

**FACULTY RIGHTS AND RESPONSIBILITIES--INSTRUCTIONAL**

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14 FACULTY RIGHTS AND RESPONSIBILITIES--INSTRUCTIONAL

14.1 POLICY ON ACADEMIC ADVISING

([Board of Regents Policies and Procedures III-2.50](#); Approved by the Board of Regents, June 21, 1990)

Academic advising, the primary concerns of which are individual student growth and development, and effective use of the institution's resources, shall be acknowledged as a necessary part of a student's education.

Each institution shall develop, maintain and publicize an academic advising system which provides accurate and timely advice for all students.

The President of each institution or his designee shall monitor the operation of the academic advising system to ensure its continued effectiveness and will determine the most appropriate way to recognize and reward superior academic advising.

14.2 POLICY ON FACULTY, STUDENT AND INSTITUTIONAL RIGHTS AND RESPONSIBILITIES FOR ACADEMIC INTEGRITY

([Board of Regents Policies and Procedures III-1.00](#); Approved by the Board of Regents, November 30, 1989)

The academic enterprise is characterized by reasoned discussion between student and teacher, a mutual respect for the learning and teaching process, and intellectual honesty in the pursuit of new knowledge. By tradition, students and teachers have certain rights and responsibilities which they bring to the academic community. While the following statements do not imply a contract between the teacher or the institution and the student, they are nevertheless conventions which should be central to the learning and teaching process.

I. FACULTY RIGHTS AND RESPONSIBILITIES

- A. Faculty members shall share with students and administrators the responsibility for academic integrity.
- B. Faculty members shall enjoy freedom in the classroom to discuss all subject matter reasonably related to the course. In turn, they have the responsibility to encourage free and honest inquiry and expression on the part of students.
- C. Faculty members, consistent with the principles of academic freedom, have the responsibility to present courses that are consistent with their descriptions in the

catalog of the institution. In addition, faculty members have the obligation to make students aware of the expectations in the course, the evaluation procedures, and the grading policy.

- D. Faculty members are obligated to evaluate students fairly, equitably, and in a manner appropriate to the course and its objectives. Grades must be assigned without prejudice or bias.
- E. Faculty members shall make all reasonable efforts to prevent the occurrence of academic dishonesty through appropriate design and administration of assignments and examinations, careful safeguarding of course materials and examinations, and regular reassessment of evaluation procedures.
- F. When instances of academic dishonesty are suspected, faculty members shall have the responsibility to see that appropriate action is taken in accordance with institutional regulations.

## II. STUDENT RIGHTS AND RESPONSIBILITIES

- A. Students share with faculty members and the administrators the responsibility for academic integrity.
- B. Students have the right of free and honest inquiry and expression in their courses. In addition, students have the right to know the requirements of their courses and to know the manner in which they will be evaluated and graded.
- C. Students have the obligation to complete the requirements of their courses in the time and manner prescribed and to submit their work for evaluation.
- D. Students have the right to be evaluated fairly, equitably, and in a timely manner appropriate to the course and its objectives.
- E. Students shall not submit as their own work any work which has been prepared by others. Outside assistance in the preparation of this work, such as librarian assistance, tutorial assistance, typing assistance, or such special assistance as may be specified or approved by the appropriate faculty member, is allowed.
- F. Students shall make all reasonable efforts to prevent the occurrence of academic dishonesty. They shall by their own example encourage academic integrity and shall themselves refrain from acts of cheating and plagiarism or other acts of academic dishonesty.

- G. When instances of academic dishonesty are suspected, students shall have the right and responsibility to bring this to the attention of the faculty or other appropriate authority.

### III. INSTITUTIONAL RESPONSIBILITIES

- A. Constituent institutions of the University System of Maryland shall take appropriate measures to foster academic integrity in the classroom.
- B. Each institution shall take steps to define acts of academic dishonesty, to ensure procedures for due process for students accused or suspected of acts of academic dishonesty, and to impose appropriate sanctions on students found to be guilty of acts of academic dishonesty.
- C. 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.

#### 14.3 UNDERGRADUATE STUDENT ACADEMIC CONDUCT POLICY

(Approved by the Faculty Senate, November 9, 2004; Amended November 1, 2010 by the Undergraduate Academic Conduct Committee; Approved December 14, 2010 by Faculty Senate. Section headings and paragraph style adapted to the format of this *Handbook*.)

##### I. POLICY STATEMENT

The Undergraduate Student Academic Conduct Policy (Policy) defines and strives to ensure academic integrity at the University of Maryland, Baltimore County (UMBC). The Policy describes the process for addressing allegations of undergraduate student academic misconduct. The underlying philosophy of this Policy is that members of the university community view academic integrity as a serious institutional value and that academic misconduct incidents should be resolved by Faculty Members and students in a cooperative manner.

Some cases of academic misconduct may seem more serious than others; however, all instances of academic misconduct as described in this Policy should be reported to the Academic Misconduct Reporting Database. Filing a report, even when the offense does not appear to be extensive, flagrant, repeated, or intentionally deceitful, produces two worthwhile results: it creates a record that can identify a student whose misconduct is repeated in more than one course or over more than one semester, and it clearly demonstrates that UMBC takes academic misconduct seriously.

Reports of academic misconduct that result in a permanent notation of "Expulsion",

"Suspension", or "Academic Misconduct" on the student's transcript are considered an academic misconduct record. As such, any record with such a transcript notation would be disclosed as an student educational record of academic misconduct as provided for in the "Disclosure of Student Records Procedure".

## II. ADMINISTRATION OF POLICY

- A. This Policy is administered by the Undergraduate Academic Conduct Committee (ACC). Its membership will consist of four Faculty Members elected by the Faculty Senate, and four undergraduate students appointed by the Student Government Association Senate. The ACC will discharge its duties without bias.
- B. Non-voting members shall include the Dean of Undergraduate Education and the University General Counsel. Non-voting members may send a designated representative to ACC meetings.
- C. The ACC reports to the Faculty Senate through the ACC Chair.
- D. The Chair of the ACC shall be elected from among the Faculty Members of the ACC.
- E. The ACC Chair will report statistics concerning academic misconduct incidents each year to the Faculty Senate, but this report will contain no information about individual students or faculty members. A brief report of ACC hearings and their outcomes may be published in The Retriever or elsewhere, but these reports will not identify the individual students or faculty members involved.
- F. The Office of the Provost will publish the standards of academic integrity required at UMBC.
- G. Faculty members shall maintain academic integrity in their courses, determine whether a student has engaged in academic misconduct, and initiate proper procedures if such a determination is made.

## III. DEFINITIONS

- A. Faculty Member means any individual hired by UMBC to serve as a course instructor whether full or part time, tenure or non tenure track, adjunct or visiting.
- B. Non-voting Member means an individual granted a voice or the right to speak, but not the right to vote during hearings or ACC meetings.

- C. Reporter means an individual who reports an incident of alleged academic misconduct.
- D. Course Penalty means a penalty which results in a student receiving fewer points or a lower letter grade on an assignment, exam, or on the final letter grade. Course Penalties are indistinguishable on a student's transcript from grades due to poor performance in the course.
- E. Institutional Penalty is a penalty which marks the student's transcript and/or affects a student's eligibility to enroll at the university. An Institutional Penalty may be imposed independently or in addition to a Course Penalty.
- F. Cheating means using or attempting to use unauthorized material, information, study aids, or another person's work in any academic exercise. For example:
- Working on an assignment with others when the instructor asked for individual work, or
  - Receiving unauthorized help on an assignment, or
  - Getting questions or answers from someone who has already taken a test or exam, or
  - Copying from another student during a test or exam with or without that student's knowledge, or
  - Using unauthorized material (e.g., an instructor's manual) to fulfill an assignment, or
  - Using unauthorized crib notes or cheat sheets during a test or exam, or
  - Using unauthorized aids (e.g., calculator), or
  - Altering a graded test, exam, or paper and submitting it for regrading, or
  - Asking someone else to take a test or exam in place of the enrolled student, or
  - Cheating on a test or exam in any other way, or
  - Any other action defined as cheating in the class syllabus by the Faculty Member.
- G. Fabrication means falsification or invention of any information or citation in an academic exercise. For example:
- Inventing or falsifying lab or research data, or
  - Inventing or falsifying a bibliography, or
  - Any other action defined as fabrication in the class syllabus by the Faculty Member.

- H. Facilitating academic misconduct means helping or attempting to help another student commit an act of academic misconduct. For example:
- Writing or providing all or part of a paper, essay, problem set, computer program, or other assignment for another student, or
  - Helping someone else cheat on a test or exam (e.g., permitting someone to copy from a test or exam, taking a test or exam for someone else), or
  - Any other action defined as facilitating academic dishonesty in the class syllabus by the Faculty Member.
- I. Plagiarism means knowingly, or by carelessness or negligence, representing as one's own, in any academic exercise, the intellectual or creative work of someone else. For example:
- Turning in work done in whole or in part by someone else, or
  - In a course requiring computer work, copying another person's program, or
  - Paraphrasing or copying material from a written source, including the Internet, without footnoting or referencing it in a paper, or
  - Copying material from a written source, including the Internet, without using quotation marks, or
  - Turning in a paper obtained, at least in part, from a term paper "mill" or website, or
  - Turning in a paper copied, at least in part, from another student's paper, whether or not that student is currently taking the same course, or
  - Any other action defined as plagiarism in the class syllabus by the Faculty Member.

