



# Procedures for Adjudicating Student Violations of UB Policy 1.2.3 (Student Affairs - Academic Integrity (CAS, CPA, MSB))

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## SECTION 1: OVERVIEW/PURPOSE

Authority over Student Academic Integrity adjudication has been delegated to the Dean of Students. The Dean of Students may appoint faculty and other University employees to serve as Adjudicators and to provide supervision and support for the Conduct Process. The Office of Student Support oversees all Student Conduct Proceedings and will adjudicate all potential Academic Integrity violations by Students using the procedures set forth below.

Academic integrity violations can vary in their severity, and the Student committing the violation may have a greater or lesser understanding of the matter. Adjudication of the policy has room for education, and those charged with adjudicating the policy work with faculty, librarians, and other campus stakeholders to make resources available to students so they can better understand academic integrity in a contemporary university setting. Conduct officers communicate with faculty to understand the context in which a violation occurred. It should be noted that serious violations can result in more serious consequences, even for a first violation.

### 1.1 Group Work

Group projects and group work represent a dynamic and essential element of the learning experience. While the nature of this collaborative learning is fundamental, it also presents additional complexity as it relates to the investigation and adjudication of academic integrity violations. Group work or project investigations have the potential to yield a variety of outcomes, including instances where it is clear that the actions of one student constituted the entirety of the violation and instances in which there is no clear way to determine the responsible actors.

### 1.2 Definitions

The following are the definition of key terms used throughout the procedures for adjudicating violations of academic integrity:

- Adjudication Process – Includes all decision-making processes, which address University policy violations.
- Adjudicator – An individual who has been given the authority to facilitate the Adjudication Process and to make a decision about a Student policy violation. Adjudicators include but are not limited to, investigators, Hearing Officers, Senior Hearing Officers, Appeal Officers, and Board Hearing Panelists.
- Administrative Hearing – Adjudication of a possible policy violation by a Senior Hearing Officer with evidence presented by the Hearing Officer who conducted the Initial Review. After review of the evidence, the Senior Hearing Officer will render a decision. If a decision of responsibility is rendered, the Senior Hearing Officer can assign any sanction in the Code of Conduct with the exception of dismissal and expulsion.
- Appeal Officer – Individual responsible for reviewing appeals and making the final determination.
- Board Chair- Trained staff or faculty member that helps facilitate and preside over Board Hearings.
- Board Hearing – Adjudication of a possible policy violation by a panel of five (5) Board

Hearing Panelists (collectively the “Board”). The Board will determine responsibility and may choose to recommend sanctions to the presiding Senior Hearing Officer for consideration. The Senior Hearing Officer can assign any sanctions listed in the Code of Conduct to a Student who is found responsible by the Board.

- Board Hearing Panelists - Trained Student, staff and faculty members that make determinations of responsibility in Board Hearings and may offer sanction recommendations to the Senior Hearing Officer overseeing the case.
- Complainant – Individual(s) who brings forth a concern about a violation of the policy.
- Conduct Proceeding – Any meeting, conference, review, discussion, communication or hearing associated with the Adjudication Process used to address possible violations of the Student Code of Conduct.
- Conduct Process – Adjudication Process for potential violations of the Code of Conduct and Academic Integrity Policy.
- Hearing Officer – University official designated by the Office of Student Support to investigate potential violations of the Academic Integrity and/or Code of Conduct Policy. These individuals are responsible for conducting Initial Reviews and serve as the charging party during Administrative or Board Hearings for cases they have investigated.
- Initial Review – Review and adjudication of a possible policy violation by a Hearing Officer. After review of the concern, the Hearing Officer will determine if they will render a decision or refer the concern to a hearing. If the preponderance of evidence is met and a decision of responsibility can be rendered, the Hearing Officer can assign any sanctions listed in the Code of Conduct with the exception of suspension, dismissal, and expulsion.
- Investigation – The review of information pertaining to an alleged violation of the Student Code of Conduct.
- Observer – Any person in attendance of an Adjudication Process without an established role in the process.
- Respondent – Individual charged with a violation of University policy as set forth in the Student Code of Conduct or Academic Integrity Policy.
- Sanction – Outcome(s) imposed for a violation of the Student Code of Conduct with which the Respondent is required to comply.
- Senior Hearing Officer – A University official who has been designated by the Office of Student Support to adjudicate violations through the Administrative Hearing process, hear appeals of Initial Review decisions, serve as advisors to Board Hearing panels, and issue sanction(s) to Respondents found responsible by a Hearing Board. Senior Hearing Officers also may also serve in the role of Hearing Officers when needed.
- Student – Includes all persons at University of Baltimore, both full-time and part-time, pursuing undergraduate, graduate, law, non-degree, visiting or inter-institutional studies who are:
  - a. currently enrolled;
  - b. enrolled in a prior semester or summer/winter session and who are eligible to continue enrollment in the semester or summer/winter session that immediately follows; or
  - c. suspended or restricted from enrollment for prohibited conduct that occurred while the individual was a Student at the University.

