

University of Mary Academic Honor Code and Honor System

Guiding Principles

In accordance with the University of Mary's mission and to support students in developing the virtue of integrity and in upholding the Benedictine values, the University of Mary's Teaching Faculty Organization (UMTFO) and Board of Directors establish this Academic Honor Code.

Oaths

As bookends of formation in the mission and Benedictine values, University of Mary entering students shall sign an oath of academic integrity in their orientation courses (HUM 122, ELA 110, etc.) and verbally commit to an oath of professional integrity at graduation. Faculty are required to include a statement of academic integrity and a link to the Academic Honor Code in their syllabus and are strongly encouraged to require students to sign a form acknowledging receipt, understanding, and agreement to comply with the syllabus.

Entry Oath:

As a member of the University of Mary community, I will uphold the university's mission, the Benedictine values, and the policies and procedures that apply to students. I commit to enhancing my knowledge of the university's values, expanding their application to my personal and professional life both on and off campus.

Graduation Oath:

As a graduate of the University of Mary, I pledge to continue to live the values of the Benedictine tradition and to uphold the highest ethical standards of personal and professional conduct.

Academic Misconduct

The following are violations of academic integrity and forms of academic misconduct. This list is not exhaustive.

Cheating

Cheating includes the actual use or attempt to use unauthorized materials, technology, or other aids on any form of academic work. It also includes the unauthorized giving of assistance, receiving of assistance, or any attempts thereof on academic work.

Examples of cheating include:

1. Failure to follow rules or instructions on an examination or another activity undertaken for academic credit where such a failure could result in the student gaining an unfair advantage
2. Removing an examination from the examination room unless authorized by the instructor
3. Obtaining any portion of an examination before it is officially available or learning of any portion of an examination's content before it is officially available
4. Copying another person's answer to an examination question
5. Consulting an unauthorized source during an examination
6. Consulting or seeking the assistance of others when writing a "take home" examination unless permitted by the course instructor
7. Submitting work prepared in collaboration with another or other member(s) of a class, when collaborative work on a project has not been authorized by the instructor
8. Preparing work in whole or in part, with the expectation that this work will be submitted by another student for appraisal
9. Offering for sale, or for free, essays or other assignments, in whole or in part, with the expectation that these works will be submitted by a student for appraisal
10. Impersonation in class, in a test, examination or interview, or in connection with any other type of assignment or placement associated with a course or academic program

Plagiarism

Plagiarism is the intentional misappropriation of the work—whether published, unpublished posted electronically, attributed, or anonymous—of another by representing another person's ideas, writing, or other intellectual property as one's own.

Examples of plagiarism include:

1. Copying of or attempts to copy the language, images, structure, programming, computer code, ideas, and/or thoughts of another and passing off the same as one's own original work.
2. Paraphrasing of oral or written material of other persons without adequate attribution.
3. Engaging in self-plagiarism, which is failure to properly cite a work previously produced by oneself or submitting the work one has done for one class or project to a second class, or as a second project, without the prior informed consent of the relevant instructors
4. Submitting work prepared in whole or in part by another person and representing that work as one's own

Fabrication or Falsification

Falsification and fabrication are actions taken, or attempts thereof, to mislead or deceive others by altering or inventing information relevant to one's academic work. Any form of this behavior is prohibited, verbally or in writing.

Examples of fabrication or falsification include altering, inventing, or modifying information, either by omission or commission:

1. On any university forms, university records, or any other official or unofficial document used in support of an academic application, record, petition/appeal, or endeavor, including letters of recommendation
2. On a physician's letter/form
3. On academic work, including citations, reporting of research results, and description of research methods used
4. With the intent to avoid or delay writing an examination or fulfilling any other academic requirement and/or
5. Forging official signatures

Improper Research Practices

Violations of ethical research practices in one's field or failure to adhere to the Institutional Review Board (IRB) policies and procedures (when applicable) is a violation of the Academic Honor Code. IRB violations will be referred to this Board for a determination of appropriate action. Investigatory processes and response actions of the IRB supersede all requirements contained in this policy for alleged IRB violations.

Dissemination of Information without Permission

Information or experimental data collected, written, or developed by more than one collaborator (e.g., a student and faculty member, team of students) must not be submitted for publication or otherwise disseminated without the permission of all collaborators. Failure to receive such permission is a violation of this policy.

Breach of Confidentiality

Unauthorized possession, use, alteration, taking, or releasing of information originally provided under the assurance of confidentiality is considered a confidentiality breach and is prohibited.

