

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

Approved by President 1 August 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.

Faculty must undertake a threshold responsibility for such traditional safeguards as examination security and proctoring.

HONOR STATEMENT

3. All applicants for admission to undergraduate or graduate programs at the University of Maryland College Park will be expected to sign an honor statement as a condition of admission. Failure to sign the statement in no way relieves the student from the responsibilities specified in this Code. The statement shall also appear on appropriate registration materials. Wording of the statement will be recommended by the Student Honor Council, for approval by the Campus Senate.

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 (or assignment).

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 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.

PROCEDURES: ACADEMIC DISHONESTY

7. 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. The Office of Student Conduct will then send a written

report of the allegation to the Student Honor Council, the accused student, and the instructor teaching the course.

8. Upon receipt of a report of academic dishonesty, the Student Honor Council will assign the matter to three of its members for preliminary inquiry. Members of the Student Honor Council when acting in this capacity shall be designated Review Officers. In the event the report pertains to the conduct of a graduate student, then at least two Review Officers will be graduate students.

9. The Review Officers shall conduct a preliminary inquiry into the facts of the case in order to determine if there is reasonable cause to believe that an act of academic dishonesty has occurred, or has been attempted.

10. University administrators and faculty members are expected to provide reasonable assistance to the Review Officers, and to permit access to pertinent student papers or examinations, as determined by the Vice President for Academic Affairs. The Review Officers shall be advised by the Director of Student Conduct.

11. If, after consultation with the Director of Student Conduct:

(a) a majority of Review Officers determine that an act of academic dishonesty did not occur, or was not attempted, the council will inform the student and the course instructor of its finding; or

(b) if a majority of Review Officers determine that there is reasonable cause to believe that an act of academic dishonesty did occur, or was attempted, they will forward a written referral containing a statement of facts and their rationale to the Student Honor Council.

12. Upon receipt of a written referral from the Review Officers, the Student Honor Council shall:

(a) convene an Honor Board to resolve the matter through an Honor Review. The Board will be selected in the manner described in Paragraph 16, below.

(b) Appoint one of the Review Officers or the Campus Advocate to serve as the Presenter of the case. The responsibilities of the Presenter are more fully described in Paragraph 14, below.

13. The meetings and deliberations of the Review Officers and of the Student Honor Council shall be privileged and confidential.

14. The principal responsibilities of the Presenter are:

(a) to prepare a formal Charge of Academic Dishonesty, including the identity of the complaining party, 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 inform the complaining party of the actions being taken;
- (c) to present the evidence and analysis upon which the Charge is based to the Honor Board during the Honor Review;
- (d) to perform such other duties as may be requested by the Student Honor Council or the Honor Board.

15. 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.

PROCEDURES: RESOLUTION BY AN HONOR REVIEW

16. An Honor Review is conducted by an Honor Board. The Board is convened by the Student Honor Council acting for the Vice President for Academic Affairs. It must 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. No person who served as a Review Officer may serve on a factually related Honor Board.
- (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.

17. If the Vice President for Academic Affairs determines that the Student Honor Council or a Student 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. If Review Officers cannot be appointed in accordance with Part Five of this Code, the Campus Advocate or another person designated by the Vice President for Academic Affairs will serve in that capacity.

18. The purpose of an Honor Review is to explore and investigate the incident giving rise to the appearance of academic dishonesty, to reach an informed conclusion as to whether or not academic dishonesty occurred, and to make a recommendation to the Dean. As used throughout this document, the term "Dean" refers to the Dean of the College in which the alleged academic dishonesty occurred, or, if the accused student is a graduate student, the Dean of the Graduate School.

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 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) The Presenter, and then the student, summarize the matter before the Honor Board, including any relevant information or arguments.

(b) The Presenter, and then the student, present and question persons having knowledge of the incident, and offer documents or other materials bearing on the case. The Presenter, 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 Presenter 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 Presenter, and then the student, should 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 in favor of the student with a finding that an attempt or act of academic dishonesty "did not occur," or that it was "not proven," whichever more accurately describes the result of its investigation. The student would then be notified in writing of the decision to dismiss the charge.