#### IV. PENALTIES FOR ACADEMIC MISCONDUCT

- A. A Faculty Member may consult with the Chair of the ACC if desired or necessary [see section V. C.] regarding the handling of suspected Academic Misconduct. In response to Academic Misconduct, the Faculty Member may take one or more of the following actions:
- Award a Course Penalty, including, but not limited to, an F in the course, a zero on the assignment, and/or a percentage off the final grade;
  - Require the completion of additional assignments;
  - Give the student a written warning;
  - Provide information about forms of assistance from the Counseling Center, the Writing Center, the Learning Resources Center, or other resources; and/or
  - Request consideration of an Institutional Penalty by the ACC.



In all cases, the Faculty Member shall submit a report to the Academic Misconduct Reporting Database.

- B. If the Academic Misconduct is egregious, the Faculty Member, or the Chair of the ACC, may refer the matter to the ACC to consider that an Institutional Penalty be imposed, in addition to the Course Penalty. Regardless of egregiousness, when the Academic Misconduct reported is not the student's first offense, the ACC may consider the imposition of an Institutional Penalty. Institutional Penalties are limited to:
- A probationary transcript notation of "academic misconduct" associated with the semester record;
  - A permanent transcript notation of "academic misconduct" associated with the semester record;
  - Suspension for one or more semesters with a permanent transcript notation of "academic misconduct suspension" associated with the semester record; and
  - Expulsion with a permanent transcript notation of "academic misconduct expulsion" associated with the semester record.
- C. If a student commits Academic Misconduct in a course in which he or she is not enrolled at the time of the incident (e.g., a student takes an exam or does homework, in a class in which the student is not enrolled, on behalf of another student), the Faculty Member in whose course the misconduct occurred shall submit a report to the Academic Misconduct Reporting Database. The ACC will schedule a hearing with the student . Possible courses of action are:
- No penalty;
  - Give the student a written warning;
  - Refer the matter to Student Judicial Programs; or
  - Any of the Institutional Penalties listed in section IV. B. above.
- The committee cannot recommend that students be given retroactive grade changes due to misconduct committed in a course in which they were not enrolled at the time of the incident.
- D. An Institutional Penalty requires the consideration and concurrence of the ACC, the ACC's recommendation to the Provost, and consideration and concurrence of the Provost.

- E. After graduation from UMBC, a student may petition the Provost to remove a probationary transcript notation of "academic misconduct". The Provost may grant such petitions provided the student has committed no subsequent incidents of Academic Misconduct at UMBC.
  - F. A sanction of suspension for Academic Misconduct terminates the student's status as an enrolled student for one or more semesters. The suspension may take effect immediately, or on some future date to be specified. Suspension prohibits the student's further matriculation at a University System of Maryland institution during the period of the suspension.
  - G. A sanction of expulsion permanently terminates a student's status as an enrolled student, and prohibits the student's further matriculation at a University System of Maryland institution.
  - H. Unless a penalty of suspension or expulsion has been imposed, charges of Academic Misconduct shall not interfere with a student's right to participate in a class that he/she is enrolled in. Students who are facing penalties of suspension or expulsion may continue attending classes and complete all remaining academic exercises while they are awaiting final notification from the Provost. Students who disrupt any university activity as described in Article V. Paragraph B. 9. of the UMBC Code of Student Conduct should be referred to Student Judicial Programs for appropriate administrative action.
  - I. Occasionally, Academic Misconduct may not be discovered or reported until after the student has completed the course in which the Academic Misconduct is alleged to have occurred. In these cases the ACC may recommend to the Provost the imposition of a retroactive penalty. If the imposition of the penalty involves the revocation of an academic degree already awarded, the Provost will notify the Registrar of the change.
- V. PROCEDURES FOR REPORTING INCIDENTS OF ACADEMIC MISCONDUCT
- A. Faculty Members have the right and responsibility to deal directly with any case of Academic Misconduct that arises in their course, whether discovered during or subsequent to the semester.
  - B. In every confirmed case of Academic Misconduct, a Faculty Member shall submit a report to the Academic Misconduct Reporting Database. Submission of an Academic Misconduct report provides a tracking mechanism of the infraction and resolution, which helps to identify repeat offenders and infractions that may be endemic to a

particular course or department. Instances of Academic Misconduct may be reported in the following ways:

1. A Faculty Member may assert that an act of Academic Misconduct has occurred.
  2. A Grader, Laboratory Assistant, or Teaching Assistant may assert that Academic Misconduct has occurred. Details of the alleged incident shall be reported to the Faculty Member academically responsible for the course, or to the course supervisor, or to the course coordinator, as applicable.
  3. A student may assert that Academic Misconduct has occurred. The student should notify the relevant Faculty Member and/or seek the advice of the department chair if necessary.
  4. Administrators or staff members receiving reports or having knowledge of alleged Academic Misconduct should notify the Chair of the ACC. Those reporting and those receiving reports of Academic Misconduct shall treat the incidents and their resolutions as confidential matters. Individuals reporting Academic Misconduct may, if they wish, discuss the matter with the relevant department chair without violating confidentiality.
- C. Upon discovery of an incident of Academic Misconduct in their class, the Faculty Member is encouraged to consult with the Chair of the ACC to discuss the nature of the alleged infraction and possible appropriate penalties, and to review the steps involved in filing a report of Academic Misconduct. If the Faculty Member wishes to request an Institutional Penalty be imposed, prior consultation with the ACC Chair is required. The ACC Chair will not communicate to the Faculty Member information regarding prior reports of Academic Misconduct by the student.
- D. The Faculty Member shall notify the student of the alleged Academic Misconduct and invite the student for a meeting to discuss the issue. An email sent to the student at his/her UMBC email address shall be considered sufficient notification.
- E. The Faculty Member will then meet with the student. During the meeting the Faculty Member will describe the basis for the allegation, explain the proposed course resolution, and offer the student the opportunity to provide an explanation.
- F. No report should be filed if the Faculty Member finds that no Academic Misconduct occurred.
- G. If the Faculty Member concludes that Academic Misconduct did occur, or should the student not make himself or herself available for a meeting within a reasonable amount of time, the Faculty Member will file a report of the Academic Misconduct through the Academic Misconduct Reporting Database. The report should include

the penalty intended by the Faculty Member, copies of the course syllabus, and all documentary evidence (e.g., assignment sheets, laboratory reports, cheat sheets) relied upon by the Faculty Member. The Faculty Member shall preserve all originals.

- H. If final course grades are assigned before the case is resolved, the Faculty Member shall assign a letter grade that includes the Course Penalty.
- I. If the penalty imposed by the Faculty Member is an F in the course, the Chair of the ACC will notify the Registrar. The Registrar shall ensure that the student does not drop the course in question or withdraw from the university avoiding the grade of F. If the student has already done so, the Registrar will re-enroll the student in the course of consequence.
- J. After the Faculty Member submits the report to the Academic Misconduct Reporting Database, the Chair of the ACC will email the student providing a link to the Policy and explaining the circumstances under which a student is entitled to request a hearing before the ACC (as set forth in Section VI. B., below).
- K. If, in the process of committing an act of Academic Misconduct, the student may have violated other university rules, the Chair will refer the Faculty Member to Student Judicial Programs for investigation of the matter.
- L. Course Penalties and other non-Institutional Penalty outcomes (See Section IV.A.) issued by the Faculty Member due to Academic Misconduct are final and not Institutionally reviewable or appealable, except as provided for in Section VI.B.

## VI. STUDENT PROCEDURES FOR RESPONDING TO A REPORT OF ACADEMIC MISCONDUCT

- A. Students have the right to respond to any accusation of Academic Misconduct. Students may:
  - 1. Seek redress during the meeting between the Faculty Member and the student(as described in Section V.E. above),
  - 2. Request a hearing,
  - 3. Accept the Faculty Member's determination that Academic Misconduct occurred and the Faculty Member's intended Course Penalty or outcome by not requesting a hearing, and
  - 4. Request that additional statements or documents be added to the file.
- B. Students may request a hearing before the ACC to demonstrate that Academic Misconduct did not occur.

- C. The purpose of a hearing is to establish whether or not Academic Misconduct took place. Dissatisfaction with a Course Penalty assigned for Academic Misconduct is not grounds for a hearing before the ACC. If similarly situated students assert that they received disparate or unfair Course Penalties from the same Faculty Member for Academic Misconduct, they should be referred to the UMBC Policy for Review of Arbitrary and Capricious Grading in Undergraduate Courses.
- D. Students have fifteen university working days, after email notification of the Academic Misconduct report by the Chair of the ACC, to request a hearing. The request must be submitted in writing to the Chair of the ACC. The request must state the reasons for the hearing request, substantiate with particularity and specificity the factual basis on which the hearing request is made, and state the remedy sought.
- E. Requests for a hearing will be reviewed promptly by the ACC following receipt of the written request. Failure to allege and substantiate with particularity and specificity the factual basis on which the hearing request is based (See Section VI. B. above) will result in the denial of the request for a hearing.

