Preface

St. Mary's College of Maryland is committed to the ideals of honesty, personal integrity, and mutual trust. Academic integrity is a responsibility of all students, members of the faculty, and administrative officers. All students are expected to uphold the highest ideals of academic integrity throughout their career at St. Mary's. The following policy has been adopted for fair judgment in cases of suspected academic misconduct. Students who commit acts of academic misconduct (see "Definitions of Academic Misconduct" below) are subject to in-class penalties imposed by the instructor and to a hearing before the Academic Judicial Board with possibilities of additional penalties.

Section 1: Definitions of Academic Misconduct

Academic misconduct may include, but is not limited to, the following acts:

1. Cheating

Cheating involves dishonest conduct on work submitted for assessment. Specific instances of cheating include, but are not limited to, the following:

   a) Assisting another student or receiving assistance from anyone to complete quizzes, tests, examinations, or other assignments without the consent of the instructor.

   b) Using aids unauthorized by the instructor to complete quizzes, tests, examinations, or other assignments.

2. Plagiarism

Plagiarism is the act of appropriating and using the words, ideas, symbols, images, or other works of original expression of others as one's own without giving credit to the person who created the work. If students have any questions regarding the definition of plagiarism, they should consult their instructor for general principles regarding the use of others' work. Among sources commonly used for documenting use of others' work are the style manuals published by the American Psychological Association, the Council of Biology Editors, the Modern Language Association, and Turabian's Manual for Writers of Term Papers. The final authority concerning methods of documentation is the course instructor. Specific instances of plagiarism include, but are not limited to, the following:

   a) Word-for-word copying of sentences or paragraphs from one or more sources that are the work or data of other persons (including books, articles, theses, unpublished works, working papers, seminar and conference papers, lecture notes or tapes, graphs, images, charts, data, electronically based materials, etc.), without clearly identifying their origin by appropriate referencing.

   b) Closely paraphrasing ideas or information (in whatever form) without appropriate acknowledgment by reference to the original work or works.

   c) Presenting material obtained from the Internet as if it were the student's own work.

   d) Minor alterations such as adding, subtracting, or rearranging words, or paraphrasing sections of a source without appropriate acknowledgment of the original work or works.
3. Falsification

Falsification involves misrepresentation in an academic exercise. Misrepresentation includes, but is not limited to:

a) Falsely attributing data or judgments to scholarly sources.

b) Falsely reporting the results of calculations or the output of computer programs, or materials from other electronic sources.

c) Presenting copied, falsified, or improperly obtained data as if it were the result of laboratory work, field trips, or other investigatory work.

4. Resubmission of work

No student may turn in work for evaluation in more than one course without the permission of the instructors of both courses.

Section 2: Procedures

1. Confidentiality requirements: All parts of an academic misconduct procedure are confidential. The following guidelines should be followed:

1.1. If an instructor seeks advice from colleagues or the school administration concerning a suspected case of academic misconduct, he or she should not divulge the name of the student or students involved before taking any action.

1.2. If the instructor imposes an in-course penalty (section 2 below), he or she may not divulge the name of the student or students involved except to the Office of the Provost.

1.3. If the instructor or the provost requests a hearing from the Academic Judicial Board (AJB), the provost shall inform the hearing officer of the AJB about the case, provide the hearing officer with a statement of purpose of the hearing, and provide the hearing officer with the materials in the files.

1.4. All hearings of the AJB (as described below) are confidential. The AJB shall submit its rulings and recommendations only to the student or students accused of misconduct, the instructor involved in the case, the provost, and other relevant SMCM personnel.

1.5. All records of academic misconduct are kept by the Office of the Provost. All such records are confidential and may not be discussed with the faculty or other members of the administration, with the following two exceptions:

1.5.1. As outlined below, the Office of the Provost shall forward relevant information concerning penalties for academic misconduct to the registrar, the vice president and dean of the College, and any parties involved with the imposition of these penalties;

1.5.2. The Office of the Provost shall inform the instructor and, where relevant, the hearing officer of the AJB if the student or students involved in any action have been previously penalized for academic misconduct.

2. In-course penalties:

If an instructor has compelling evidence of a student's academic misconduct, he or she may impose an academic penalty, including assigning a final grade of "F" to the student for the course. The instructor shall send the student a letter outlining the evidence of the student's academic misconduct and informing him or her of the penalty. The letter shall be sent to the student either by hand delivery, overnight mail, or certified mail (return receipt requested). The instructor shall send a copy of the letter to the provost. The provost shall inform the registrar and the vice president and dean of the College that the student may not withdraw from
the relevant course because of a penalty for academic misconduct. 3. Requests for a hearing by the Academic Judicial Board:

3. Requests for a hearing by the Academic Judicial Board:

3.1. If the instructor believes that the matter warrants a review before the Academic Judicial Board (AJB), he or she may request the Academic Judicial Board to schedule a hearing on the matter. The instructor shall send copies of the request to the student and the provost. The copy going to the student shall be sent either by hand delivery, overnight mail, or certified mail (return receipt requested).

3.2. If the provost believes that the matter warrants a review before the Academic Judicial Board, he or she may also request the Academic Judicial Board to schedule a hearing. The provost shall send copies of the request to the student and the instructor. The copy going to the student shall be sent either by hand delivery, overnight mail, or certified mail (return receipt requested).

3.3. Appeal by the student: The student may appeal in writing an instructor's decision of guilt or in-class penalty to the provost, who shall schedule a hearing on the appeal before the AJB. The student has ten days from the date the penalty letter was sent to make the appeal. The appeal must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested).