- University Community - is broadly defined to include all University administrators, faculty, staff, Students, applicants for admission and/or employment, alumni, volunteers, and third parties under University control.
- University Premises—The University of Baltimore premises includes all land, buildings, facilities, and other properties in the possession of, owned, used, managed, contracted or controlled by the University, including adjacent streets and sidewalks to the University Premises.
- Witness - Any person who may have information pertaining to the concern but is not the Complainant or Respondent.

## 2: CONDUCT PROCESS

### 2.1 Administration

The Conduct Process is educational and administrative rather than legal and, as such, is not subject to formal rules of evidence or legal procedures. Decisions are made using the preponderance of the evidence standard (i.e., more likely than not) to determine if the Respondent is or is not responsible for the violation. Evidence may include, but is not limited to, a Turnitin report, a proctoring report (electronic or human), the student's paper/assignment, the course syllabus, and any communication between faculty and the student regarding the alleged violation.

The Adjudicator is responsible for maintaining order during the Investigation and Conduct Proceedings. All relevant, reasonably available information and documentation presented in accordance with established procedures will be considered before making a determination. The Adjudicator has the right to remove any participant from a Conduct Proceeding after giving a warning that their behavior is unacceptable. Continued disruptive behavior may result in additional disciplinary action.

### 2.2 Addressing Academic Integrity Violations during Pending Legal Proceedings

The University, at its sole discretion, may pursue conduct charges under these procedures against a Respondent while the Respondent is also subject to criminal and/or civil proceedings or wait until the proceedings have concluded. The University reserves this right to charge a Respondent with a violation even if legal charges are pending, reduced, or dismissed.

### 2.3 Communications

University of Baltimore email is the official communication method of the Conduct Process. It is the responsibility of Students to check their accounts a minimum of every other day. In limited circumstances when necessary to communicate via postal mail, communications will be sent to the local address listed on the student's MyUB account.

Participants cannot hinder this process by not checking their email account, not keeping their local address on file current, or failing to accept mail.

### 2.4 Respondent Rights within the Conduct Process

The following rights are guaranteed to a Respondent in the University Conduct Process:

1. The right to be notified of the charge(s) brought against them.
2. The right to share their understanding of the situation and present relevant information and documentation for consideration in accordance with established procedures before a final decision is rendered.
3. The right to bring one person for support to a Conduct Proceeding.
4. The right to review relevant information that has been presented for consideration in the Adjudication Process in accordance with established procedures.
5. The right to have the decision made using a preponderance of the evidence standard.
6. The right to be informed in writing of the outcome of an adjudication decision,
7. The right to appeal the outcome in accordance with the established procedures for appeal.
8. The right to be informed in writing of the outcome following an appeal.

### 2.5 Board Hearing Panelists

Board Hearing Panelists are appointed through recommendations and nominations from Student Success and Support Services and each college. These individuals--who include faculty, staff and students--are trained to serve as Adjudicators for Board Hearings. Trainings are hosted by the Office of Student Support each semester to ensure those serving in this capacity represent a diverse group of individuals from across the institution. University Community members interested in serving in this capacity should contact the Office of Student Support for more information.

For the purposes of Board Hearings related to Academic Integrity, faculty will be included unless no faculty Board Hearing Panelist(s) can be found within a one (1) week period.

### 2.6 Support through the Conduct Process

Student Complainants and Student Respondents going through the University Conduct Process may have a support person with them during any Conduct Proceeding. Individuals brought for support may not participate in the Conduct Proceeding. (*This applies to all individuals, including attorneys in the limited instances in which legal counsel may serve as a support person as set forth below.*) Conduct Proceedings will not be changed or delayed as a result of a support person's availability or failure to attend. Advance notice is required to allow a support person's participation in a Conduct Process. A support person may not be permitted to attend the proceeding if advance notice has not been given.

An Adjudicator may dismiss a support person from a proceeding if they cause a disruption in any way. The proceeding will continue despite dismissal of a support person. Individuals whose support person has been dismissed may choose an alternate individual to serve as support at future proceedings.

### 2.7 Legal Representation

Legal counsel is not permitted to serve as support in any Conduct Proceeding unless there is reason to believe the Student may face criminal charges stemming from the same incident. If counsel is permitted to serve as support, they are required to follow the same expectations as non-attorney support. The role of counsel is only to safeguard the Student's rights in the criminal proceeding, not to affect the outcome of the Conduct Proceeding. Counsel may speak to and advise their client but may not take part in any of the proceedings and may not address the Adjudicator. The Adjudicator

may dismiss counsel support from a proceeding if these expectations are violated in any manner.

The assigned Hearing Officer must receive written notice of the intent to bring counsel support at least four (4) business days prior to the proceeding. This notice must also include a justification to support the need for counsel to serve in this role. Counsel will not be permitted to attend a Conduct Proceeding without prior notice from the student and the approval of the Office of Student Support. The inclusion of a Student's counsel may necessitate the presence of University counsel. Decisions to allow counsel as support is at the sole discretion on the Adjudicator.