## VII. HEARING PROCEDURE

- A. The Chair will schedule a hearing typically within sixty days of receipt of the student's request for a hearing.
- B. When assembly of the ACC for the purpose of conducting a hearing is not possible, such as during summer, a graduating senior may:
  - 1. Wait until the next regular semester for a hearing before the full ACC, or
  - 2. Have a hearing conducted by an ad-hoc committee consisting of the Chair of the ACC, a representative from the Provost's office, a representative of the President of the Student Government Association, and a representative of the Dean of the College who will be awarding the student's degree. If the Chair of the ACC is not available, a Faculty Member will be appointed to act as the Chair by the President of the Faculty Senate.
- C. Prior to the hearing the ACC Chair will compile the charges, the Faculty Member's intended outcome, documentary and evidentiary materials, and witness accounts provided by the student and the Faculty Member. Copies will be provided to ACC members, the Faculty Member, and the student. These materials may include:
  - 1. A statement from the Faculty Member describing the Academic Misconduct and intended penalty, and

2. The student's reasons for requesting a hearing and the remedy sought, and
  3. Any statement, documents, or list of witnesses who will provide testimony that is pertinent to the facts of the case, and
  4. Any available additional pertinent information requested by the Faculty Member, the student, or ACC members.
- D. The Chair of the ACC will convene and chair the hearing. Either the Chair or the parties may call pertinent witnesses, and ACC members may question any of the parties or witnesses during the hearing.
- E. An advisor for the student and an advisor for the Faculty Member may attend the hearing but will not be allowed to address anyone except the advisee. Advisors may not participate as witnesses.
- F. Conduct of the hearing:
1. The Faculty Member shall present a case and offer evidence and /or witnesses; and then
  2. The student shall present a case by offering responses to the evidence and testimony, by questioning the Faculty Member and any witnesses, and by offering the student's witnesses and evidence; and then
  3. The Faculty Member may respond to the student's case, evidence, and witnesses; and question the student and the student's witnesses; then
  4. The student may present final arguments or statements.
- G. ACC members shall deliberate in a closed session as soon as possible after the hearing's conclusion.
- H. If a simple majority of the ACC members deliberating determine that it is more likely than not that Academic Misconduct occurred, the report of Academic Misconduct will be affirmed.
- I. If a simple majority of the ACC members deliberating cannot agree that it is more likely than not that Academic Misconduct occurred, the Faculty Member will reverse any Course Penalties and the ACC Chair will expunge the report from the Academic Misconduct Reporting Database.
- J. If a simple majority of the ACC members deliberating determine that the incident was egregious, the ACC may recommend that Institutional Penalties be considered.
- K. The ACC Chair shall report the ACC's findings and decision to the student and the Faculty Member in writing via UMBC email.

- L. If, following the hearing, a student is a candidate for an Institutional Penalty, the Chair of the ACC will invite the student to submit a written personal statement for the ACC to consider while deliberating Institutional Penalties. The student will have 10 university working days to submit the statement. Thereafter, the ACC will consider whether to recommend that the Provost impose an Institutional Penalty
- M. The ACC's determination of whether Academic Misconduct occurred is final, and not subject to appeal within the university, except as provided in section VIII.A.

#### VIII. INSTITUTIONAL PENALTY

- A. If a student is a candidate for an Institutional Penalty, the ACC Chair will notify the student that an Institutional Penalty may be imposed, in addition to any Course Penalties. The Chair will direct the student to respond in writing whether or not he/she requests an Institutional Penalty Review.
- B. If the student is eligible for an Institutional Penalty due to multiple incidents of Academic Misconduct, the student may file a written request for an In-Person Institutional Penalty Review.
- C. If the student is eligible for an Institutional Penalty due to egregious Academic Misconduct, the student may file a written request for a Written Institutional Penalty Review, but not an In-Person Institutional Penalty Review.
- D. The Chair of the ACC will notify the Provost if an Institutional Penalty is recommended by the ACC. If the Provost concurs with the ACC's recommendation, the Provost will contact the Registrar to implement the Institutional Penalty.

#### IX. INSTITUTIONAL PENALTY REVIEW

- A. For a Written Institutional Penalty Review, the Chair of the ACC will invite the student to submit a written personal statement for the ACC to consider while deliberating an Institutional Penalty. The student will have 10 university working days, from notification, to submit the statement to the Chair of the ACC. Thereafter, the ACC will consider whether to recommend that the Provost impose an Institutional Penalty.
- B. For an In-Person Institutional Penalty Review, the student will be scheduled a date for the Review and will be allowed to present, verbally or in written form, relevant information for the ACC to consider while deliberating an Institutional Penalty.

- C. The Chair will schedule an Institutional Penalty Review typically within sixty days of receipt of the student's request for a review.
  - D. When assembly of the ACC for the purpose of conducting a review is not possible, such as during summer, a graduating senior may:
    - 1. Wait until the next regular semester for a review before the full ACC, or
    - 2. Have a review conducted by an ad-hoc committee consisting of the Chair of the ACC, a representative from the Provost's office, a representative of the President of the Student Government Association, and a representative of the Dean of the College who will be awarding the student's degree. If the Chair of the ACC is not available, a Faculty Member will be appointed to act as the Chair by the President of the Faculty Senate.
  - E. Prior to the review the ACC Chair will compile the report(s) of the egregious Academic Misconduct or the multiple incidents of Academic Misconduct by the student .
  - F. The Chair of the ACC will convene and chair the review. The student may provide testimony or documentation addressing the issue of the imposition of an Institutional Penalty. The student may only address the issue of egregiousness or multiple incidents in the review. The ACC members may question any persons present.
  - E. An advisor for the student may attend the hearing but will not be allowed to address anyone except the advisee. Advisors may not participate as witnesses.
  - F. ACC members shall deliberate in a closed session as soon as possible after the review's conclusion.
  - G. A simple majority of the ACC members deliberating must be in agreement to recommend an Institutional Penalty to the Provost.
  - H. The ACC Chair shall report the ACC's decision to the student in writing via UMBC email.
  - I. The Chair of the ACC will notify the Provost of the Institutional Penalty the ACC recommends. If the Provost concurs with the ACC's recommendation, the Provost will contact the Registrar to implement the Institutional Penalty.
- X. APPEAL PROCEDURE



- A. A student may appeal the results of a hearing to the Provost under the following circumstances:
  - 1. There is new evidence not available at the time of the hearing,
  - 2. There were procedural errors during or prior to the hearing which resulted in an unfair hearing, or
  - 3. The Institutional Penalty recommended to the Provost was disproportionate to the Academic Misconduct.
- B. An appeal cannot dispute the ACC's finding that Academic Misconduct occurred. Decisions made by the ACC as to whether or not Academic Misconduct occurred are final.
- C. A student may not appeal a Course Penalty imposed by the Faculty Member.
- D. If a student does not request a hearing before the deadline set by Section VI.D. of this Policy, or if his/her request for a hearing is denied, the student may appeal the Institutional Penalty subsequently recommended by the ACC, but may not appeal on the basis of whether or not the Academic Misconduct occurred.
- E. Appeals should be in writing, should be addressed to the Provost of the University, and should be received within fifteen university working days of the later of:
  - 1. the conclusion of the hearing, or
  - 2. receiving notice that the ACC has recommended to the Provost that an Institutional Penalty be imposed.

#### 14.4 POLICY AND PROCEDURES FOR STUDENT ACADEMIC MISCONDUCT

(Approved by the University of Maryland Graduate School, Baltimore (UMGSB) Graduate Council, April 1995. Section headings and paragraph style adapted to the format of this *Handbook*.)

##### 14.4.1 University of Maryland Graduate School, Baltimore (UMGSB)

This document states the basic UMGSB policy and procedures for dealing with various forms of student academic misconduct. It applies primarily to course work. For student misconduct in research and scholarly work at the University of Maryland, Baltimore County (UMBC) please see the UMBC document on “Policy and Procedures Concerning Misconduct in Scientific Work.” At the University of Maryland, Baltimore (UMB) misconduct in research and scholarly work is considered in the document, “Policy and Procedures Concerning Misconduct in Scholarly Work.” Student academic misconduct may take numerous forms such as, but not limited to, those listed below:

- A. Fabrication: The intentional and unauthorized generation or augmentation of data, information, citation or result in an academic exercise.
- B. Falsification: The intentional and unauthorized altering of any information, citation or result in an academic exercise.
- C. Plagiarism: The intentional or knowing representation of the words, ideas or work of others as one's own in an academic exercise. The appropriation of the language, ideas or thoughts of another and representation of them as one's own original work.
- D. Cheating: The intentional use or attempted use of unauthorized material in an academic exercise.
- E. Improprieties of Authorship: Improper assignment of credit or misrepresentation of material as original without proper referencing of the original authors.
- F. Facilitating Academic Dishonesty: The intentional or knowing assistance or attempted assistance of another student to commit an act of academic misconduct.

All graduate students of the UMGSB are subject to the standards of academic integrity required by the UMGSB and to the possible penalties for academic misconduct in course work. In addition, students must also observe any additional standards announced by faculty members for particular courses.

Each faculty member is responsible for maintaining academic integrity in his or her courses and has the authority, using proper procedures and reasonable judgment, to determine whether a student has engaged in academic misconduct. The faculty member must decide whether the misconduct involves a less serious infraction, susceptible to resolution by informal methods, or a more serious infraction requiring severe and stigmatizing penalty, such as suspension and/or expulsion. Once the faculty member has made an initial determination of academic misconduct, he or she shall initiate the process explained below.

The faculty member should make the initial determination of academic misconduct within two weeks of the discovery of the infraction, if possible, and the entire process should be completed within 90 days, if feasible.

In all cases of suspected academic misconduct, the faculty member shall notify the student in writing within five calendar days, if feasible, of the initial determination and provide a copy of this document to the student. The student shall have an opportunity within five calendar days of notification to respond and give an explanation to the faculty member. The faculty member will then make a decision as to whether an infraction has occurred. If it has, the faculty member will make a

decision as to whether the infraction is less serious or more serious and follow either of the procedures outlined below.

