissal action taken. A copy of all materials or documents associated with the professional program dismissal including, but not limited to, the Academic Misconduct Incident report form, correspondence, etc., should be forwarded to the Office of Academic Affairs, the Dean of the school within which the program resides, and must also be retained in the department central office for a period of five years.

Student Appeals of Faculty or Professional Program Sanctions

A student has the right to appeal an Academic Misconduct sanction issued by a faculty member or professional program, but must follow the following procedures:

1. *Submit An Appeal* - A student appeal, including a detailed statement of the grounds for the appeal and any supporting documentation, must be submitted in writing to the Office of Academic Affairs within five working days of receiving the Academic Misconduct Incident Report from the Office of Academic Affairs and/or faculty member.

The student's written appeal ordinarily will be forwarded to the Academic Policies Committee by the Office of Academic Affairs within a reasonable time of its filing, usually within ten working days. In the event the Academic Policies Committee is not available, the Office of Academic Affairs will forward the appeal to the

Provost, who will attempt to create an ad hoc committee to handle the review as soon as practicable. (All further references in this policy to the Academic Policies Committee include the ad hoc committee where appropriate.)

The Office of Academic Affairs will send a copy of the student appeal to the faculty member or program director and the faculty member's department chair. The Office of Academic Affairs will request from the faculty and/or professional program a copy of all documents used to determine the sanction and any additional correspondence or documents pertinent to the case.

2. **Continue Coursework** - In most cases, the student shall remain in the course pending the results of the appeal; charges related to incidents occurring in the field may result in immediate removal or reassignment in the field. The department chair, the program director and/or the Academic Dean have the discretion to remove the student from the course, from concurrent courses, and /or prevent enrollment in future courses pending the appeal decision where appropriate and where course continuation compromises the integrity of the classroom or instructional environment and will inform the Office of Academic Affairs at the time of this decision.

Academic Policies Committee Actions

Under this policy, the Academic Policies Committee serves to consider student appeals of faculty-imposed and professional program-imposed sanctions, adjudicates cases referred by faculty members where the recommended sanction may include suspension or expulsion from the University, and considers additional sanctions above and beyond faculty imposed sanctions in cases of repeat offenders. For appeals of faculty-imposed and professional program-imposed sanctions, the APC's scope of review will be limited and the student shall have the burden to prove that the faculty member or professional program exceeded their given authority and/or discretion and/or materially failed to follow proper procedures.

In all matters referred to the Academic Policies Committee, the committee will review all documentation and will have the following options:

- render a written decision based on the evidence submitted, or
 - render a written decision based on further investigation, or
 - initiate a formal hearing and render a written decision.
1. **Review of Evidence** – A written decision may be determined based on the documents and materials submitted with the appeal.
 2. **Investigation** – A written decision may be determined based on a series of interviews, a review of documents, and any other action deemed appropriate for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered.
 3. **Hearing** - A hearing shall be held when a student appeals the dismissal from a program, a faculty member or professional program recommends suspension or expulsion from the University, or if the APC chooses to hold a hearing in any other case. If a hearing is to be held, written notice of the time, date and location shall be sent to all parties. The hearing shall be conducted as follows:

