

- The sanction administered is unfair or inappropriate. The Dean then determines a penalty fair to the facts of the case. The Dean is not empowered to increase the level of the sanction, but may refer the case to an appropriate hearing body.

► 2) Appeals of Administrative Hearings

- Appeals of administrative hearings decisions are considered by the Dean of Students or designee. (In cases where the Dean of Students serves as the administrative hearing officer, the Vice President of Student Affairs or designee will consider student appeals.)
- The Dean may decide one of the following:
 - There is no basis for the appeal. The appeal is then dismissed, and the original decision stands.
 - An incorrect finding of responsibility was reached. The Dean will then dismiss the case.
 - The sanction administered is unfair or inappropriate. The Dean then determines a penalty fair to the facts of the case. The Dean is not empowered to increase the level of the sanction, but may refer the case to an appropriate hearing body.

► 3) Appeals of Community Hearing Board

- Appeals of Community Board decisions will be considered by the Vice President of Student Affairs, or by appointed committee (consisting of one administrator, one faculty member and two students) by the Vice President of Student Affairs.
- The committee is empowered to determine one of the following:
 - The appeal is without merit. A decision of no merit in an appeal by the accused is a final action.
 - The appeal has merit.
 - The finding of responsibility should be reviewed.
 - The sanction should be reviewed.
- If the committee decides that the appeal has merit, then the appeal is considered by the Vice President or designee. The Vice President or designee may:
 - Reverse a finding of responsibility;

- Order a rehearing before a new hearing board;
- Modify the sanction to be fair to the facts of the case; and/or
- Uphold the decision(s) of the original hearing body.

The Vice President of Student Affairs or designee may not increase the level of the sanction.

► 4) Continued Enrollment During Appeal

- If the sanction being appealed includes a form of separation from the University, the accused may not take part in any University function except scheduled classes while the appeal is pending without the written permission of the Vice President of Student Affairs. Where appropriate, the Vice President of Student Affairs may also restrict a student from parts of the University or specific functions or activities during the appeal period.
- In those cases where the committee or administrator (with the concurrence of the Vice President of Student Affairs) determines that the continued presence of the student constitutes a risk to the educational process, the University, to him/herself, or to others, class attendance may also be prohibited.

Policy on Student Academic Integrity

► Introduction

Integrity is a principle which permeates all the activities of the University and which guides the behavior of faculty, students and staff. The principle of academic integrity is manifested in a spirit in which truth is pursued, in a process by which students learn about the concept of integrity and in a procedure for determining individual accountability for the standard of integrity.

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's rights and responsibilities.

► Scope

This policy is intended to foster student academic integrity and to address cases of student academic misconduct.

PROCEDURES FOR HANDLING CASES OF ACADEMIC MISCONDUCT

Faculty Action

Individual faculty members 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 faculty member will advise the student in a timely fashion of the accusation and will allow the student an opportunity to question it before implementing a sanction. The faculty member may check with the University Judicial Administrator to ascertain whether there is a previous history of academic misconduct.

Individual faculty members may impose an appropriate sanction which reflects the seriousness of the act or may delegate authority only for determining a sanction to a duly designated standing departmental committee. The departmental committee may elect, but is not required, to meet with the student and faculty member for the sole purpose of determining an appropriate sanction. Course-based sanctions may range from a written warning to (but not greater than) removal from the course and issuance of an F in the course.

If a sanction is issued, the faculty member or departmental committee must complete an Academic Integrity Violation Incident Report in a timely manner. Copies of the Academic Integrity Violation Incident Report are sent to the University Judicial Administrator and to the student as an official notification of the sanction. The faculty member and departmental committee (when appropriate) have the responsibility to retain any materials or documents that may be pertinent to the case until its final resolution.

Academic Policies Committee

The academic policies committee, and not an individual faculty member or department committee, will handle cases of academic misconduct under three conditions:

1. If it is determined that misconduct warrants a sanction greater than an issuance of an F in the course, the faculty member or departmental committee must refer the case in writing to the Academic Policies Committee. Additional sanctions can include, but are not limited to, dismissal from a major, dismissal from a program, suspension from the University or expulsion from the University. A copy of all such referrals must be sent to the student and to the University Judicial Administrator. The written materials must include a letter endorsing the recommended sanction signed by the Chair of the department or program involved and a letter of endorsement signed by the Dean of the school.
2. Repeat offenses as reported to the University Judicial Administrator will be automatically referred to the Academic Policies Committee, which will decide on any additional sanctions beyond those imposed by individual faculty members or departmental committees, up to and including expulsion from the University, and specifically including an F on the transcript identified as an "academic dishonesty F."
3. All appeals as described below.