#### 14.4.2 Less Serious Infractions

Examples of infractions that can be considered less serious are:

- Minor instances of plagiarism or cheating on exams or papers required for a course
- Minor fabrication or falsification of data for a laboratory report for a course
- Facilitating academic dishonesty by students in an academic exercise

After identifying academic misconduct and having determined that it is a less serious infraction, the faculty member should provide written notification, including a proposed resolution, to the associate dean of the graduate school, the student's mentor, the student and the student's graduate program director. The associate dean will respond in writing, confirming the assessment of a less serious infraction and authorizing the resolution suggested by the faculty member. The faculty member has authority to resolve less serious cases of academic misconduct by means of informal methods such as warning, counseling, additional assignments or grading. A typical penalty has been to assign a zero grade for the exercise in question and to compute the course grade including the zero grade for the exercise. The student may be reprimanded by the instructors, and the Graduate School can send letters of reprimand with the threat of dismissal should there be any further occurrence. Such informal methods shall not be considered to be severe or stigmatizing. Confidential records of authorized informal actions shall be kept by the associate dean for the use of the Graduate Council Grievance Committee (GCGC).<sup>1</sup>

The GCGC may release only general statistical summaries of such information and may not release identifying information.

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<sup>1</sup>The Graduate Council Grievance Committee (GCGC) is composed of three graduate faculty members from each campus. GCGC members may be members of the Graduate Council and are appointed by the respective deans of the Graduate School to a term of two years. The initial appointment of one year for two members assures continuity of membership on the committee.

When a grievance is filed, all parties of the grievance and the members of the GCGC will be asked if there would be a conflict of interest with members of the committee or with any party filing the grievance. The associate dean will select three members of the GCGC who have no conflict of interest with any party affected by the grievance to serve on a panel to hear the case. Two members of the panel will be from the campus of the person filing the grievance. A panel may be augmented by up to two graduate student members (GSA members of the Graduate Council or other selected students) for the deliberation of academic misconduct grievances at the request of the student filing the appeal. The GCGC will consist of three faculty and one or two students and the preceding procedures will apply with an augmented number of members on the GCGC.

Should the student fail to offer an explanation within the time frame, seek an extension for a good faith reason or make a written request to the associate dean for a full hearing before the GCGC, the faculty member's informal action shall be final and conclusive and not subject to appeal within the university system on grounds related to academic misconduct.

#### 14.4.3 More Serious Infractions

Infractions that can be considered more serious include:

- Major instances of plagiarism or cheating on examinations or papers for a course
- Fabrication or falsification of data for publication, thesis, dissertation
- A pattern of or repeated occurrences of less serious infractions

After making a determination of a more serious academic misconduct requiring a severe and stigmatizing penalty, the faculty member shall within five calendar days send the associate dean of the Graduate School a letter describing the academic misconduct and recommending suspension, probation, expulsion or other action commensurate with the seriousness and circumstances of the misconduct. The faculty member shall send a copy of the letter to the student, to the student's mentor, to the graduate program director and to the department chair. The associate dean will notify the registrar, if appropriate, to prevent the student from dropping the course, thereby evading a grading penalty. The letter to the student shall include a copy of this policy.

The faculty member shall also make reasonable efforts to preserve any evidence that might be needed by the GCGC in the event of an appeal by the student.

#### 14.4.4 Appeals and Hearings

When the faculty member has filed a letter with the associate dean of the Graduate School establishing academic misconduct of either a more serious or less serious nature, the student shall have the right to a hearing before the GCGC. The student must file a written request for a hearing with the associate dean within 10 calendar days of notification. When a student requests a hearing in a case involving severe or stigmatizing penalty, the UMGSB administration shall provide facilities and personnel requested by the chair of the GCGC for the purpose of providing due process. If the faculty member recommends suspension or expulsion, the GCGC shall (unless the student waives the right to a hearing) automatically conduct a hearing to determine if there is enough evidence of misconduct or history of misconduct to justify suspension or expulsion.

Upon notification of a hearing request, the associate dean will appoint a three-person committee from among the members of the Graduate Council Grievance Committee. This smaller three-person committee will hereafter be referred to as the GCGC. The GCGC shall conduct an

investigation, gathering evidence and interviewing witnesses to determine the facts. The investigation shall include a statement from the faculty member, describing the situation and action, a statement from the student including reason for the hearing request, and all statements by witnesses. The associate dean shall circulate the statements to GCGC members, noting that confidential items must be kept in a secure location. The GCGC shall also obtain any additional information requested by the faculty member, the student or committee members. If requested by the chair of the GCGC, the associate dean of the Graduate School shall provide the GCGC the record of academic misconduct of any student requesting a hearing. The GCGC should, if necessary, hold a pre-hearing meeting of committee members to discuss the investigation. Copies of all items of evidence should be sent to the faculty member and the student or, if the evidence cannot be copied, the associate dean should arrange for the evidence to be inspected by these parties at a convenient time.

The GCGC shall then schedule a hearing, conducted by the chair of the GCGC, allowing sufficient time, including continuations if necessary, for the committee to be satisfied that further inquiry would turn up no new material. If feasible, the hearing should be scheduled within 30 calendar days of the GCGC's notice of a hearing request. All three members of the GCGC must attend a hearing to form a quorum. Hearings will be held in closed session and will be tape recorded. Accidental erasure of the tapes, failure of the recording equipment and/or poor quality of the recording will not be grounds for appeal. The faculty member and the student shall attend the hearing. Witnesses may be present at the hearing only during their own testimony except with the permission of both the student and the chair of the GCGC. Legal counsel for the student and/or the university may be present at the hearing in an advisory role. Legal counsel shall not function as an advocate. The student shall have the right to state his or her case, to offer explanations and interpretations of each item of evidence and testimony and to ask questions of the faculty member and witnesses. The faculty member may offer interpretations of the evidence and testimony and ask questions as necessary. Each committee member may ask questions. The proceedings of the hearing are to be confidential and are not to be discussed outside the hearing.

The members of the GCGC shall discuss the case in closed session as soon as possible after the conclusion of the hearing. A vote is taken whether to uphold the faculty member's initial determination of academic misconduct. When a faculty member's recommendation of suspension or expulsion is involved, the GCGC also votes whether to uphold that recommendation. No votes in absentia shall be counted.

The GCGC shall send its findings and recommendations in writing to the associate dean of the Graduate School within 10 calendar days of the hearing, if possible. (A dissenting opinion may be submitted and filed by any GCGC member.) The associate dean will act upon the recommendations of the report and notify the student, the faculty member and other necessary parties of the results of the determination. If the GCGC determines that the faculty member acted improperly or mistakenly in his or her initial determination of more serious academic misconduct, it may recommend that the associate dean expunge the notice of academic misconduct or attach a letter of explanation to the notice. The GCGC may, in its report to the associate dean of the Graduate

School, support the recommendations of the faculty member and/or include other penalties. While the GCGC may not impose grade alterations based on the content of a student's work, it has the authority to uphold the grade sanctions recommended by the faculty member if the student is found to have engaged in academic misconduct. The associate dean's notification letter shall direct the student to the dean of the Graduate School should he or she want to appeal the decision. The GCGC shall also send the associate dean of the Graduate School the various documents and records used as evidence in the case.

The student has the right of appeal to the dean of the Graduate School. The appeal must be in writing and must be filed within 10 calendar days of receiving the GCGC report. The dean will review the GCGC report and may uphold the decision, reverse the decision, modify the decision and/or penalties or refer the case back to the GCGC. In any case the decision of the dean of the Graduate School is final.

The associate dean of the Graduate School shall maintain a confidential file of academic misconduct communications which shall constitute the student's record of academic conduct. The associate dean of the Graduate School may place appropriate notations on the student's transcript and provide the academic misconduct record of any student to outside institutions making inquiry appropriate under the federal Buckley Amendment laws.

#### 14.5 GRADUATE STUDENT MEDIATION PROCEDURE

(Adopted by the University of Maryland Graduate School, Baltimore (UMGSB)--University of Maryland, Baltimore County (UMBC) Campus)

The purpose of this procedure is to establish a committee that will mediate disputes between graduate students and the faculty and/or administration of the program in which the student is enrolled. The UMGSB, UMBC Mediation Committee (MC) is composed of three experienced faculty members, appointed by the dean of the Graduate School for a period of two years<sup>2</sup> and two full-time graduate students appointed each year by the Graduate Student Association. The MC provides mediation when major disagreements or differences of opinion arise between a graduate student and his/her advisor and/or other members of a graduate program that (a) cannot be successfully resolved at the program level; (b) are serious enough in nature to jeopardize a student's ability to complete his/her education; and (c) are not covered by other policies.

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<sup>2</sup>Initially, the three faculty members will be appointed to staggered terms, as follows: one to a term of one year and two to a term of two years. This will provide for overlapping terms in subsequent years.

This mediation procedure<sup>3</sup> covers potential major differences of opinion and/or disagreements with faculty advisors that may occur during a graduate student's career as a student or as a graduate assistant.

To avoid the appearance of or actual conflict of interest, none of the faculty members of the MC may be either a chairperson of a department or a graduate program director (GPD). Further, either party to the grievance may request that a member of the MC be substituted on the grounds that said member has a conflict of interest.

