

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

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) **CHEATING:** intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise.
 - (b) **FABRICATION:** intentional and unauthorized falsification or invention of any information or citation in an academic 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 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 Council, 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 an honors offense, 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 is urged to emphasize the importance of academic honesty and of the pledge as its symbol. Reference on syllabuses to the pledge and to this *Code*, including where it can be found on the Internet and in the Undergraduate Catalog, is encouraged.

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 Chair of the Honor Council. Students may not exercise the self-referral option more than once during their enrollment at the University.
8. If an investigation by the Honor Council Executive Committee 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 Student Honor Council will notify the Dean or a designee and the faculty member where the incident occurred. The Dean or designee shall then convene a conference between the student and the faculty member. The purpose of this

conference 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 Dean will notify the Student Honor Council in writing of the outcome of the conference.¹

9. In all cases where a student self-referral is accepted, the student will be required to successfully complete the non-credit 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 faculty member involved.
10. If the Honor Council Executive Committee 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 Honor Council promptly in writing.
12. If the Honor Council determines that a report of academic dishonesty is supported by reasonable cause², the case shall be referred to the Dean of the College where the incident occurred.³ The Dean or designee, (who must not be the referring faculty member), will inform the accused student in writing of the charges, and shall offer him/her an opportunity for an informal meeting to review the case.⁴ The faculty of the course may be included in the meeting. The Dean or designee shall also provide the accused student with a copy of this *Code*, and a statement of procedural rights approved by the Honor Council⁵, which shall include the right of the student to request the presence of a member of the Honor Council at the informal meeting.
13. If the accused student has no prior record of academic dishonesty or serious disciplinary misconduct⁶, the Dean or designee and the student may reach an agreement concerning how the case should be resolved. The standard “XF” grade penalty will normally be imposed if it is agreed by the student that he/she committed an act of academic dishonesty. Any other sanction agreed upon by the student and the Dean or designee will constitute a recommendation to the Honor Council, and must be supported by a written statement signed by the student and the dean or designee. The written statement will be reviewed by the Honor Council⁷, which shall inform both the student and the Dean or designee of the sanction imposed.

PROCEDURES: RESOLUTION BY AN HONOR REVIEW

14. Cases not resolved in accordance with Part 10 of this *Code* shall result in an Honor Review.⁸ 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 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 of the student members shall be graduate students.
 - (b) Two faculty members selected in accordance with procedures established by the Vice President for Academic Affairs. In the event the student accused of academic dishonesty is a graduate student, then at least one of the persons selected shall be a regular member of the graduate faculty.
 - (c) The Honor Board shall have one non-voting member, who shall serve as the Presiding Officer. The Presiding Officer may be a student, faculty, or staff member of the University. The Presiding Officer will be selected by the Director of Student Conduct.
15. If the Vice President for Academic Affairs 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 Vice President or a 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 Vice President or designee will convene an ad hoc Honor Board by selecting and appointing two students and one faculty/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.
16. 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 such notice on the date of personal delivery, or if certified mail is used, on the date of delivery at the most recent address provided to the University by the student;
 - (b) To present the evidence and analysis upon which the charge is based to the Honor Board during the Honor Review;
 - (c) To perform such other duties as may be requested by the Student Honor Council or the Honor Board.
17. 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.

18. 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, in argument and in 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.

19. 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.
20. The Presiding Officer or designee will select the date, time and place for the Honor Review, and notify the student in writing a minimum of ten (10) days prior to the review.
21. 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, summarize 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, which must be by a majority vote of its members.
- (h) The Presiding Officer will provide the Complainant and the student with a written report of the Honor Board's determination.

22. 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 tape 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 34 (b) of the *Code of Student Conduct*.⁹ 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.

- 23. 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 shall be a grade of “XF” in the course. The normal sanction for a graduate student shall be dismissal (suspension or expulsion) from the University. The Honor Board may impose a lesser or more severe sanction. 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

- 24. 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 15 business days after the Board’s written decision is sent to the student, and the Dean of the college where the incident occurred, the student or the Dean or designee notifies the Honor Council in writing of the intention of filing an appeal. The student may appeal both the findings and the penalty. The Dean or designee may appeal the penalty only.