(g) If the Honor Board finds the student has engaged in an act of academic dishonesty, both the Presenter and the student may recommend an appropriate penalty. Pertinent documents and other material may be offered. The Honor Board then meets privately to formulate a recommendation. The recommendation of the Honor Board will be by a majority vote of its members.

(h) The Presiding Officer will provide the appropriate Dean with a written report of the Honor Board's findings and recommendations.

22. The Presiding Officer will attempt to ensure the following rules and points of order are observed:

(a) The student may be assisted by an advisor, who may be an attorney. The role of an advisor will be limited to:

I. Making brief opening and closing statements, as well as comments on an appropriate sanction.

II. Suggesting relevant questions which the Presiding Officer may direct to a witness;

III. Providing confidential advice to the student.

Even if accompanied by 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 or comment by an advisor.

In consideration of the limited role of an advisor 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 advisor.

(b) A tape recording of the Honor Review will be maintained.

(c) 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 cause to be removed from the Honor Review any person, including the student or an advisor, 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 student and the Presenter, 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.

(d) 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 32 (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. The work of an Honor Board will not, as a general practice, be delayed due to the unavailability of a witness.

(e) 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 lesser or more severe sanctions, supported by reasons specified in a written

report by the presiding officer. Generally, acts involving advance planning, falsification of papers, collaboration 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.

24. The finding of the Honor Board will be final and not subject to review. The Board's sanction recommendation is advisory to the Dean. If the Dean modifies the Honor Board's recommendation, the Dean will provide written reasons to the Honor Board.

PROCEDURES: ACTION BY THE DEAN, INSTRUCTOR, VICE PRESIDENT, PRESIDENT

25. If the Honor Board finds that an attempt or act of academic dishonesty did occur, then the Dean will provide the student a copy of the Board's findings and recommendations, by personal delivery or certified mail. The student may submit a written appeal to the Dean concerning the Honor Board's recommendation within ten (10) days after the student receives the Board's findings and recommendations. The student will be deemed to have received such findings and recommendations on the date of personal delivery, or if certified mail is used, on the date of delivery at the last address provided to the University by the student.

26. If the Dean awards the student a grade, including the grade of "XF," or fashions an academic requirement, the decision constitutes the final and conclusive action of the University. If the Dean determines to suspend the student, then this will not be implemented until reviewed by the Vice President for Student Affairs (or designee). If the Dean determines to expel the student, then this will not be implemented until reviewed by the President (or designee). If the Dean determines to take an action not otherwise described above (e.g., a community service assignment), then this will not be implemented until reviewed by the Director of Student Conduct. In each instance, the review shall be limited to ensuring the sanction is not grossly disproportionate to the findings of the Honor Board.

THE GRADE OF "XF"

27. 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.

28. 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.

29. A 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.

30. 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 47 and 48 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

31. There shall be a Student Honor Council. The Honor Council is composed of forty (40) full-time students, normally appointed in the Spring for the following academic year, and who may each be reappointed for additional one year terms.

32. The members of the Honor Council are appointed in the following manner:

(a) The Deans of the Colleges (except the College of Library and Information Sciences); the Dean of the School of Architecture; and the Dean for Undergraduate Studies will each appoint two undergraduate students.

(b) The Dean of the Graduate School will appoint seven graduate students.

(c) A committee consisting of the Vice President for Academic Affairs, the Vice President for Student Affairs, the President of the Graduate Student Government, and the President of the Student Government Association will appoint the remaining members.

(d) If a dean or the committee wishes to reappoint a member of the Council, the dean or the committee shall seek the recommendation of the executive committee of the Student Honor Council. The Council shall recommend reappointment only if the member has demonstrated a level of service and commitment to the functions and ideals of the Council that is exemplary.

33. A member must be in high academic standing (a cumulative G.P.A. of at least 3.0) at the University and have no history of disciplinary, academic, or criminal misconduct.