The University reserves the right to include their counsel during any Conduct Proceeding.

### **SECTION 3: ADDRESSING POTENTIAL ACADEMIC INTEGRITY VIOLATIONS**

A University Community member who receives notice, otherwise becomes aware of, or has good reason to suspect that a student has violated the Academic Integrity policy should report the concern in accordance with the established process here, which is consistent with the Student Code of Conduct.

#### 3.1 Reporting Concerns and Review Process

Complaints are submitted to the Office of Student Support for review. This may be done online through a [Community Standards Reporting Form](#). All concerns should be submitted as soon as possible after the event takes place. A delay in reporting a concern could hinder the University's ability to investigate and adjudicate the matter.

If the Complainant is not the faculty member in whose course or supervised study the Student allegedly violated the Academic Integrity Policy, the Hearing Officer may contact that faculty member to discuss the alleged violation and the context of the Student's work. The faculty member can provide evidence, but even if the faculty member does not, it is possible that there will be evidence sufficient for a complaint to go forward.

Complaints will be evaluated by a Hearing Officer to determine if sufficient information has been presented to proceed with the Adjudication Process.

If based on the evaluation the Hearing Officer determines that the Complaint is not within the scope of the Academic Integrity Policy, it will be dismissed from review under this Policy. The Complainant (who is often a faculty member or a member of the Dean's office) will receive notice of this decision, as appropriate and consistent with legal requirements. If the Hearing Officer determines that the complaint is within the scope of the Academic Integrity Policy an Initial Review meeting will be scheduled.

If during the Initial Review, the Hearing Officer determines that the Complaint is within the scope of this Policy, the Hearing Officer may either resolve the Complaint through the Initial Review procedures below, or refer the Complaint to either an Administrative Conference or an Administrative Hearing.

If during the Initial Review of the reported concern, or any other point during the process, additional information is obtained that demonstrates a potential violation of another University Policy (*e.g.*, the Sexual Misconduct Policy) the Senior Hearing Officer may refer those aspects of the matter to the appropriate process.

### 3.2 Extensions of Timelines in the Adjudication Process

If an extension of any deadline in the Conduct Process is requested as a part of the student Conduct Process, it may be considered provided there are extenuating circumstances and good cause for an extension.

Requests for extensions must be made in writing to the Hearing Officer assigned to the case and must be presented prior to the passing of a deadline. In extreme circumstances and where the requesting party has demonstrated good cause for the delay in the request, the University may grant an extension after a deadline has passed. Determinations related to extensions of deadlines are at the sole discretion of the Hearing Officer.

- Appeal Deadline Extensions All determinations will be made by an assigned Appeal Officer.
- Hearing Deadline Extensions: All determinations will be made by the Hearing Officer who make the final determination of responsibility. This may include a Hearing Officer, or Senior Hearing officer. In the case of Board Hearing's this will be the Senior Hearing Officer.
- Sanction Deadline Extensions: All determinations will be made by the Hearing Officer who make the final determination of responsibility. This may include a Hearing Officer, or Senior Hearing officer. In the case of Board Hearing's this will be the Senior Hearing Officer.

### 3.3 Initial Review

If the Hearing Officer or Senior Hearing Officer has determined that there is sufficient information to proceed with an investigation, the Respondent will be notified and will be required to schedule an Initial Review with the Hearing Officer. If the Respondent does not schedule a meeting, the review will move forward with or without the Respondent's participation. The Hearing Officer will notify a faculty member who has brought a Complaint that the process is moving forward.

During the Initial Review, the Hearing Officer will review the Academic Integrity Adjudication Process, discuss information relevant to the Complaint, and allow the Respondent the opportunity to respond to the concern. When necessary, follow-up meetings with the Respondent or other involved individuals may be required. At the Hearing Officer's discretion, the Complainant or Observer may be included in any meeting with the Respondent. All conduct proceedings are closed to the public.

After consideration of all available relevant information, the Hearing Officer will determine if they will render a final decision or refer the case to an Administrative or Board Hearing. The Hearing Officer cannot make a decision on a concern that may be a subsequent offense in violation of policy



or is significantly severe. The right to render a decision or refer the concern to a hearing is at the sole discretion of the Hearing Officer. The decision to refer a concern to a hearing cannot be appealed.

If the Hearing Officer decides to render a decision, they will determine if the Respondent is responsible for the violation. If responsible, sanctions will be assigned. A Respondent cannot be sanctioned with suspension, dismissal, or expulsion as a result of an Investigation and a decision made through Initial Review. The Respondent will be notified in writing of the outcome of the Initial Review and any sanctions assigned.

During the process of determining sanctions, the Hearing Officer may consult with the relevant faculty member to discuss possible academic actions, such as failing an assignment.