Examples of confidentiality breaches include unauthorized possession, use, or release of:

1. Data or information contained in confidential grant proposals, award applications, or manuscripts
2. A password assigned to another
3. A data file or program belonging to someone else

Proper authorization means being granted permission either by the owner or originator of that material or by an appropriate faculty member or administrator.

Obstruction of Another's Academic Activities

Interfering with the academic activities of another is prohibited.

Examples of obstruction of another's academic activities include:

1. Interfering or tampering with an experiment, experimental data, a written or artistic work, a chemical used for scientific study, or with any other intellectual property.
2. Intentionally interfering with the opportunities of another person to have his or her contribution fully recognized or to participate in the academic program
3. Preventing others from fair and equal access to university facilities associated with academic activities or to academic resources such as library resources
4. Using or attempting to use personal relationships, bribes, threats or other illegal conduct to gain unearned grades or academic advantages

Aiding and Abetting

Encouraging, enabling or causing others to do or attempt any of the above.

Reporting Alleged Violations

A student observing or otherwise having knowledge of a possible violation of this policy shall report it to a faculty member, staff person, or administrator, who will submit an Academic Misconduct Report Form¹. Any student or staff member reporting a violation is protected by the University of Mary's whistleblower and retaliation policy, is responsible for following any applicable requirements contained therein, and may be contacted by the Office of Academic Affairs to be informed of confidentiality requirements related to the reported violation under the Family Educational Rights and Privacy Act (FERPA). Once the report is received, the Assistant to the Vice President for Academic Affairs will notify the Registrar's Office that the student may not withdraw from the course

- **Violations within the Classroom:** Academic misconduct occurring within the classroom setting will be addressed under the Informal System (below).
- **Violations outside the Classroom:** Any faculty, staff person, or administrator who observes, or has reason to believe, that an alleged violation occurred outside the classroom shall report it using the Academic Misconduct Report Form. The Office of Academic Affairs shall determine the appropriate system (Informal or Formal) for processing the complaint and will submit it to the appropriate authority for investigation.
- **Repeat Violations within or outside the Classroom:** The Assistant to the Vice President for Academic Affairs will review each Academic Misconduct Report Form in relation to the Academic Misconduct database to determine if the student has committed academic misconduct on more than one occasion.

Should the Assistant to the Vice President for Academic Affairs discover that this is not the first academic misconduct violation, then the report with the annotation that this is not the first academic misconduct violation is automatically forwarded to the instructor of

¹ <https://umary.wufoo.com/forms/academic-dishonesty-form/>

record (if applicable) and to the dean of the student's major² who will determine whether or not the formal system should be enacted.

The Informal System

Instructor's Authority and Role

In cases within the classroom setting where an instructor has reasonable cause to believe that a current student has violated a conduct standard in this policy, the severity of the violation warrants a remedy within the instructor's jurisdiction to enforce,³ and

1. The student admits to the violation or
2. The instructor has indisputable proof of a violation in the classroom setting,

The instructor may impose any of the following sanctions:

- The work is accepted with a reduced grade higher than F
- The work is accepted with a grade of F
- The work is accepted with a grade of zero
- The student is given a deadline by which to submit a satisfactory replacement assignment with a reduced grade or for no credit.
- The student is given an overall grade reduction for the course not resulting in course failure. An exception applies when the grade reduction is applied to a student who is earning a "D" in the course and the grade reduction would result in an "F." In such cases, the instructor is authorized to enforce the grade-reduction penalty.

The instructor must complete the Academic Misconduct Report Form, an online form that is automatically sent to the Assistant to the Vice President for Academic Affairs, and the instructor must send a copy of that notice to the student. The Assistant to the Vice President for Academic Affairs shall report this information to university officials with a legitimate educational need to know about the violation (e.g., coaches).

Use of Channel of Communication for Conduct outside Instructor's Jurisdiction

If the instructor deems the violation to warrant a more severe sanction than those listed above (e.g., failing the class due to a sanction alone, drop from program, probation) or in cases where the student does not confess to the charges and there is not indisputable proof of a violation, the incident will be referred to the next person in the channel of communication for the course. That person will provide the student with notice of the accusation, supporting documentation, and an opportunity to respond within a reasonable deadline. That person will determine if a disciplinary response is warranted and the appropriate level of response based on all evidence

² If the student has multiple majors from multiple schools, the report will be sent to all impacted deans. If deans disagree on the appropriate system for handling the response, the Formal System will be automatically enacted.