A written brief supporting any appeal must be submitted in writing to the Student Honor Council Executive Committee within an additional ten business days. The Executive Committee or designee will provide the opposing party a reasonable opportunity to make a written response.

25. Any member of the Executive Committee who has taken part in an Honor Review that is the subject of an appeal is not eligible to hear the appeal. Substitute Executive Committee members may be selected from experienced Honor Council members, appointed in accordance with Honor Council bylaws.
26. Decisions of the Executive Committee will be by majority vote, based upon the record of the original proceeding and upon written briefs. De novo hearings shall not be conducted.
27. Deference shall be given by the Executive Committee to the determinations of Honor Boards.
 - (a) Sanctions may only be reduced if found to be grossly disproportionate to the offense. Likewise, upon an appeal by a Dean or designee, 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.
28. 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 43-48 of the *Code of Student Conduct*.
29. 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”

30. 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.
31. 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.

32. 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 months 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.
33. 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 50 and 51 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. Honor Council determinations pertaining to the removal of the “XF” grade penalty may be appealed to the Vice President for Academic Affairs. If the Vice President removes the grade of “XF” from the student’s transcript, the Vice President shall provide written reasons to the Honor Council.

THE STUDENT HONOR COUNCIL

34. There shall be a Student Honor Council. The Honor Council is composed of qualified graduate and undergraduate students in good academic standing, normally appointed in the Spring for the following academic year, and who may each be reappointed for additional one year terms.¹⁰
35. The members of the Honor Council are appointed by a committee consisting of the Vice President for Academic Affairs, the Vice President for Student Affairs, the Chair of the Graduate Student Association, the President of the Student Government Association, and the Chair of the Honor Council.
36. All council members are subject to the training and conduct requirements of Parts 26 and 27 of the *Code of Student Conduct*.
37. 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 29 of this *Code*.
- (e) To receive complaints or reports of academic dishonesty from any source.
- (f) 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.
- (g) To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University.
- (h) To issue an annual report to the Campus Senate on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.

38. 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

39. 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 two students and one faculty member appointed by the Vice President for Academic Affairs, and a Presiding Officer appointed by the Director of Student Conduct.

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.

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 voting members (three student members of the Honor Council and two faculty members).

HONOR REVIEW—the process leading to resolution of an academic dishonesty case.

COMPLAINANT—officer 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.

PRESIDING OFFICER—individual on the Honor Board responsible for directing proceedings during the Honor Review. The presiding officer is a non-voting member of the Honor Board selected by the Director of Student Conduct.

STUDENT HONOR COUNCIL—students appointed by the Vice Presidents for Academic and Student Affairs, as well as by the President of the Student Government Association, the Chair of the Graduate Student Association, and the Chair of the Honor Council.

FOOTNOTES

- ¹ The Dean’s notice shall be maintained in a file of self-referrals, but shall not be considered a disciplinary record.
- ² Pertinent procedures for determining reasonable cause shall be set forth in the Honor Council bylaws.
- ³ Cases involving graduate students should be reported to the Dean of the Graduate School.
- ⁴ It is recommended that the meeting be held within ten business days after receipt of the Honor Council report by the Dean.
- ⁵ The statement shall include a reference to the right to be represented by an advocate, as specified in Part 18(a) of this *Code*.
- ⁶ In every case the Dean or designee shall check with the Office of Student Conduct to determine if a prior record exists.
- ⁷ The term “Honor Council,” used throughout the *Code*, permits reliance upon Honor Council committees, appointed in accordance with Council bylaws.
- ⁸ Statements made by the parties in informal settlement discussions shall not be considered by the Honor Council. However, a student who provides false information to the Dean or designee or the Honor Council may be charged with a violation of the University *Code of Student Conduct*.
- ⁹ 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.
- ¹⁰ The screening committee shall try to create a broadly based Honor Council that reflects the diversity of the campus, and is of sufficient size to resolve cases as promptly as possible.

The determination 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.