Thus, complainants will obtain outcome information from the Hearing Officer on a need-to-know basis and only when such disclosure would comply with FERPA and other laws and regulations. For example, when the outcome involves a sanction that must be implemented by a Complainant faculty member or there is other information in which the Complainant faculty member has a legitimate educational interest, the Complainant faculty member may be informed of such. The Hearing Officer retains the right to keep outcome information confidential if there is insufficient reason to disclose this information or disclosure is not permissible under applicable policies, laws and regulations.

Records relating to decisions made through the Initial Review process are eligible for expungement if there have been no additional violations during the Student's remaining time at the University. Requests for expungement may not be submitted earlier than degree completion. All requests must be in writing to the Office of Student Support. All decisions regarding expungement are at the sole discretion of the Dean of Students, or the dean's designee.

### [3.4 Appeal of an Initial Review Decision](#)

The Respondent may choose to appeal a final decision of an Initial Review. An appeal must be made in writing to the Office of Student Support within five (5) business days of the date of the written decision.

The grounds for appeal are limited to one or more of the following bases:

1. Specified procedural error or omissions in the Investigation or adjudication of the Code of Conduct violation or errors in the interpretation of University policies that were so substantial as to effectively deny a Respondent notice or a fair opportunity to be heard, and the error or omission significantly impacted the outcome of the adjudication. The written request for appeal must specify the error or omission and its potential impact on the outcome;
2. Consideration of certain new evidence, unknown or unavailable during the original Investigation, which, if considered, would have substantially impacted the outcome of

- the Investigation. The written request for appeal must include a copy of the new evidence and provide an explanation of the evidence's potential impact on the outcome;
3. Specified violations of substantive due process (i.e., the decision was based on an illegal or constitutionally impermissible consideration such as race, gender, exercise of First Amendment freedoms, etc.). The written request for appeal must specify the violation and its potential impact on the outcome; or
  4. The sanction imposed was not appropriate to the violation for which the Respondent was found responsible. The written request for appeal must provide an explanation of why the sanction imposed was not appropriate.

A copy of the appeal and the student's conduct record(s) will be submitted to a Senior Hearing Officer who will serve as the Appeal Officer to review the decision.

The Appeal Officer can decide to uphold, modify, send the matter back to the Hearing Officer for further consideration, or reverse the decision and/or sanctions in light of the information provided in the appeal. All appeals are reviewed in writing unless the Appeal Officer believes that there are extenuating circumstances that require direct information from one or more of the participants. It is the sole discretion of the Appeal Officer to determine if an in-person meeting with any participant is necessary. The Appeal Officer can alter the decision and assign any lesser sanction set forth in Section 3.2 below.

**All appeal decisions are final.**

### [3.5 Administrative Hearings](#)

Administrative Hearings are used to adjudicate concerns that are referred by a Hearing Officer following an Initial Review.

#### **Administrative Hearings Process**

1. The Hearing officer will provide the Respondent with a notification of the Administrative Hearing date, time, and location no less than two (2) business days prior to the Administrative Hearing. The notice shall also provide the Respondent with information regarding the charges pending, potential sanctions, a list of persons who will be present at the hearing, and an identification of all information provided to the Respondent during the Initial Review.
2. If the Respondent, after receiving appropriate notification of the Administrative Hearing, fails or refuses to attend, the Administrative Hearing will proceed in their absence.
3. A Senior Hearing Officer will conduct the Administrative Hearing, and it is expected that the Hearing Officer will be in attendance to present information gathered at the Initial Review and that the Respondent will be present, unless the Respondent fails to appear as set forth in number 2 above. The Complainant and any witnesses may also be present at the Administrative Hearing provided they wish to be, their attendance is relevant to the specific circumstances of the case

and their presence is approved by the Senior Hearing Officer.

4. The Administrative Hearing will be audio recorded.
5. During the Administrative Hearing, the student Respondent is permitted to bring one person for support. This person may consult only with the Respondent and is not permitted to address the Senior Hearing Officer or any other parties or witnesses.
6. During the hearing, the Senior Hearing Officer will meet with the Respondent and the Hearing Officer to discuss information presented by the Complainant, allow the Respondent the opportunity to respond and review any information/documentation provided, and allow the Respondent the opportunity to provide any new information/documentation. If present, the Complainant and any witnesses may also present relevant information/ documentation and respond to any information/documentation previously provided. Information/documentation provided by those participating will be shared with the Respondent and Complainant as determined by the Senior Hearing Officer.
7. All persons providing documentation at the Administrative Hearing must submit the documents to the Senior Hearing Officer at least 24 hours in advance of the hearing.
8. The Senior Hearing Officer may also conduct follow-up interviews with the Complainant, Respondent, and any witnesses as necessary before rendering a decision.

After a review of all evidence submitted during the Administrative Hearing process, the Senior Hearing Officer will make a determination by a preponderance of the evidence regarding the Respondent's responsibility for a violation(s) of the Academic Integrity Policy. If the Senior Hearing Officer determines that the Respondent is responsible for a violation(s) of the Academic Integrity Policy, the Senior Hearing Officer will determine the appropriate sanction, which may include any sanction set forth in Section 3.2 below. During the process of determining sanctions, the Hearing Officer may consult with the relevant faculty member as to possible academic actions, such as failing an assignment.