- The hearing shall be held at a reasonable time when all parties (to the extent possible) are available or have an opportunity to be present.
 - The parties shall be entitled to make opening and closing statements.
 - The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to question witnesses. At the discretion of the Chair, direct questioning by a party of a witness, including an opposing party, may not be permitted; rather, the parties may be required to convey their questions to the Chair, who will then convey them to the witness.
 - The scope of any hearing conducted by the APC on any given matter shall be consistent with the role of the APC in reviewing such matter.
 - Students are permitted to seek the support of a non-legal advocate for assistance in the preparation and presentation of a case before the Academic Policies Committee. The advocate shall otherwise not participate formally in the proceedings. In all cases, the advocate must be a member of the University faculty, staff, or student body.
 - Neither party may be represented by an attorney at the hearing, unless they are facing or are likely to face criminal charges relating to the alleged academic misconduct. Under these circumstances, both parties may elect to have counsel assist them. Under such circumstances the university legal counsel must also be present. Legal counsel may not give opening or closing statements, present documents, or question witnesses.
 - The hearing shall be closed with attendance limited to individuals directly connected with the case as determined by the Chair of the Academic Policies Committee.
 - Formal rules of evidence need not be followed at the hearing. The hearing body may receive such evidence as a reasonable person would consider reliable in making important decisions. If a question arises about the authenticity of a document or the reasonableness, relevance or redundancy of evidence, the Chair of the Academic Policies Committee shall be the final decision maker on the admissibility of the evidence.
 - The parties may request, in writing, that the committee contact specified persons to appear at the hearing to testify on behalf of the parties. The request should normally be made at least five working days before the scheduled hearing in order to allow ample time for the hearing body to make the requests.
 - Findings - After the Academic Policies Committee has completed its review, it shall issue a written decision based on findings of fact and conclusions, usually within three to five days, and shall provide a copy of the findings to the student, faculty member, program director, department chair, dean of the school, Registrar and Office of Academic Affairs. All parties must abide by these findings unless they are modified by the Provost as part of a limited appeal process in the circumstances outlined in the appeals section of this policy.
4. The Chair of the Academic Policies Committee shall be responsible for conducting the hearing in an efficient and decorous manner and shall rule on all disputes related to the procedures used throughout the proceedings. The chair may set reasonable limits on the length and nature of the opening and closing statements, the evidence presented and on the duration of the hearing. At any time, the Chair may seek the advice of legal counsel. Since the University lacks full judicial authority, such as the power to subpoena or place witnesses under oath, a student's due process rights cannot be coextensive with or identical to the rights afforded the accused in a civil or criminal legal proceeding. The procedures outlined are designed, however, to assure fundamental fairness and to protect students from arbitrary or capricious disciplinary action. Deviations from these procedures shall not necessarily invalidate a hearing or the results of a hearing unless significant prejudice results.

Appeals from Academic Policies Committee Findings

For student appeals of faculty imposed sanctions the decision of the Academic Policies Committee is final. For sanctions imposed by the APC (e.g. suspension or expulsion from the university or additional sanctions imposed by the Academic Policy Committee for repeat offenders) and committee findings of sanctions imposed by a professional program (e.g. dismissal from the program), the student or the professional program may

appeal the Committee's findings to the Provost. Appeals must be filed within five working days of receiving notice of the committee's decision. The written appeal must be filed with the Provost and should set forth all of the reasons that support reversal of the committee's findings. The Provost will review the written appeal and the documentation associated with the case. The Provost has the discretion to take any action necessary to thoroughly complete a review, and then will issue a decision, which will be binding and final. The decision will be conveyed in writing to the student, the faculty member, department chair, dean of the school, Registrar, the Office of Academic Affairs and the Academic Policies Committee.

Impact of an Academic Misconduct F Grade

If the sanction imposed is an F in the course, the student shall not be permitted to withdraw from the course even if the sanction was imposed prior to the last day of the University schedule adjustment period. The imposition of an F grade shall stand for the course, unless the student successfully appeals the sanction.

Although students can repeat courses, a course repeated based on an imposed F grade for an act of academic misconduct will have both grades calculated in the student's GPA and not replaced as it is under normal circumstances. The sanction of an F in a course will not be designated on the transcript as an academic integrity F unless it is an action determined by the Academic Policies Committee for an academic integrity violation repeat offender. A student who has received a course grade of F for an academic integrity violation will not be allowed to graduate from the University with honors.

University System of Maryland Policy

In accordance with Board of Regents policy, students expelled or suspended for reasons of academic misconduct by any institution in the University System of Maryland shall not be admissible to any other System institution if expelled, or during any period of suspension.

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