

The Conduct Process

A Guide for Instructors

Office of Student Conduct
University of Maryland

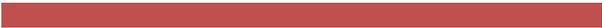


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WELCOME

Dear Instructors:

Thank you for your participation in this very important process. This manual is intended to introduce you to the Student Conduct process at the University of Maryland. Included you will find information on the academic integrity process as well as non-academic misconduct. Underpinning this information are the basic tenets of the Office of Student Conduct: a commitment to fairness, honesty, and integrity. We hope that this Instructor guide will assist you in managing student behavior in your classroom and on campus.

Should you have any questions, please contact the Office of Student Conduct at 301-314-8204 or studentconduct@umd.edu.

Sincerely,

Andrea Goodwin, Director
Office of Student Conduct

INTRODUCTION

OFFICE OF STUDENT CONDUCT (OSC)

We strive to resolve allegations of misconduct under the *Code of Student Conduct* and the *Code of Academic Integrity* as well as appellate cases in a manner consistent with our core values of fairness, honesty and integrity. Moreover, we acknowledge the importance of balancing the interests of the individual student and the community at large, as well as protecting the integrity of the institution and its values. As a component of our work, we seek to involve students in the judicial process – recognizing the significant responsibility they maintain in the protection of the university community. To foster future leaders and sound citizens, we promise to invest in their learning and character development.

Vision

The vision for the Office of Student Conduct is to have a campus where all Instructors, staff, and students understand and promote community standards of safety and integrity.

Mission

The mission of the Office of Student Conduct is:

- To proactively encourage safety by promoting and upholding the standards and integrity of the University of Maryland community
- To resolve allegations of interpersonal and organizational misconduct in a manner consistent with our core values: honesty, integrity, respect, compassion, and fairness
- To balance the interests of the individual student and the community at large through fair, consistent, timely case resolution
- To facilitate learning and character development of future leaders and sound citizens, including by involving students in the adjudication process

Core Values

- **Honesty:** Honesty is the foundation of resolution of community disputes, healthy relationships, personal growth, and moral development. While we acknowledge the reality of human

fallibility, we believe that honest confrontation of choices is instrumental to the learning process.

- **Integrity:** Integrity frames the legitimacy of our process. Therefore, we seek to hold and be held accountable to the policies and procedures that govern the campus community, and to foster a process that embodies community values.
- **Respect:** Respect for one another means regard for individuals' rights, property, and humanity. Our policies and procedures seek to promote respect, including by providing intentional, educational and reflective activities, and experiences that foster learning and development.
- **Compassion:** Compassion means creating a welcoming, safe, inclusive, and civil environment, taking interest in the experiences and perspectives of community members, and acting with empathy and regard for the wellbeing of community members.
- **Fairness:** Individuals involved with the conduct process can expect to be heard, given the opportunity to communicate their perspective, and received without prejudice. We employ a consistent process, strive for a timely resolution, communicate in a clear and timely manner, and provide information that is efficient, accurate, and thorough. We also employ assessment to understand the influence of our work on the community and its members.

Function

The primary function of the Office of Student Conduct, as defined by the Board of Regents in the *Code of Student Conduct*, is to "direct the efforts of students and staff members in matters involving student discipline." OSC consists of a Director of Student Conduct, two Assistant Directors, two Coordinators, and Graduate assistants who administer the *Code of Academic Integrity*, the *Code of Student Conduct* and advising responsibilities of the University Student Judiciary and its branches.

Our primary responsibilities include:

- interviewing and advising parties involved in disciplinary proceedings;
- supervising, training, and advising all judicial panels and the Student Honor Council;
- reviewing the decisions of all judicial panels; informal resolution of cases not referred for Honor Reviews;
- maintenance of all student disciplinary records; developing, monitoring, and suggesting revisions in student conduct policies;

- collection and dissemination of research and analysis concerning student conduct; and
- assisting in the design and implementation of programming and activities designed to promote academic integrity and student ethical development.

OSC STAFF DIRECTORY

Andrea Goodwin	Director of Student Conduct	agoodwin@umd.edu
James Bond	Assistant Director of Student Conduct - Academic Integrity	jebond@umd.edu
Vanessa Taft	Assistant Director of Student Conduct - Non-Academic Misconduct	vtaft@umd.edu
Kelly Schrader	Coordinator of Student Conduct - Academic Integrity	schrader@umd.edu
Nicole Garcia Diaz	Coordinator of Student Conduct - Non-Academic Misconduct	ngdiaz@umd.edu
Jaime Poynter	Program Coordinator	jpoynter@umd.edu
Laura Widener	Graduate Coordinator for Outreach and Education	lwidener@umd.edu
Jia Zheng	Graduate Coordinator for Student Conduct	studentconduct@umd.edu
Cazandra Rebolgar	Graduate Assistant for Campus Advocacy	rebollar@terpmail.umd.edu
Roshan Manoj Parikh	Graduate Coordinator for Academic Integrity	rmparikh@umd.edu