9. The Senior Hearing Officer will notify the Respondent of the determination. Complainants will be notified to the extent that FERPA and other laws permit such notification. For example, when the outcome involves a sanction that must be implemented by a Complainant faculty member or other information in which the Complainant faculty member has a legitimate educational interest, the Complainant faculty member may be informed of such. Depending on the nature of the case, it is possible that other laws and regulations would also apply that could limit disclosure. The Hearing Officer retains the right to keep outcome information confidential if there is insufficient reason to disclose this information or disclosure is not permissible under applicable policies, laws and regulations.
10. The Respondent may appeal an Administrative Hearing by filing an appeal within five (5) business days of the date of the Administrative Hearing decision and by following the

procedures set forth in the Appeals of Hearing Decisions Section 1.8 below.

### 3.6 Board Hearings

Board Hearings are used to adjudicate concerns that are referred by a Hearing Officer or Senior Hearing Officer and are based on their determination that the matter is a significant concern or repeat offense. The decision to initiate a Board Hearing is in the sole discretion of the University.

Each board will consist of five (5) Board Hearing Panelists and a Senior Hearing Officer. Three of the five Board Hearing Panelists constitute a quorum and when present, a hearing can proceed. In the case of an Academic Integrity violation, an effort will be made to ensure that faculty are included among the Board Hearing Panelists.

#### **Board Hearing Procedures**

1. The Hearing officer or Senior Hearing Officer will provide the Respondent with a notification of the Board Hearing date, time, and location no less than five (5) business days prior to the Board Hearing. The notice shall also provide the Respondent with information regarding the charges pending, a list of persons who will be present at the hearing, and an identification of all information provided to the Respondent during the Initial Review. The notice shall also identify the Board Hearing Panelists.
2. The Respondent may challenge up to two (2) Board Hearing Panelists. The Senior Hearing Officer and Hearing Officer may not be challenged. The challenge must be submitted to the presiding Senior Hearing Officer in writing at least three (3) business days before the hearing. The challenge must include the name of the individual(s) being challenged and the reason for the challenge. The Senior Hearing Officer is responsible for approving challenges. If approved, an attempt will be made to arrange for alternate Board Hearing Panelists to replace those challenged. If no replacements can be found, the hearing will take place with the remaining original Board Hearing Panelists. Alternate board members cannot be challenged.
3. If the Respondent, after receiving appropriate notification of a Board Hearing, fails or refuses to attend, the hearing will proceed, and a decision will be made with consideration of the information available.
4. An audio recording will be made of the Board Hearing but will not include any deliberations by the board.
5. During the Board Hearing, the Respondent, and if present, the Complainant are permitted to bring one person for support. Support persons may consult only with the individual who brought them and are not permitted to address the Board Hearing Panelists, Senior Hearing Officer, or any other parties or witnesses.
6. The Hearing Board Chair will be responsible for facilitating the hearing and maintaining order over the process to avoid needless consumption of time. The Hearing Board Chair will also be responsible for determining whether any evidence shall be excluded as irrelevant.

7. The presentation of evidence will proceed in the following manner: a) Hearing Officer will present evidence gathered during the Initial Review and any related meetings; b) Complainant will present relevant information and documentation; c) Respondent will present relevant information and documentation; d) the Hearing Board will call any witnesses deemed relevant to provide information and documentation on the matter. The Hearing Officer, Complainant, and Respondent may identify potential witnesses and the information they believe those witnesses have that might be relevant. The ultimate decision to hear from any witnesses will be made by the Senior Hearing Officer.
8. After each presentation of evidence by each person identified above, follow-up questions may be asked as follows: a) the board may direct questions to each party/witness through the Hearing Board Chair; and b) the Respondent, Complainant, and Hearing Officer may ask questions by submitting such questions to the Hearing Board Chair. The Chair will direct the questions to the relevant party/witness and may exclude questions they deem irrelevant.
9. The board may ask to hear from the Hearing Officer, Respondent, Complainant, or any relevant witnesses again prior to deliberation.
10. At the conclusion of all presentations of evidence, the board will close the proceedings to the Respondent, Complainant, Hearing Officer, and any witnesses for the board's deliberations.
11. Following the deliberations, the Senior Hearing Officer will call the Respondent and Complainant back into the room and will notify them of the determination made by the board.
12. The Senior Hearing Officer will provide a written decision letter to the Respondent and for inclusion in the conduct record. This report will include: a) the charge(s) considered; b) the findings of the board; c) the basis for the findings; and d) if applicable, the sanction(s). This notification makes the decision final and sanction(s) become effective unless the Respondent chooses to appeal. If the Respondent has been found responsible, the Senior Hearing Officer will assign sanctions appropriate to the violation. The Senior Hearing Officer may consider past conduct violations, sanctions recommended by the board, by the Hearing Officer(s), by the Respondent, and, if applicable, by the complainant.