³ The instructor shall determine the severity of the violation based on whether or not the violation was intentional; the number, recency, and degree of previous violations, if applicable the type of assignment at issue, if applicable; the impact of the violation on other students, faculty, or the institution, if applicable; and whether or not the student engaged in behavior prohibited by other university policies when committing the honor code violation (e.g., acceptable use policy). Instructors uncertain of how to classify the violation shall consult with their immediate supervisor.

submitted; however, this person does not have authority to suspend or dismiss a student from the university. Any recommendation in this regard must be forwarded to the formal system for decision making.

That person determining the appropriate disciplinary response will issue his/her findings to the student in writing along with information on the appeals process and retain a copy in the event of an appeal. That person will also issue his/her findings to the Assistant to the Vice President for Academic Affairs. Academic Affairs shall report this information to university officials with a legitimate educational need to know about the violation.

Appeal

If the student is dissatisfied with the decision made in the informal system, the student may appeal the alleged violation of the Honor Code. The student must appeal the decision to the dean the school of the student's major⁴ within seven calendar days of notification of the decision. This notification will prompt action under the Formal System.

The Formal System

Honor Panel Composition and Responsibilities

The student's dean⁵ shall choose the composition of the Honor Panel from the options below:

1. The Honor Panel may be composed solely of the student's dean. This option is generally used when:
 - a. The alleged level of academic misconduct, if found, would result in a recommendation for a sanction of less than dismissal from the University, and
 - b. The dean does not have a conflict of interest (e.g., was not the instructor of record in the course where the violation occurred), or
 - c. A full Honor Panel (as described in #2 below) cannot be convened.
2. The Honor Panel may be composed of a dean,⁶ two faculty members, and two student members. The Student Government elects three upper-division students to serve on the panel (two representatives and one alternate). The University of Mary Teaching Faculty Organization elects two faculty representatives and one alternate to serve on the panel. Pools established the previous year continue until a new pool is appointed in September. A quorum (i.e., a simple majority) of this panel is required to hold a hearing and will make decisions through a simple majority vote. The dean shall be the chair of the Honor Panel.

The dean overseeing the Honor Panel is responsible to ascertain that the rights of all parties have been respected, that due process has been followed, that the decision is supported by a

⁴ If the student has multiple majors from multiple schools, the report will be sent to all impacted deans by Academic Affairs.

⁵ This is the dean of the student's major. If the student has multiple majors from multiple schools, the impacted deans shall designate one to chair the Honor Panel. If the deans are unable to decide on a Chair, the Office of Academic Affairs will appoint the Honor Panel Chair.

⁶ Typically, the dean of the student's school unless s/he has a conflict of interest.

preponderance of the evidence, and that the sanctions imposed are appropriate and in keeping with policy. Any concerns of the dean are forwarded to the Office of Academic Affairs with the Honor Panel's report.

All members of the Honor Panel pools receive training approved by the University's attorney.

Notification

The Chair of the Honor Panel will notify the student who is the subject of an Honor Panel hearing of the notice of the allegations; date, time, and location of the hearing; rights and obligations of the student (see below) at least five calendar days prior to the hearing. The Chair will work with the student, within reason, to schedule an alternative date and time for the hearing if the originally scheduled date and time conflicts with the student's schedule.

The Honor Panel Chair shall contact the Office of Academic Affairs at least seven calendar days prior to the hearing to request that all evidence for the hearing be gathered and disseminated in accordance with the requirements below.

Rights and Obligations of the Student

A person accused of violating the Academic Honor Code shall be accorded the following rights:

1. To be considered innocent until proven guilty
2. To be advised by and/or represented by any member of the university community who is chosen by the student and agrees to serve
3. To seek counsel with his or her representative and expect all such conversations to be held in confidence
4. To speak on his or her own behalf
5. To refrain from self-incrimination
6. To receive written notice of all charges of academic honor code violations
7. To receive, at least 48 hours prior to the Honor Panel, a copy of all evidence in the case in possession of the academic honor system
8. To question any witness who testifies at the Honor Panel
9. To be present for the presentation of all evidence to the Honor Panel
10. To have the Honor Panel make a decision based solely on the evidence presented at the Honor Panel hearing
11. To receive a written notification of the decision of the Honor Panel with respect to verdict
12. To appeal the verdict of the Honor Panel to the Vice President for Academic Affairs within 14 calendar days of issuance of the Honor Panel's decision to the student

If the student intends to have legal counsel present at the hearing, s/he must notify the Honor Panel Chair within 48 hours of the hearing. The Chair may request that the University's attorney be present at the hearing in such cases.