Student Appeals

The student's right to appeal is outlined in the following procedures. Students are entitled to the assistance of an advocate. An advocate assists the student in the preparation and presentation of the case. The advocate may be selected by the student or, at the request of the student, appointed by the University Judicial Administrator. In all cases, the advocate must be a member of the University faculty, staff or student body.

The appeal process must be in accordance with the following provisions:

1. A student appeal, including the grounds for the appeal, is submitted in writing to the University Judicial Administrator in the Office of the Vice President of Student Affairs within five working days of receiving the Academic

Integrity Violation Incident Report.

- The student's written appeal ordinarily will be forwarded to the Academic Policies Committee by the University Judicial Administrator within five working days of its filing. In the event the Academic Policies Committee is not available, the University Judicial Administrator will forward the appeal to the Provost, who will create an ad hoc committee to handle the review. (All further references in this policy to the Academic Policies Committee include the ad hoc committee where appropriate.)

► Reviews by Committee

In all matters referred to the Academic Policies Committee, the committee will review all documentation submitted in the case and will then have the following options: 1) to render a written decision based on evidence submitted and/or 2) to initiate an investigation and/or 3) to initiate a formal hearing. In all cases where suspension or expulsion is recommended, a hearing will be granted.

► Investigation

If it is determined that an investigation should be undertaken, written notice shall be sent to all parties that the case will be investigated through a series of interviews for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered. The investigation may include interviews with the parties in the case and with any witnesses to the events, a review of any pertinent documents and any other actions deemed appropriate.

Hearing

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 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 cross examine 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 parties shall be entitled to each have an advocate to assist in the preparation and presentation of the case.
- No one may be represented by an attorney at the hearing, unless the student is facing or is likely to face criminal charges relating to the alleged academic misconduct. If so, both the student and the faculty member may elect to have counsel assist them. Counsel for the hearing body may 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.
- 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 (or administrator hearing the case) 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 must 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.
- The Chair of the Academic Policies Committee (or administrator hearing the case) 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. Reasonable limits may be set 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 (or administrator hearing the case) may seek the advice of legal counsel.
- The party that has imposed or recommended sanctions under this policy has the burden to prove by a preponderance of the evidence that a violation of this policy did occur.
- 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.

Findings

After it has completed its review, the Academic Policies Committee shall issue written findings of fact and conclusions, usually within three to five days, and shall provide a copy of the findings along with the sanction to be imposed to the student, faculty member and Judicial Administrator.

Appeals from the Academic Policies Committee Findings

For sanctions of written warning, imposition of an F and/or dismissal from a course, the decision of the committee is final and no further appeal will be allowed. For more severe sanctions, an additional appeal of the committee's findings will be allowed. 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. It will be handled as follows: (1) When the committee recommends the sanction of dismissal from a major or program, 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. (2) When the committee recommends the sanction of suspension or expulsion from the University, the University President will review the appeal, take all necessary action and make the final, binding decision. In all cases, the decision will be conveyed in writing to the student, the faculty member, the Judicial Administrator and the Academic Policies Committee.

Impact of F Grade for Academic Misconduct

If the sanction imposed is an F in the course, the student ordinarily 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 imposed F shall stand for the course, unless the student successfully appeals the sanction. A course grade of F received for academic integrity violation(s) will remain in the student's GPA and on the transcript. The course can be repeated, but both grades will be calculated in the GPA and remain on the transcript. A student who has received a course grade of F for academic integrity violation(s) will not be allowed to graduate with University honors.

► Academic Polices Committee

Under this policy the Academic Policies Committee serves to review appeals of faculty-imposed sanctions, hears cases referred by faculty members where the sanction may include dismissal from a major or program, suspension or expulsion from the University, and handle cases of repeat offenders.

► University Judicial Administrator

The role of the University Judicial Administrator is outlined under "Judicial Authorities."

► University System of Maryland Policy

In accordance with Board of Regents policy, students expelled or suspended for reasons of academic dishonesty 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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