Complainants will be notified to the extent that FERPA and other laws permit such notification. For example, when the outcome involves a sanction that must be implemented by a Complainant faculty member or other information in which the Complainant faculty member has a legitimate educational interest, the Complainant faculty member may be informed of such. Depending on the nature of the case, it is possible that other laws and regulations would also apply that could limit disclosure. The Hearing Officer retains the right to keep outcome information confidential if there is insufficient reason to disclose this information or disclosure is not permissible under applicable policies, laws and regulations.

13. The Respondent can appeal a Board Hearing decision within five (5) business days as outlined in the section Appeals of Hearing Decisions set forth below.

### 3.7 Appeals of Hearing Decisions

The Respondent may choose to appeal a final decision of an Administrative or Board Hearing. An appeal request must be made in writing to the Senior Hearing Officer within five (5) business days of the date of the hearing decision. The grounds for appeal are limited to one or more of the following bases:

- a. Specified procedural error or omissions in the investigation or adjudication of the Academic Integrity violation or errors in the interpretation of University policies that were so substantial as to effectively deny a Complainant or Respondent notice or a fair opportunity to be heard and the error or omission significantly impacted the outcome of the adjudication. The written request for appeal must specify the error or omission and its potential impact on the outcome;
- b. Consideration of certain new evidence, unknown or unavailable during the original investigation, which if considered would have substantially impacted the outcome of the investigation. The written request for appeal must include a copy of the new evidence and provide an explanation of the evidence's potential impact on the outcome;
- c. Specified violations of substantive due process (i.e., the decision was based on an illegal or constitutionally impermissible consideration such as race, gender, exercise of First Amendment freedoms, etc.). The written request for appeal must specify the violation and its potential impact on the outcome;
- d. The sanction imposed was not appropriate to the violation for which the Respondent was found responsible. The written request for appeal must provide an explanation of why the sanction imposed was not appropriate.

A copy of the request and the conduct record(s) will be submitted to an Appeal Officer for review. Academic Integrity appeals are reviewed by a representative of the Office of the Provost or a designee.

The Appeal Officer may decide to uphold, modify, send the matter back to the Administrative or Board Hearing step for further consideration, or reverse the decision and/or sanctions in light of the information provided in the appeal. All appeals are reviewed in writing unless the Appeal Officer believes that there are extenuating circumstances that require direct information from one or more of the participants. It is the sole discretion of the Appeal Officer to determine if an in-person meeting with any participant is necessary. The Appeal Officer can alter the decision and assign any sanction listed in the Code of Conduct. All appeal decisions are final.

### 3.8 Interim Measures

To the extent that Interim Measures (Interim Administrative Holds, Interim Contact Restrictions, Interim Access Restrictions, and Interim Suspension) are required in an Academic Integrity matter, the provisions of the Student Code of Conduct will be followed (University of Baltimore Student Code of Conduct).

## 4: SANCTIONS

### 4.1 Assigning Sanctions

When a Respondent is found responsible for violating the Academic Integrity Policy, one or more sanctions can be imposed, as appropriate. Sanctions will be commensurate with the seriousness of the offense and repeated violations will justify increasingly severe sanctions. Any sanction imposed will be recorded in the conduct record of the Respondent.

### 4.2 Potential Sanctions and Potential Sanction Progression

Given the nature of Academic Integrity violations, it is not uncommon for sanctions to progress with each reported offense. Below is a potential progression of sanctions; however, the University always retains discretion to impart any sanction listed in these Academic Integrity procedures in connection with an Academic Integrity violation.

In the event Students have had past violations in the same course or previously in another course that were not reported to the Office of Student Support, they will not be considered in the adjudication of the current alleged violation. In the event that additional violations have occurred prior to the Student receiving notification of the first offense from the Office of Student, those violations will be treated as part of the first offense.

Students may not withdraw from a course while an Academic Integrity matter is under review by the Office of Student Support. Students who do so will be re-enrolled in the course until a decision is reached. If a student is grieving a grade or another academic matter in a course in which an Academic Integrity violation is under review, the Academic Integrity violation will be resolved prior to the grievance.

All sanctions imposed can be appealed in accordance with the appeal procedures described above in these procedures.

#### **First Reported Offense – Potential Sanctions, Which May be Modified or Implemented at the Sole Discretion of the Adjudicator and More Than One Sanction May Be Applied**

- 0 for the assignment for which the violation occurred.
- Student may receive a letter formally documenting the first offense of the Academic Integrity Policy. This letter will be maintained in the Student's conduct record.

- The Student may be directed to academic resources suggested by the faculty member or the library to deepen the Student's understanding of academic integrity.
- The Student may be directed to do an exercise to help the Student understand Academic Integrity.