It is recognized that disagreements between students and their advisors occur during the course of a student's graduate career. In most cases, such problems can and should be worked out by the student, the advisor and the GPD, possibly with the assistance of the student's dissertation committee and/or chairperson of the department. If this is not possible, however, the situation should be brought to the attention of the associate dean of the Graduate School, who will, in turn, inform the MC. The MC will then begin a fact-finding inquiry to try to determine the nature of the disagreement. The MC will provide all parties an opportunity for full consideration of their positions and ensure that all relevant Graduate School rules and guidelines are followed. The MC then will assist the student, advisor and program to develop a strategy to resolve the situation.

The UMGSB and UMBC expressly state that reprisals against students for filing grievances are prohibited.

#### Procedures

1. The student must first inform his/her GPD that a serious problem exists. It is the director's responsibility to review the situation and to attempt to resolve it according to the rules and guidelines of the program and any Graduate School rules or guidelines that are applicable. The GPD may review the situation with the chairperson of the department in an attempt to resolve the issues in conflict.
2. In the event that the advisor is also the GPD or the chairperson, the program should select another graduate faculty member or form a committee of graduate faculty members from within the program to mediate the problem.
3. If efforts at the program level fail to resolve the situation or if the program fails to act, the student then may contact the associate dean of the Graduate School. The student should present the problem to the associate dean in writing, describing the situation in detail, outlining what was done at the program level to attempt a

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<sup>3</sup>Note, for example, that instances of alleged arbitrary and capricious grading, sexual misconduct, student academic misconduct and other misconduct are dealt with under other Graduate School policies or campus policies.

resolution and the desired remedy. The student should file notice of the grievance with the associate dean within 30 calendar days of the time the departmental efforts to mediate the situation had failed.

4. The associate dean will provide the student's statement to the MC to be acted upon at its next monthly meeting. The MC will request information, also to be submitted in writing, from the GPD and/or the chairperson, stating the program's position and describing the efforts that were made to resolve the situation. The advisor may also provide input at this time, but such input must be submitted through the GPD. The MC may solicit other information and take written testimony from students and faculty during the fact-finding portion of the inquiry.
5. The MC will review all relevant material provided by the student, GPD and chairperson. The MC may request additional information and/or meet with the parties involved. Upon completion of its review, the MC will make recommendations for resolution of the situation in writing to the associate dean of the Graduate School.
6. The associate dean will make a written ruling based upon the recommendations of the MC within two weeks of their receipt and establish any sanctions commensurate with the offense, if any. The decision and action of the associate dean as well as the MC recommendations will be conveyed in writing to the student, the faculty member, the GPD and the chair of the department. The student and/or faculty member may appeal the decision of the associate dean. Such an appeal should be made in writing, and state reasons for the appeal to the dean of the Graduate School within 30 calendar days of the receipt of the associate dean's ruling. The final decision as to the appropriate resolution of all cases will rest with the dean of the Graduate School. The dean will endeavor to make a decision on the appeal within 10 days after its receipt.
7. If a MC member is involved in the controversy before it reaches consideration of the MC, the associate dean will name an alternate to the MC to replace the member involved in the situation.
8. Times stated in these procedures will be shortened, if feasible, when circumstances are relevant to an advancement decision. Times stated in these procedures will be extended when circumstances do not permit student, faculty or administrative actions within the specified time frames. The associate dean shall make all decisions to shorten or extend the schedules, but the associate dean may not require that the dean decide on an appeal within a certain time. The associate dean's decisions with respect to scheduling shall be final.



#### 14.6 MAKE-UP EXAMINATIONS

(Adopted by UMBC Faculty Senate October, 1991)

Make-up examinations shall be provided without penalty when the student's absence is the result of religious observance, illness, death in the immediate family, participation in official University activities at the request of appropriate faculty or staff, or other compelling circumstances beyond the student's control.

In the case of illness or death in the immediate family, the instructor may require the student to provide documentation from a personal health care provider, Student Health Services<sup>4</sup> or other official source.

With respect to participation in scheduled, authorized University activities, the instructor's obligation to give a make-up examination is conditional on prior notice of the absence on official departmental stationery by the appropriate faculty or administrator. The student is responsible for seeing that the notice reaches the instructor in a timely fashion.

With other requests, the instructor has the option of determining whether compelling circumstances exist. In cases of dispute, the student may appeal to the Chair of the Department offering the course. Appeals must be made within one week of refusal of the request to take a make-up examination.

With respect to make-up examinations on religious holidays, the Board of Regents approved a policy on March 23, 1979.<sup>5</sup>

#### 14.7 POLICY CONCERNING THE SCHEDULING OF ACADEMIC ASSIGNMENTS ON DATES OF RELIGIOUS OBSERVANCE

([Board of Regents Policies and Procedures III-5.10](#); Approved by the Board of Regents, January 11, 1990)

It is the policy of the Board of Regents that the academic programs and services of each institution shall be available to all qualified students who have been admitted to its programs, regardless of their religious beliefs. Students shall not be penalized because of observances of their religious holidays and shall be given an opportunity, whenever feasible, to make up within a reasonable time any academic assignment that is missed due to individual participation in religious observances.

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<sup>4</sup>This is now known as University Health Services.

<sup>5</sup>The Board of Regents 1990 policy does not make any specific reference to make-up examinations.

Each institution shall develop written policies and procedures for the implementation of this policy. The institution's policy in this matter shall be published regularly in the appropriate faculty and student media and other reasonable steps shall be taken to disseminate adequately this information to all members of the institution's community.

#### 14.7.1 UMBC Policy Concerning the Scheduling of Academic Assignments on Dates of Religious Observance

1. All academic programs and services of the University of Maryland are available to all qualified students who have been admitted to the University's programs, regardless of their religious beliefs. University policies should therefore not penalize students and faculty for individual participation in religious observances.
2. Students should be given the opportunity to make up, whenever feasible, within a reasonable time, any academic assignment that is missed due to religious observances. In particular:
  - a. Students should be allowed an opportunity to make up any examination, other written test, or class work, have access to any handouts or other material distributed in class, and have the opportunity to obtain or to review any duplicated lecture notes or slides presented in class. In some classes (for example, laboratories with special material), the instructor may determine that the work is to be made up by an alternative comparable assignment rather than by the original work of the class. A make-up examination must be at a time and place feasible for both the instructor and student, cover only the material for which the student was originally responsible, and be given within the time limit that retains currency of the material.
  - b. Students who wish to file a complaint about an instructor who has not complied with the policy may do so without being penalized in any way. The initial appeal of the student should be to the Chair of the Department concerned. Such complaints are to be reviewed in accordance with duly established campus complaint procedures which protect the rights of all parties.

#### 14.8 GRADES AND ACADEMIC RECORDS GRADING SYSTEM

(Excerpted from the [Undergraduate Catalog 2011](#). Section headings and paragraph style adapted to the format of the *Handbook*.)

For all courses in which a student is enrolled at the end of the 10th week of the semester, the following letter symbols will be posted to the permanent record: "A," indicates superior

achievement; “B,” good performance; “C,” adequate performance; “D,” minimal acceptable achievement; “F,” failure; and “I,” incomplete work. “W” indicates a course dropped after the end of the Schedule Adjustment Period. “NA” (non-applicable) denotes a course that does not apply to a degree program and does not enter into GPA (grade point average) calculations.

UMBC calculates grade point averages by assigning numerical values to letter symbols:

A = 4 quality points

B = 3 quality points

C = 2 quality points

D = 1 quality point

F = 0 quality points.

The semester grade point average is determined by multiplying the credit value of each course by the numerical equivalent of each grade and then dividing total quality points by total credit hours attempted.

The same method is used to compute cumulative grade point averages. Transfer courses completed at other institutions including at other University System of Maryland campuses (with the exception of courses completed through inter-institutional registration), courses passed under the pass/fail option, zero-credit courses, grades earned for campus-administered credit by examination, incomplete courses and courses repeated for a higher grade are listed on the permanent record but are not included in the grade point average.

#### 14.8.1 Institutional Credit

Physical Education courses and courses that are developmental in nature carry “institutional” credit only. These credits are used to determine semester credit loads (full-time/part-time). Developmental credits are not calculated into the cumulative GPA; however, Physical Education credits are calculated if an F grade is earned in the course. “Institutional” credits are not counted toward the minimum 120 required for graduation.

#### 14.8.2 Pass/Fail Courses

When students have completed 30 or more credits and are in good academic standing at UMBC, they may enroll for one pass/fail (P/F) course per semester for a total of 12 credits toward graduation.

Students may elect to take any course on a pass/fail basis except those explicitly excluded by the department or those used to fulfill general education or major/minor/ certificate requirements. Students may designate a course as P/F during registration or change a course to P/F through the 10th week of the semester. They may change P/F courses to a regular grade during the first 10 weeks of

the semester if approved by the instructor. These regulations do not apply to courses offered on a P/F only basis.

A pass grade under the P/F option is defined as either an “A,” “B,” “C,” or “D.” A grade of “P” is not calculated in the GPA, but a grade of “F” does impact on the GPA in the same manner as all “F” grades. Pass grades may not be changed to a regular grade at a later date.

#### 14.8.3 Repeating Courses

Any course may be repeated, but if a grade of “A,” “B,” “C,” “D,” or “P” already has been earned for that course, the subsequent attempt does not increase the total credits earned toward the degree. Credits for repeated courses will only be counted once toward graduation requirements. Only the highest grade will be used in the computation of the cumulative grade point average; however, all grades earned remain on the permanent record. Some courses are repeatable for additional credits as specified in the course descriptions. In these instances, all credits and grades will be applied to the student’s record.