34. All council members are subject to the training and conduct requirements of Parts 24 and 25 of the Code of Student Conduct.

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

(a) To develop bylaws subject to approval by the University for legal sufficiency and consistency with the requirements of this Code, and the Code of Student Conduct.

(b) To designate from its members students to serve as Review Officers, Presenters, and members of Honor Boards as specified in this Code. Appointment to these responsibilities will generally rotate in accordance with the bylaws of the Honor Council.

(c) To consider petitions for the removal of the grade of "XF" from University records in accordance with Part 26 of this Code.

(d) To receive complaints or reports of academic dishonesty from any source.

(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 Campus Senate on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.

36. 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

37. 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 the provisions of which are marked by complete student administration. The Campus Senate shall review

the operation of this Code during the 1992-93 academic year based in part on the annual reports of the Student Honor Council for the first three years of its operation. Consideration at that time should be given to introducing additional enforcement responsibilities and privileges characteristic of traditional honor systems at sister institutions, including the provision that only student members of Honor Boards may vote. It is expected that faculty participation on the Honor Boards will continue, since the faculty has an important interest in academic integrity, and since faculty members will have insights that should be considered in the resolution of individual cases.

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 [Part 17].

ACADEMIC DISHONESTY: see Part 1 of this Code.

CHARGE OF ACADEMIC DISHONESTY: a formal description of the case being considered by the Honor Board. [Part 15].

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). [Part 16].

HONOR REVIEW: the process leading to resolution of an academic dishonesty case. The process is conducted by an Honor Board. [Parts 21-24].

PRESENTER: officer responsible for preparing the charge of academic dishonesty and presenting the case before the Honor Board. The presenter is appointed by the Honor Board from among the Review Officers, or is the Campus Advocate. [Part 14].

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. [Part 19].

QUORUM: two-thirds of the members of the Student Honor Council.

REVIEW OFFICERS: three members of the Student Honor Council assigned to make a preliminary inquiry into an allegation of academic dishonesty. [Part 8].

STUDENT HONOR COUNCIL: body of 25 students appointed by the various Deans and Vice Presidents, as well as by the President of the Student Government Association and the President of the Graduate Student Government.

ADDENDUM

CODE OF ACADEMIC INTEGRITY

The University Senate recommends that full implementation of the Code of Academic Integrity be deferred until appropriate changes are made in the Code of Student Conduct, as follows:

1. The Code of Student Conduct should contain a prominent statement that "different procedures and penalties in cases involving allegations of academic dishonesty are set in the Code of Academic Integrity."
2. Parts 2(b), (d), and (h), along with Part 9(j) of the Code of Student Conduct should be deleted.
3. Part 9(k) of the Code of Student Conduct should become new Part 9(j). The remaining alphabetical Sections (l-q) should be re-lettered accordingly (e.g. the old "q" will become "p", and conclude the listing).
4. Part 12 of the Code of Student Conduct should be amended to read "violations of Sections (h) through (k)...."
5. Part 33 and note 39 of the Code of Student Conduct, and related provisions, should be amended to be consistent with Part 19(a) of the Code of Academic Integrity. Part 33 should be prefaced by the title "Advisors" and should read as follows:

Respondents or complainants participating in hearings or conferences may be accompanied by an advisor, who may be an attorney. The role of an advisor will be limited to:

- a. making brief opening and closing statements, to include comment, if desired, on any appropriate sanction;
- b. suggesting relevant questions to the Presiding Officer, which the latter may, in his or her judgment, direct to a witness;
- c. providing confidential advice to the student.

Even if accompanied by an advisor, the student must take an active and constructive role in disciplinary proceedings. In particular, the student must fully respond to inquiries in disciplinary conferences and hearings without undue intrusion or comment by an advisor.

In consideration of the limited role of an advisor and of the compelling interest of the University to expeditiously conclude disciplinary matters, hearings and conferences will, as a general practice, not be delayed due to the unavailability of an advisor.

6. Part 38 of the Code of Student Conduct should be amended to read "Any determination made pursuant to this Code resulting in ... [continue current text]."