**Second Reported Offense – Potential Sanctions, Which May be Modified or Implemented at the Sole Discretion of the Adjudicator and More Than One Sanction May Be Applied**

- A Temporary XF for the course in which the second offense occurred may be assigned.
  - The Temporary XF will stay on a Student's transcript for a calendar year at which time they will be able to initiate a process to request removal of the X. It is the responsibility of the Student to initiate the X removal process through the Office of Student Support. The Office of Student Support has discretion to determine whether removal of the X is warranted.
  - If the X is removed the grade can be replaced by retaking the course and securing a higher letter grade.
- A meeting with a University employee may be mandated to discuss campus resources available to Students that can be utilized in order to avoid future violations.
- A Reprimand may be noted in the Student's conduct record.

**Third Reported Offense – Potential Sanctions, Which May be Modified or Implemented in the Sole Discretion of the Adjudicator and More Than One Sanction May Be Applied**

- A Permanent XF for the course in which the third offense occurred may be assigned.
- Separation from the institution may be recommended (i.e., suspension, dismissal, expulsion).

**The University may at any time deviate from this potential sanction progression and assign any sanction set forth below. Students should not rely upon the above as a guarantee that a first, second, or third offense will result in the above list of possible sanctions.**

The following sanctions may be imposed for an Academic Integrity violation (it is possible that multiple sanctions may be imposed for a single violation):

- *Reprimand*: written notice documenting the misconduct and informing the Respondent that further misconduct will result in additional disciplinary action and will be considered more significant.



## Student Academic Integrity Policy Adjudication Procedures

- *Probation*: assigned for a specific period of time, during which a Student must not violate the Academic Integrity Policy, Code of Conduct or other University policies. While on probation, a Student may not represent the University in any capacity nor hold office in any student organization.
- *Account Hold*: will require the conduct hold that was placed on the Student's MyUB account to remain for a period of time beyond the final adjudication decision. This hold places restrictions on the account activity, which include, but are not limited to, requesting transcripts, enrolling/withdrawing from classes, and receiving a diploma. No individual involved in an alleged Academic Integrity matter will be permitted to withdraw from the course in which the alleged violation occurred.
- *Temporary Loss of Privilege*: withdrawal of specified University privilege(s) and rights, loss of ability to use specified University service(s), or being barred from University Premises or facilities. This loss of privilege can last for no longer than three calendar years.
- *Permanent Loss of Privilege*: permanent withdrawal of specified University privilege(s) and rights, permanent loss of ability to use specified University service(s), or being barred from specified University Premises or facilities.
- *Temporary Removal from a University Activity*: immediate removal and banning of a Student from future participation in a specified University activity or event. When the activity or event is recurring, the duration of the ban will be specified.
- *Permanent Removal from a University Activity*: immediate and permanent removal and banning of a Student from future participation in a specified University activity or event.
- *Withdrawal from a University Course*: immediate withdrawal of a Student from a specified course(s). The Student is still responsible for any tuition and fees associated with the course.
- *Fines*: a monetary penalty charged for committing a violation.
- *Restitution*: requires payment to the University or to other persons, groups, or organizations as restitution for damages incurred as a result of violation(s) of the Academic Integrity Policy.
- *Reflection Experience*: requires completion of a task or assignment that encourages reflection and skill development. These can be assigned individually or with more than one component.
  - *Reflection Paper/Project*: completion of a paper/project to help the Student avoid further misconduct. Student may also be required to read an identified text/article(s)

- or conduct research on a topic.
  - *Service-Learning Project*: completion of a specified number of service-learning hours.
  - *Personal Development Experience*: exploration of University/external resources and/or participation in educational program(s), or required completion of activities or tasks. The experience will assist the Student in learning skills that will help them avoid future misconduct.
- *Meeting(s) with a University Employee*: required attendance of follow-up meetings with a designated University employee and required compliance with directives set by the official.
  - *Contact Restrictions*: limits a Student's ability to be in the vicinity of and/or have contact with a particular individual(s). This may require restrictions on a Student's ability to take class and participate in activities with the designated individual(s) as well as include restrictions from specific University Premises and facilities.
  - *Grade Impact*: Impact to a Student's grade for a particular assignment or overall course grade as a result of an Academic Integrity violation. This sanction can be assigned in one of two ways:
    - *Reduction in Grade*: designated reduction in points, percentage or letter grade for a particular piece of work or the final course grade; this reduction can also include a required resubmission of the same assignment completed without violation or completion of an alternative assignment(s) with a reduction *or*;
    - *Non-credit for the Work*: no credit (0%) will be given for the work in question. The Student may also be required to resubmit the same assignment completed without violation or to complete an alternate assignment(s) without credit.
  - *XF for the course*: grade for the course that indicates the failure was due to an integrity violation.
    - *Temporary XF*: After a period of one calendar year from the end of the term in which the sanction was assigned, a Student can request to complete an integrity project which would allow them to have the X removed from their transcript. A Student wishing to complete this project should submit a written request to the Office of Student Support explaining why they would like to complete the project. The decision to allow a Student to complete the X removal project is the sole discretion of the Office of Student Support.
    - *Permanent XF*: The X will remain permanently on the Student's transcript and they are not eligible to complete the X removal project.
  - *Suspension of Recognition*: suspension of University recognition of a University Sponsored Student Group or other student organizations for a specific period of time. During that time, the group is not permitted to meet or hold functions and all University privileges are immediately revoked.