UMBC has several limitations that apply to repeating courses: Students may not register for a course more than two times. They are considered registered for a course if they are enrolled after the end of the schedule adjustment period. Students may petition the Office of Undergraduate Education for a third and final attempt of a course taken at UMBC or another institution. Additionally, students may not repeat a course for a higher grade once they have successfully completed any subsequent course of a higher level in an academic sequence (for example, students may not retake FREN 101 after successfully completing FREN 102). Students may petition the Office of Undergraduate Education for permission to repeat a course out of sequence.

Permission to repeat a course for a second attempt at another institution may be granted by the Office of the Registrar upon recommendation by a student’s faculty advisor. Grades in transferred courses do not replace a student’s grade in any prior attempts of the course. Students repeating a UMBC course at another institution must request that the transferred course be accepted as a repeat (with the UMBC attempt designated as non-applicable to the UMBC grade point average) which may impact the student’s cumulative UMBC grade point average.

Students who wish to have a course taken at another institution applied as a repeat of a UMBC course must complete a request for verification of transferability in the Office of the Registrar. Judgments with respect to course equivalency are made in consultation with appropriate academic departments. Appeals may be made to the dean of the appropriate college.

#### 14.8.4 Auditing Courses

Students who wish to show that he or she has attended a course but does not seek academic credit, may register in a course as an auditor. The notation “AU” is listed for audited courses for which no credits are attempted or earned.

Courses may be designated as audit at any time through the end of the Schedule Adjustment Period, but they can be changed from “AU” to credit only during the first two weeks of the semester. Part-time students must pay tuition and fees for audited courses. Audited courses count as zero-credit toward all enrollment certifications. Faculty may set certain criteria for auditors and may ask the registrar to remove the course from a student’s record if the requirements are not satisfied.

#### 14.8.5 Incomplete Grades

A grade of “I” may be submitted at the discretion of the course instructor under exceptional circumstances for course work that is qualitatively satisfactory but, for reasons beyond student’s control, cannot be completed. Incomplete (“I”) grades may not be awarded unless specifically requested by a student. All work must be completed before a date specified by the instructor, which will typically not be later than the last day scheduled for final examinations during the next regular semester. If a grade change has not been submitted by the date grades are due at the end of the regular semester following the one in which the “I” was issued, a grade of “F” will be awarded automatically, unless the instructor requests a one-time, one semester extension of the “I” grade to the Office of the Registrar.

Students should not re-register for the course in the semester during which the work is to be completed. The outstanding course work must be completed under the guidance of the original instructor by the date specified, even if the course is not offered, the instructor is not in residence, or the student is not enrolled in the university.

Incomplete coursework must be completed or “I” grades will be converted to “F” grades before degrees can be awarded.

#### 14.8.6 Grade Changes

An instructor may change a grade already submitted to the registrar on written certification and approval by the department chairperson and the Office of the Dean of Undergraduate Education. Once the degree is awarded, the transcript is “locked,” and no changes may be made to a student’s record.

#### 14.8.7 Credits by Examination

Degree-seeking undergraduates may establish as many as 60 credits toward the bachelor's degree by UMBC-administered examinations or by the College-level Examination Program (CLEP), Advanced Placement (AP) or the International Baccalaureate (IB). Credits by examination earned through CLEP, AP or IB may be used to fulfill General Education Requirements, when equivalent to a UMBC general education course.

UMBC-administered examinations may be available once a student has completed at least 12 UMBC credits with an average of 2.0 or better. If he or she has fewer than 12 credits, the student may petition the provost to waive the minimum credit requirement if he or she wishes to use the examination to establish credit based on previous training or experience. Departmental credit by exam does not apply toward general education requirements.

Students must earn a grade of "C" or higher to establish credit-by-examination. P/F is permissible within regulations applying to P/F courses at UMBC. Grades of "D" or "F" are posted, even though no credit is earned. These exams may not be used to repeat a course.

Credit-by-exam may be earned for a course by obtaining approval from the head of the department sponsoring the course. A completed request for credit-by-examination form, signed by the department chairperson, then is forwarded to the Office of the Registrar for approval. After payment of a non-refundable fee of \$5 per credit, the exam may be administered. Grades then are forwarded to the Office of the Registrar.

#### 14.9 UMBC POLICY FOR REVIEW OF ALLEGED ARBITRARY AND CAPRICIOUS GRADING IN UNDERGRADUATE COURSES

(In compliance with [Board of Regents Policy III-1.20](#); Approved by the Board of Regents, January 11, 1990; Wording changed to include appropriate campus supervisory officer in addition to the Dean of Arts and Sciences, October, 1991; Amended April 10, 2007.)

1. Purpose. These procedures are designed to provide undergraduate students with a means for review of course grades alleged to be arbitrary and capricious. However, students should first attempt to resolve such grievances informally, by consulting first with the instructor then with the Department Chair/Program Director, who may rely on the assistance of other instructors who teach the same course or subject, then with the Dean of the instructor's College, and finally with the Associate Vice Provost for Undergraduate Education. Students who file a written appeal under these procedures shall abide by the final disposition of the appeal, as provided in (10) below and are precluded from subsequently seeking review of the matter under any other procedure within the University.

2. Definition. “Arbitrary and capricious” grading refers to: (i) the assignment of a course grade to a student on some basis other than performance in the course, or (ii) the assignment of a course grade to a student by resorting to unreasonable standards or standards different from those which were applied to other students in that course, or (iii) the assignment of a course grade by a substantial, unreasonable and unannounced departure from the instructor's previously articulated standards.
3. Procedures. At the beginning of each academic year, each department or program shall nominate from among its tenured faculty two members and one alternate (if available) to serve on the Campus Grade Review Panel, and it shall forward these nominations to the Office of Undergraduate Education.
4. An undergraduate student who believes that his/her grade in a course is improper and the result of arbitrary and capricious grading should first attempt to resolve the matter informally, as indicated in (1) above.
5. If a satisfactory outcome is not forthcoming, the student (or a group of students with the same complaint) may file a formal appeal with the Associate Vice Provost for Undergraduate Education. This appeal must be made within the first four weeks of the Fall or Spring semester following assignment of the disputed grade, and it shall be accompanied by a report of the student's effort to resolve the dispute informally and the consequences thereof.
6. The Associate Vice Provost for Undergraduate Education may again attempt to resolve the dispute informally. Otherwise, or if the attempt fails, the Associate Vice Provost for Undergraduate Education shall immediately appoint a four member committee and charge it with handling the appeal. The four-member committee shall be drawn from the Campus Grade Review Panel and shall include two members (if available) from the Department or Program to which the instructor against whom the appeal is directed belongs (but not including that instructor) and two (or more, if necessary) members from outside that Department or Program. The Associate Vice Provost for Undergraduate Education shall designate one member, preferably outside the Department or Program, to convene the committee, but the committee may select a different permanent chair if a majority so choose.
7. The student shall file an appeal by submitting a written statement detailing the basis for the allegation that a grade is improper, justifying the claim that it is arbitrary and capricious, and presenting relevant evidence. The appeal may be dismissed if: (i) the student has submitted the same, or substantially the same, complaint to any other formal grievance procedure; (ii) the allegations, even if true, would not constitute arbitrary and capricious grading; (iii) the appeal was not timely; or (iv) the student has not attempted to resolve the matter informally.

8. If the appeal is not dismissed, the committee shall submit a copy of the student's written statement to the instructor with a request for a written reply within ten days. If it then appears that the dispute may be resolved without recourse to the procedures specified below, the committee will attempt to arrange a mutually agreeable solution.
9. If a mutually agreeable solution is not achieved, the committee shall proceed to hold an informal, non-adversarial fact-finding meeting concerning the allegations. Both the student (or several delegates from a group of students with the same complaint) and the instructor shall be entitled to be present throughout this meeting and to present any relevant evidence. Neither the student nor the faculty member shall be accompanied by an advocate or representative. The meeting shall not be open to the public.
10. The committee shall deliberate privately at the close of the fact-finding meeting. If three members of the committee find the allegation not to be supported by clear and convincing evidence, the appeal shall be denied. If three members of the committee find the allegation supported by clear and convincing evidence, the committee shall take any action which it believes will bring about substantial justice, including, but not limited to: (i) requesting that the instructor re-evaluate the student's work, listing, defining, weighing the criteria used in the evaluation, or (ii) requesting that the instructor administer a new final examination or paper in the course, or (iii) directing the cancellation of the student's registration in the course, or (iv) directing the award of "pass" in the course (other pass/fail regulations notwithstanding), except that such a remedy shall be used only if there is no dispute concerning whether the student has passed the course. The committee is not authorized to award a letter grade or to reprimand or otherwise take disciplinary action against the instructor. If the committee divides two against two on the appeal, the Associate Vice Provost for Undergraduate Education may take any action which he or she believes would bring about substantial justice. The decision of the committee or the Associate Vice Provost for Undergraduate Education, as the case may be, shall be final and shall be promptly reported in writing within ten days by certified mail, return receipt requested, to the parties with a copy to the Department Chair/Program Director and a copy to the Dean of the instructor's college. The Associate Vice Provost for Undergraduate Education together with the Provost shall in any case be responsible for implementing the decision.