4. Hearing Procedures:

4.1. The AJB shall schedule a hearing no later than fourteen days from the time it receives the request. If the request is received during a school holiday, the hearing shall take place no later than fourteen days after classes resume. If the student is a graduating senior, and the matter arises during the senior's final semester, the student may not graduate until the hearing procedures have been completed.

4.2. The student may not withdraw from the class or from the College before a decision is reached and the imposition of any penalties by the Office of the Provost.

4.3. The AJB shall meet privately before the hearing to discuss the proceedings. The hearing shall be adjudicated by the members of the AJB. At least five members of the AJB must be present at any hearing, unless it is impossible to find a quorum of the regularly appointed members of the AJB within the set time. In this case, the hearing officer, in consultation with the Judicial Affairs adviser, may appoint substitutes. The hearing officer of the AJB or his or her designee shall preside.

4.4. The hearing officer shall keep a record of the hearing. The hearing officer shall forward all records of the hearing to the Office of the Provost for storage.

4.5. The hearing shall consist of four phases:

4.5.1. The instructor shall present the evidence of academic misconduct to the board. The AJB shall also hear witnesses which it or the instructor may call.

4.5.2. The student shall present his or her defense. The student may call witnesses. The AJB may limit the number of witnesses called during the first two phases of the hearing. The AJB may question the instructor, the student, and any other parties giving evidence. Parties may not interrogate each other.

4.5.3. The board shall then rule on the student's innocence or guilt of academic misconduct if the instructor's
ruling was appealed by the student. All deliberations by the AJB shall be made in private, with only members of the AJB present, and their counsel, if any. All decisions of the AJB are made by a majority vote of those voting, with all members, including the hearing officer, eligible to vote.

4.5.4. If appropriate, the AJB shall then recommend an academic penalty to the provost. The AJB may interview the student to learn of any possible mitigating circumstances before recommending any penalty. If the case was referred to the AJB at the request of the instructor or the provost, or if the student appeals her/his guilt and is found guilty, the penalty may range from simply upholding any penalty given by the instructor to expulsion from the College. In this case, the board may not recommend a penalty lighter than any imposed by the instructor. If the case was referred to the AJB because of an appeal of an in-class penalty by the student, the board may lessen the penalty if deemed appropriate.

4.6. The hearing officer shall send a letter to the student informing him or her of the ruling and (if appropriate) any penalty recommendations. The letter must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested).

4.7. A student may appeal any finding of guilt by the AJB to the provost. A letter of appeal must be sent within ten days after the letter of decision from the AJB was sent. The appeal must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested).

5. Further Procedures and Policies:

5.1. In any hearing, the student shall be presumed not guilty unless a preponderance of the evidence establishes him or her guilty.

5.2. All hearings are private. The only people present at the hearings shall be those determined by the AJB to be material to the proceedings.

5.3. The student may request that an employee or student member of the College community be present to offer advice to and consult with the student concerning procedural matters during the hearing. This individual shall not testify at the hearing.

5.4. In cases where several students are accused of a linked act of academic misconduct, the students may petition the AJB to sever their cases (treat them separately). It is up to the AJB to decide on this matter.

5.5. The student may not be compelled to testify against him- or herself.

5.6. An accused student who fails to attend a hearing may be found responsible of violation of Academic Misconduct rules and may be assessed appropriate penalties, based on the evidence presented. Should this occur, the respondent student shall be informed in writing of the outcome of the AJB hearing.

5.7. If a student is found not guilty of a charge of academic misconduct, he or she may not be tried again for the same instance of misconduct.

5.8. If a student is found not guilty of academic misconduct, the AJB shall remove any penalty imposed by the instructor. Because there may still be a dispute over the student's grade or class standing, the AJB shall recommend a course of action for the instructor to take concerning the student. The recommendation shall be made in consultation with both the student and the instructor. The
provost shall arbitrate any disputes which cannot be resolved in this manner.

5.9. If a student is found guilty of academic misconduct, mitigating circumstances may be taken into account when recommending a penalty. It is, however, the student's responsibility to know the policies and definitions regarding academic misconduct.

6. Penalties imposed by the provost:

6.1. The provost may not impose a penalty if the student was found not guilty of academic misconduct by the AJB.

6.2. If the provost imposes a penalty for academic misconduct, he or she shall:

   6.2.1. Send a letter to the student stating the penalty. The letter must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested).

   6.2.2. Send a copy of the letter to the instructor and the hearing officer of the AJB.

   6.2.3. If appropriate, inform the Office of the Registrar and the vice president and dean of the College that the student may not withdraw from the relevant course or from the College because of a penalty for academic misconduct.

   6.2.4. Send all relevant information concerning the penalty to all parties involved in the imposition of the penalty.

   6.2.5. The penalty may range from simply confirming any penalty imposed by the instructor to expulsion from the College.

7. Composition of the AJB

7.1. The Academic Judicial Board shall consist of seven members: four faculty members and three students.

7.2. The faculty members shall be chosen by the Faculty Senate from the full-time faculty of St. Mary’s College. Faculty members shall serve for a two-year term and shall be appointed at the beginning of the school year. The Faculty Senate will appoint one of the faculty members of the AJB to serve as hearing officer during her or his term. The hearing officer will also serve as the chair of the AJB.

7.3. The Student Judicial Board shall choose the student members of the AJB. Student members shall serve for a one-year term, and shall be appointed at the beginning of the school year.

8. Case Records

The Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment) regulates the maintenance, confidentiality, and accessibility of students' education records. This act protects the privacy of parents and students by providing them with certain rights regarding specified records. The complete text of, and information about the act are available to the student for inspection. When a student has been found not responsible, all records related to the case will be destroyed, except for information concerning findings of innocence due to ignorance of the rules of definitions of academic dishonesty. This information will be kept on file for purposes of judging any future claims of ignorance that may occur.