- *Termination of Recognition:* termination of University recognition of University Sponsored Student Group, or other student organizations for a specific or indefinite period of time. Once terminated, the group is not permitted to meet or hold functions and all University privileges are immediately revoked.
- *Suspension:* suspension precludes a Student from registration, class attendance, and use of University facilities for at least one semester but no more than five years. Suspension is recorded for the term of the suspension on the Student's transcript and will permanently remain in the Student's conduct file. Upon termination of the suspension, the record of the suspension hold will be removed from the Student's academic record and the Student will be permitted to re-enroll or be considered for readmission in compliance with the academic admission standards then in effect. Credits for any course completed at another institution during a suspension are not acceptable transfer credits at the University of Baltimore. Any tuition and fees paid to the University for a semester in which the suspension was issued will not be refunded to the student.
- *Dismissal:* cancellation of the Student's registration and all permissions and privileges related thereto. Dismissal is permanently recorded in the Student's transcript and in the Student's conduct record. A Student who has been dismissed is not eligible for readmission earlier than one year and no more than five years following dismissal and then only with the approval of the appropriate Dean. Students found responsible for an Academic Integrity violation submit their readmission request in writing to the Dean who oversees the program they were studying at the time of the violation. Credits for any course completed at another institution during a period of dismissal are not acceptable as transfer credits at the University of Baltimore. Any tuition and fees paid to the University for a semester in which the disciplinary dismissal is issued will not be refunded to the Student.
- *Expulsion:* permanent dismissal of the Student from registration, class attendance and use of University facilities. The Student's registration is immediately canceled and all associated privileges and permissions are revoked. Expulsion is permanently recorded on the Student's academic record and in the student's conduct record. Any tuition and fees paid to the University for a semester in which the expulsion was issued will not be refunded to the student. Expelled students are never eligible for readmission to the University.

## 5: CASE DOCUMENTATION AND STUDENT CONDUCT RECORDS

### 5.1 Electronic Information and Files

All electronic information and files accessed, created, stored, shared or processed using University resources are considered University property and may be accessed, reviewed, and/or shared only with appropriate individuals as part of an adjudication/review process and in compliance with all applicable laws. Students wishing to review or assess their own records may do so in compliance with Sections 5.3 and 5.4 below.

## 5.2 Student Conduct Records

Student Conduct Records include all documentation regarding Student Academic Integrity and Code of Conduct concerns, discrimination complaints against students, and sexual harassment and other sexual misconduct complaints against students. All Student Conduct Records are maintained by the University of Baltimore and are considered University property, which may be accessed, reviewed and/or shared only with appropriate individuals as part of an adjudication/review process and in compliance with all applicable laws. Students wishing to review or assess their own records may do so in compliance with Sections 5.3 and 5.4 below.

## 5.3 Request to Review Student Conduct Records: Written Documentation

At any time, a student may request to review their Student Conduct Record. A request for review must be made in writing to the Office of Student Support and will be honored within forty-five (45) days of the written request. The Dean of Students or the assigned (Senior) Hearing Officer has sole discretion to make special accommodations and exceptions to the 45-day timeframe on a case-by-case basis for extenuating circumstances.

Student records will be released to individuals in compliance with all applicable laws, regulations and University policies.

## 5.4 Request to Review Hearing Audio

At any time, the Respondent and/or Complainant may request to review the audio recording of the Administrative or Board Hearing in which they participated. Reviews must take place in the Office of Student Support. Hearing audio may not be recorded or copied during that review.

A request for review must be made in writing to the Office of Student Support. Requests will be honored within forty-five (45) days of the written request. The Dean of Students or assigned (Senior) Hearing Officer has sole discretion to make special accommodations and exceptions to the 45-day timeframe on a case-by-case basis for extenuating circumstances.

Audio files will be released to individuals in compliance with all applicable laws, regulations and University policies.

## 5.5 Record Retention and Elimination

Student Conduct Records are considered a part of the student's educational record. Information about conduct matters must be appropriately reported when required to do so by applicable laws, rules, regulations and policies.

Initial Review records where the student does not request expungement will be destroyed after seven years. Academic Integrity and Code of Conduct records where the student is found not responsible through Initial Review will be kept on file for a period of one year.

Academic Integrity and Code of Conduct records where the student is found responsible through the Administrative Hearing or Board Hearing process are kept on file for a minimum of seven years after the student completes their degree or is no longer able to actively enroll. Records of cases

where the student receives a sanction of suspension, dismissal, and/or expulsion will remain on file permanently.

Academic Integrity and Code of Conduct records where the student is found not responsible through the Administrative Hearing or Board Hearing process will be kept on file for a period of one year.

Records that have met the elimination requirement are destroyed annually. The Office of Student Support retains the right to make all decisions regarding Student Conduct Records and record elimination.