#### 14.10 PROCEDURAL GUIDELINES FOR HANDLING OF ALLEGATIONS OF ARBITRARY AND CAPRICIOUS GRADING

(Adopted by the University of Maryland Graduate School, Baltimore (UMGSB) Graduate Council, April 1995; Revised, November 2009)

##### Purpose

These procedural guidelines are designed to provide a means for graduate students to seek review of course grades or grading procedures alleged to be arbitrary and capricious. The term “arbitrary and capricious” grading means (1) the assignment of a course grade to a student on some basis other than performance in the course; (2) the assignment of a course grade to a student by unreasonable applications of standards different from the standards that were applied to other students in that course; or (3) the assignment of a course grade by a substantial and unreasonable departure from the instructor's initially articulated standards.

These procedures will apply to grades assigned to courses or academic assignments. Grievances related to examinations taken during the normal progression toward the master's or doctoral degree will be handled under the Academic Dismissal Policy.

##### Procedure

1. If a student alleges that a grade has been given in an arbitrary and/or capricious manner, the student must contact the faculty member responsible for the course to discuss the grade. If the student is dissatisfied after this discussion, the student then must contact the faculty member's department chairperson or graduate program director for further discussion. The student may also consult with his or her own graduate program director for guidance.
2. If a student remains dissatisfied after the discussions required by paragraph 1, the student may file a formal allegation of arbitrary and capricious grading. Allegations should be made in writing in the form of letters to the associate dean of the Graduate School. An allegation should include (a) in detail, the basis for the allegation; (b) the date the student was advised of the grade challenged; and (c) a summary and the dates of any conversations held pursuant to these procedures. An allegation also should be supported by any attachments necessary to explain the issue and by an attachment giving the names and contact information (e.g., campus addresses, telephone numbers) of persons with relevant information. An allegation may be supported by written statements from other persons, provided such persons are identified in the statement and contact information is included.

3. Upon receiving an allegation, the associate dean shall forward a copy of it to the faculty member(s) who assigned the grade in question and to the chairperson or graduate program director who has been involved in discussions.
4. The associate dean shall review each allegation of arbitrary and capricious grading and shall dismiss the allegation if (a) the student has submitted the same or a substantially similar complaint through any other formal grievance procedure; (b) the allegation does not allege actions which would constitute arbitrary and capricious grading as defined in these procedural guidelines; (c) the allegation was not filed with the associate dean within 30 calendar days of the student's notice of the grade; or (d) the student has not conferred with the instructor and either the graduate program director or department chairperson of the program offering the course prior to filing the allegation with the associate dean. If the allegation is dismissed, the associate dean shall notify the student, the faculty member, and the chairperson or graduate program director in writing.
5. If an allegation is not dismissed by the associate dean, the faculty member(s) involved will be asked to submit a reply to the allegation within two weeks of the faculty member's receipt of the allegation.
6. The associate dean shall submit the allegation of the student and the response of the faculty member involved to the Graduate Council Grievance Committee (GCGC). The GCGC will hear statements from the student and the faculty member(s) at its next regular monthly meeting. GCGC review may be waived upon the written request of the student and the program. Following deliberations, the committee will give its recommendations in writing to the associate dean.
7. A decision and action of the associate dean will be conveyed in writing to the student, the faculty member(s), and the chairperson and/or program director. A decision will be made and issued within two weeks after the associate dean receives the recommendations of the GCGC or the request to waive GCGC review.

#### Appeals

1. Either the student or the faculty member(s) involved may appeal the decision of the associate dean to the dean of the Graduate School. An appeal to the dean must be made in writing within 30 calendar days of a student's or faculty member's receipt of the decision of the associate dean. An appeal may be taken from a decision on the merits or from the decision to dismiss allegations pursuant to part B.4 [section 14.10.2, par. 4 above].

2. The appeal shall be decided by the dean based upon the written record reviewed by the GCGC and the communications from the associate dean following the associate dean's decision. If the dean requires additional information, the dean will return the file to the associate dean for further investigation.
3. The dean's decision with respect to an appeal shall be final. The dean will endeavor to make a decision on the appeal within 10 days after its receipt.

### Schedules

Times stated in these procedures will be shortened, if feasible, when a grade is relevant to an advancement decision. Times stated in these procedures will be extended when circumstances do not permit student, faculty, or administrative actions within the specified time frames. The associate dean shall make all decisions to shorten or extend the schedules, but the associate dean may not require that the dean decide an appeal within a certain time. The associate dean's decisions with respect to scheduling shall be final.

#### 14.11 UMBC STATEMENT ON CONFIDENTIALITY AND DISCLOSURE OF STUDENT RECORDS

(This statement was prepared by the University Registrar, November, 2011.)

The privacy of student records is mandated by the Family Educational Rights and Privacy Act of 1974 (commonly referred to as FERPA or the Buckley Amendment). The act affords certain rights to students concerning their educational records and specifies the circumstances under which student records can be released to anyone other than the student.

FERPA allows institutions to choose certain types of information to be defined as Directory Information. All other information, such as grades and specific classes, is considered confidential.

Confidential information may not be divulged without the student's written consent. Faculty may not post grades or allow others to view graded papers. Institutions may be permitted to release directory information without the student's permission, provided that the student hasn't exercised his/her right to request that this information not be released to any third party.

Parents, at the postsecondary level, have no inherent rights to their children's records regardless of the child's age. If a child is enrolled in college level courses they are given the rights of an adult under FERPA. The only exception is if a student is financially dependent on a parent. In that case, university policy requires parents to submit evidence of financial dependency under IRS rules, if they wish to access the records without the consent of the student. Issues are best resolved by faculty by dealing only with joint conferences with the student and parent together. However, even if meeting with the parents and student together, faculty should, for their own protection and the

protection of the institution, obtain and retain written authorization from the student to discuss his/her record in the presence of the parent.

Requests for references should be accompanied by written releases from the student. Any other requests for information should be referred to the Registrar's Office. If you are uncertain about outside requests, please refer the matter to the Registrar's Office. If you have a request where an individual indicates they need to contact a particular student because of an emergency, please refer the matter to the campus police, who have a process they follow in handling emergency situations.

In Summary: Students have rights regarding who may access their records. If in doubt as what can or cannot be released, don't release anything without contacting the Registrar's Office.

#### 14.12 POLICY ON ACADEMIC CALENDAR

([Board of Regents Policies and Procedures III-5.00](#); Approved by the Board of Regents, January 11, 1990; Amended by the Board of Regents, June 10, 1994; Amended December 1, 1995; Amended April 6, 2001)

1. All institutions of the University System of Maryland will follow a common academic calendar to assist student planning, facilitate joint and cooperative programs and appointments, simplify student and faculty movement among institutions, and facilitate use of distance education technologies throughout the System.
2. The common academic calendar will provide sufficient time for instruction and examinations as recommended by the Middle States Association and as stipulated by the Maryland Higher Education Commission. Within the common framework, each president shall be authorized to adjust class time to meet instructional needs.
3. The features of the common calendar will include:
  - a) a fall semester which begins before Labor Day, except in those calendar years when a start after Labor Day can also accommodate the requirements for class meeting time, interrupted by a recess for Thanksgiving. The final examination period will conclude on or before December 23.
  - b) a minimum of fourteen instructional days over a three-week period in January available for institutions to use for an academic winter session or, for those institutions which do not plan to offer coursework, an extended winter holiday.
  - c) a spring semester interrupted by a one-week common spring break. The final examination period will conclude prior to Memorial Day.

4. The particular dates for each year's common calendar will be recommended by the Presidents' Council and approved by the Chancellor for publication and dissemination. The academic calendar will be adopted at least two/three years in advance.
5. The Law School at the University of Baltimore, the professional programs in the schools of the University of Maryland, Baltimore, and distributed learning and cohort programs are exempted from this policy. Each president shall be authorized to designate the programs to be exempted and adjust class time to meet instructional needs. However, all programs not otherwise constrained by the requirements of professional accrediting bodies or designated as an exempt distributed learning or cohort program should be on the USM common academic calendar.
6. By June 1 of each year, each institution will provide for the files of the Office of the Chancellor a copy of its detailed academic calendar for the upcoming academic year, including information such as registration periods, drop/add periods, and commencement dates as well as dates for summer sessions. Professional schools, and distributed learning and cohort programs exempted from the common academic calendar under provision 5 will provide copies of their academic calendars to the Chancellor's office on the same schedule.

#### 14.13 2009-2010 INCLEMENT WEATHER/EMERGENCY CLOSING POLICY

For the most reliable closing, updates and reopening information, members of the UMBC community and visitors should rely on the only three official sources of information:

- UMBC's homepage under the "Events" section.
- myUMBC
- Hot line telephone number (410-455-6789).

Members of the campus community are encouraged to sign up for E2Campus, an emergency alert text-messaging system that will permit the University to notify subscribers to any campus-related emergency (such as potential campus safety hazards or campus closures due to weather). It is compatible with mobile phones, Blackberries, "smart phones," satellite phones, e-mail, wireless PDAs and pagers. Normal text-messaging rates apply. There are no additional charges. Sign up for this important service today at [my.umbc.edu/notifications](http://my.umbc.edu/notifications).

Although we will distribute closing information to regional news outlets, do not depend on the news media for complete, accurate and up-to-date information.

If UMBC is open, classes will be held and no special announcement will be made; all employees should report to work or use appropriate leave, and all classes should meet.

It is the responsibility of each community member to check the homepage and hot line

telephone numbers for up-to-date information regarding campus opening/closing status and when the campus will reopen. Information will be posted on myUMBC, but there may be a time delay between when the announcement is entered and when it appears on the site, so please rely on UMBC's homepage as the primary source for closing information. This procedure will be operational seven days a week, 24 hours a day. The hot line number is 410-455-6789 (or ext. 5-6789 from on campus).