Evidence Gathering

The Assistant to the Vice President for Office of Academic Affairs will initiate the evidence-gathering phase of the process. This includes solicitation of additional materials from the student, the person filing the allegation report, and any other persons who may have information relevant to the allegation; developing a list of individuals to provide testimony; and informing witnesses of the hearing date and time. Any witness unable to attend the hearing may submit a written statement to be included with the evidence presented.

Probation Pending the Hearing

The Assistant to the Vice President for Academic Affairs will also determine whether or not the student should be placed on probation pending the hearing and will notify the student of this decision as soon as possible.

Hearing

The hearing is not a court proceeding and should not be referred to or conducted as such. There are no specific rules of evidence or procedure that must be followed. The intent of the hearing is to determine whether or not the alleged Honor Code violation is supported by a preponderance of the evidence.

Failure of the student to appear at his/her hearing constitutes an admission that the student violated the Honor Code as alleged. Failure of the person bringing the allegation to appear does not automatically outweigh any information developed during the evidence gathering phase. The student or his/her representative shall be given the opportunity to make opening and final statements, call witnesses, and cross examine witnesses called by the Honor Panel. The Honor Panel may ask questions of anyone present as needed. The proceedings may be videotaped or recorded by the University.

The Hearing is a closed meeting. Only the student, his/her representative, Honor Panel members, and the University's attorney (if applicable), shall be present for the duration of the hearing. Witnesses shall be called into the room individually to present evidence and will be dismissed after answering all questions. The Chair is responsible for maintaining the decorum of the hearing.

Decision

The Honor Panel determines, by majority vote, whether or not a violation of the Honor Code has occurred. Subsequently, the Panel determines, by a second majority vote, the sanction(s) to be applied, if applicable. The Chair shall not vote unless necessary to break a tie.

If the Honor Panel is composed of only the Dean, s/he makes an independent decision of whether or not a violation occurred and the appropriate penalty (if applicable).

A report of the Panel's findings and decisions is sent to the student, the faculty advisor, impacted instructor (if applicable and if s/he has a legitimate educational need to know the outcome of the hearing), and the Office of Academic Affairs.

The student may appeal the decision of the Honor Panel in writing to the Vice President for Academic Affairs within 14 calendar days of the Honor Panel's decision. The appeal may be based on the discovery of new evidence previously unavailable or a significant irregularity in the procedural process that is perceived to have impacted the outcome of the decision by the Honor Panel.

Penalties within the Formal System

When the Honor Panel determines that a student violated the Academic Honor Code, it shall determine the appropriate penalty based on the following criteria:

- The severity of violation: Minor violations, such as seeking unauthorized assistance on a small homework assignment, may be addressed using the penalties listed under the informal system. Major violations, such as cheating on a licensure exam, should be addressed using the highest level of penalties available under this policy (i.e., dismissal);
- The degree to which the misconduct disrupted the educational environment;
- The degree to which the misconduct infringed on the rights of others;
- The degree to which the misconduct infringed on the University's, or any school/program under its jurisdiction, ability to offer quality academic programming with integrity;
- The frequency, proximity, and severity of prior Honor Code violations.

In addition to the penalties listed under the informal system, the Honor Panel has authority to enforce any of the following penalties based on application of the criteria above:

- Assigning a grade of an "F" for the course, which will appear on the student's permanent transcript;
- Placing the student on a probation plan, the terms of which will be prescribed by the Honor Panel and enforced by the student's program chair or advisor;
- Removing the student from his/her program of study but allowing the student to remain enrolled at the University;
- Recommending, to Vice President for Academic Affairs, suspension of the student for one or two terms;
- Recommending that the Vice President for Academic Affairs dismiss the student from the University.

Review by the Office of Academic Affairs

With or without an appeal, the Vice President for Office of Academic Affairs reviews all recommendations and decisions of the Honor Panel plus any additional information to ascertain that the rights of all parties have been respected, that due process has been followed, that the decision is supported by the evidence, and that the sanctions imposed or recommended are appropriate and in keeping with policy. The Vice President for Office of Academic Affairs may override any decision of the Honor Panel (i.e., may overturn the decision or adjust the sanction(s)). The Office of Academic Affairs applies the determined sanctions and

notifies the student and other offices affected by the decision (e.g., Registrar, Financial Aid, dean of the student's school). There is no intra-university appeal beyond this stage.