The decision to close campus/open late/close early applies only to the UMBC campus (1000 Hilltop Circle and South Campus Technology Center). Employees at other sites, i.e., Shady Grove, off-campus centers, etc., should follow the inclement weather notices at those sites.

Messages: In an effort to share information on closings efficiently, closing announcements will be distributed to the media in one of the following three formats. We cannot rely on the media to accurately relay all information on UMBC closings at all times. Therefore, when conditions raise questions regarding UMBC's status, the most accurate and timely information will be available via the UMBC homepage.

1. "UMBC is closed." This message means that classes are cancelled. Employees designated emergency essential must report. All other employees are discouraged from coming to campus and administrative leave will be authorized for eligible employees.

If UMBC is closed, information on when the campus will reopen will be available on the UMBC homepage and campus hot line numbers. Those scheduled for evening/weekend classes or work shifts should check these sources periodically for up-to-date information. In many cases, conditions will improve from early morning hours to the evening/weekend, making it possible to open the campus.

2. "Classes are cancelled." This decision is based on the amount of parking available on campus. Although classes are cancelled, campus offices are open. All emergency essential and critical employees must report to work; all others are encouraged to report to work, but may use compensatory, personal or annual leave under the liberal leave policy. Various departmental events and programs may occur.
3. "The campus will open (or close) at \_\_\_\_ o'clock." This announcement applies to both classes and offices. Emergency essential employees should follow their assigned schedules; critical employees should follow the announced schedule; all others report or leave at the announced time or use appropriate leave under the liberal leave policy. Administrative leave will be authorized for eligible employees for hours between their usual work schedule and the actual opening/closing.

If a class is scheduled to start before the stated opening of campus and extends more than 45 minutes beyond the opening time, it will be held and will begin at the announced opening time.

If UMBC is open, classes will be held and no special announcement will be made; all employees should report to work or use appropriate leave, and all classes should meet.

Weather and related road conditions are not the same in every area where students, faculty and staff live. Consequently, the decision as to whether it is safe to travel must ultimately rest with each individual. Faculty are encouraged to arrange a system for communicating to their students should it be necessary to cancel class, and to be mindful that not all students will attend class. If the situation appears to be unacceptably hazardous, employees should use accrued annual, personal, or compensatory leave to cover lost time. Managers and supervisors are to notify employees of their designations, consistent with the Policy for Employee Designations under Campus Emergency Situations issued December 1, 1994, a copy of which can be obtained from the Department of Human Resources, Ext. 5-2337.

#### Campus Activities, Events:

If UMBC is closed, main campus events are cancelled. However, please visit [www.umbc Retrievers.com](http://www.umbc Retrievers.com) for information about athletics events, and [www.umbc.edu/athletics/recreation](http://www.umbc.edu/athletics/recreation) for information about Retriever Activities Center and recreational sports programming.

For information on events at affiliated locations (Technology Center, etc.), or within Residential Life, check with the appropriate event sponsor.

Information about UMBC Transit shuttles is available at [www.umbc.edu/transit](http://www.umbc.edu/transit).

#### Exam Schedules:

In the event of a closing during scheduled exam periods - mid-terms or finals - information on new exam dates will be available via the UMBC homepage and myUMBC.

#### Parking:

In the event of a declared snow emergency, parking will be prohibited on interior campus roadways including Park Rd., Back Rd., Center Rd., Poplar Ave. and Walker Ave. Parking will also be prohibited on the top level of parking garages and decks. Vehicles should be relocated to Lots 17, 18, 13, 5, 12 or the middle levels of Walker Avenue Garage and Commons Garage. Failure to remove a vehicle may result in towing at the owner's expense.

The Commons Garage, and Lots 8, 9, 16 and 10 (lower level) will be scheduled to be cleared first. Gated lots will be open when classes are cancelled but the main campus remains open. Clearing the elevated parking deck (Visitor's Lot #10) is problematic under freezing weather conditions, so please advise your guests of alternative parking areas. If the Administration Garage (Lot #10) deck

and the Walker Avenue Garage are closed, parking for the handicapped will be available along Administration Drive in the Service Vehicle spaces and on the ground level of the Commons Garage.

**Emergencies During the Workday:**

When an emergency occurs after the campus has opened, information about early closing will be disseminated via the UMBC homepage, myUMBC, the hotline number and the media outlets listed below. During the day, everyone should continue to check the homepage for updates.

**UMBC Child Care Center:**

During inclement weather conditions, the YMCA Child Care Center at UMBC may not open or may change its business hours. For details regarding the Child Care Center's inclement weather policy, please contact Cynthia Reed, Director, at 410-455-6830.

**Where to find closing information:**

We will distribute closing information to regional news outlets, outlined below, and with a posting on the UMBC homepage as the primary source for all closing information. Information will be posted on myUMBC, but there may be a time delay between when the announcement is entered and when it appears on the site, so please rely on UMBC's homepage as the primary source for closing information.

Do not depend on the news media for complete, accurate, up-to-date information. The campus hot line phone number and homepage should be used for updates on campus reopening information.

<i>Baltimore Area</i>		<i>Washington Area</i>	
<i>Radio</i>	<i>Frequency</i>	<i>Radio</i>	<i>Frequency</i>
WBAL	1090 AM	WAMU	88.5 FM
WYPR	88.1 FM	WTOP	103.5 FM
WMBC	560 AM		
<i>TV</i>	<i>Station</i>	<i>TV</i>	<i>Station</i>
WMAR	Ch. 2	WJLA	Ch. 7
WBAL	Ch. 11	WUSA	Ch. 9
WJZ	Ch. 13	WTTG	Ch. 5
WBFF	Ch. 45	WRC	Ch. 4



#### 14.14 UNDERGRADUATE COUNCIL MOTION ON STATEMENT OF VALUES FOR STUDENT ACADEMIC INTEGRITY AT UMBC

(Excerpted from a motion adopted by the Faculty Senate, March 13, 2001)

The Council recommends that the full *Statement of Values for Student Academic Integrity at UMBC* and the *Student Academic Conduct Policy* be prominently displayed in the following publications and sites:

- The Undergraduate and Graduate Catalogs
- The printed and on-line schedule of classes each semester
- The UMBC Home Page, or an appropriate sub-page
- And any and all additional publications and electronic sites that the Provost shall deem appropriate

The Council also recommends that all department chairs be asked to assure that a statement on academic integrity and reference to the Student Academic Conduct Policy is included on all syllabi and that all faculty call the attention of their students to the issues of academic integrity, to the syllabus statement, and to the Student Academic Conduct Policy at the start of each semester. Departments may wish to adopt a uniform statement or leave it to individual faculty members to write their own. The following statement, as slightly revised from the Provost's Proposal, is a suggestion only and is intended to define the appropriate scope of individual statements and not the actual language.

##### 14.14.1 Proposed Paragraph for Faculty Syllabi

“By enrolling in this course, each student assumes the responsibilities of an active participant in UMBC’s scholarly community in which everyone’s academic work and behavior are held to the highest standards of honesty. Cheating, fabrication, plagiarism, and helping others to commit these acts are all forms of academic dishonesty, and they are wrong. Academic misconduct could result in disciplinary action that may include, but is not limited to, suspension or dismissal. To read the full Student Academic Conduct Policy, consult the UMBC Student Handbook, the Faculty Handbook, or the UMBC Policies section of the UMBC Directory.”

##### 14.14.2 Statement of Values for Student Academic Integrity at UMBC

Academic integrity is an important value at UMBC. By enrolling in a course, each student assumes the responsibilities of an active participant in the scholarly community in which everyone’s academic work and behavior are held to the highest standards of honesty. Rigorous standards allow UMBC students, faculty, and administrators, as well as scholars and employers in the larger community, to trust that the work that students submit is the fruit of their own learning and academic effort.

The purposes of higher education are the learning students and faculty undertake, the knowledge and thinking skills developed, and the enhancement of personal qualities that enable students to be strong contributing members of society. In a competitive world, it is essential that all members of the UMBC community uphold a standard that places the integrity of each student's honestly earned achievements above higher grades or easier work dishonestly sought.

All members of the UMBC community are expected to make a commitment to academic honesty in their own actions and with others. Academic misconduct could result in disciplinary action that may include suspension or dismissal. Following are examples of academic misconduct that are not tolerated at UMBC:

- **Cheating:** Knowingly using or attempting to use unauthorized material, information, or study aids in any academic exercise.
- **Fabrication:** Intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
- **Facilitating Academic Dishonesty:** Intentionally or knowingly helping or attempting to help another commit an act of academic dishonesty.
- **Plagiarism:** Knowingly representing the words or ideas of another as one's own in any academic exercise, including works of art and computer-generated information/images.

Students should consult UMBC's *Student Academic Conduct Policy* for information on policy and procedures for upholding UMBC's high standards for academic integrity. Students who have questions or concerns are encouraged to talk with a member of the faculty or administration for assistance.

#### 14.15 UMBC FINAL EXAMINATION POLICIES

In 1968 the UMBC Senate adopted the following recommendation:

The Senate strongly recommends that no student be required to take more than two final exams in one calendar day. It also recommends, as a general guide, that it be the second scheduled exam which should be excused, and that all necessary arrangements be made informally.

At its April 1984 meeting, the Faculty Senate reaffirmed a regulation first adopted in 1978 that "All final examinations which cover one-third or more of a course shall be administered during the final examination period."

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