ACADEMIC INTEGRITY

INTRODUCTION

The University of Maryland is one of a small number of the nation's leading colleges and universities with an honor code. The University takes academic dishonesty very seriously. If a student is found responsible for violating the *Code of Academic Integrity*, the penalties are severe. The Office of Student Conduct resolves more than 700 allegations of Academic Dishonesty each year. It is important that all members of the University community become familiar with the [Code of Academic Integrity](#) to help promote a community of trust on our campus.

DEFINITIONS

1a. **Cheating:** *fraud, deceit, or dishonesty in any academic course or exercise in an attempt to gain an unfair advantage and/or using or attempting to use unauthorized materials, information, or study aids in any academic course or exercise.*

Examples of *cheating* are:

- group chatting/texting about assignments and answers
- copying another student's answers during an exam
- using unauthorized materials including a cheat-sheet, unauthorized electronics including calculators and cell phones, etc. during a graded assignment (item may not necessarily need to be used on the assignment)
- using materials found online not authorized by the instructor (e.g. Chegg, Coursehero, etc.)
- one student assists another student with homework or a project when the instructor prohibits outside assistance (also a 1c: Facilitation issue)
- allowing others to conduct research and/or prepare work without prior authorization from the instructor--this could include commercial tutoring services or term paper companies

1b. **Fabrication:** *unauthorized falsification or invention of any information or citation in any academic course or exercise*

Examples of *fabrication* are:

- falsifying attendance by participating in class polls when absent from class (e.g. clickers, Tophat)
- inventing statistics for a project or homework assignment
- inventing a source or attributing information to someone other than the source of that information
- inventing data based on a single experiment for other experiments that require further analysis
- submitting an exam for a re-grade after making changes on the exam
- attempting to change grades in a course by accessing university systems (e.g. ELMS, UMEG, etc.)
- falsifying documents or lying to instructors to avoid/delay completing an exam/assignment

1c. **Facilitating Academic Integrity:** *knowingly helping or attempting to help another to violate any provision of this Code.*

Examples of *facilitation* are:

- Sharing answers through group chatting or shared documents
- permitting another student to look at one's exam paper or final project
- selling or distributing exams/homework/notes without authorization
- allowing others to use one's papers or lab reports as their own
- providing others with the answers to an exam that one has already taken
- uploading exams or assignments to course-sharing websites without permission

1d. **Plagiarism:** *representing the words or ideas of another as one's own in any academic course or exercise*

Examples of *plagiarism* are:

- "quoting" a source without appropriately citing it
- using the text of another student's paper/computer project/lab report as one's own
- submitting a project that contains someone else's ideas and claiming it as one's own
- incorrectly/inadequately citing or identifying direct quotations or paraphrased material
- borrowing facts or information that are not common knowledge among students in a given course without acknowledging the source

- 1e. **Self-Plagiarism:** *the reuse of substantial identical or nearly identical portions of one's own work in multiple courses without prior permission from current instructor or from each of the instructors if the work is being submitted for multiple courses in the same semester.*

Examples of self-plagiarism are:

- resubmitting work for one course that was already graded in another course without permission
- submitting lab reports where most of the work had already been submitted
- turning in identical, or near identical assignments in two classes
- submitting substantial portions of the same academic work for credit or honors more than once, without authorization from the instructor to whom the work

NOTE: The list which follows each type of academic dishonesty merely provides examples and is not exhaustive. Please refer to the definitions in the *Code of Academic Integrity*, call upon your own judgment, or consult with the Office of Student Conduct when determining whether or not an act might constitute academic dishonesty.

PROMOTING ACADEMIC INTEGRITY IN YOUR CLASSROOM

As an instructor you can take precautions to reduce academic dishonesty in your classroom.

Syllabus

Include a statement in the syllabus noting the University policy on academic integrity and that suspected cases of academic dishonesty will be referred to the Office of Student Conduct. Discuss this with students the first day of class and before major assignments. For example:

The University of Maryland, College Park has a nationally recognized *Code of Academic Integrity*. This Code sets standards for academic integrity at Maryland for all undergraduate and graduate students. As a student you are responsible for upholding these standards for this course. It is very important for you to be aware of the consequences of cheating, fabrication, facilitation, and plagiarism. For more information on the *Code of Academic Integrity* or the Student Honor Council, please visit <http://www.studentconduct.umd.edu>

Honor Pledge

To further exhibit your commitment to academic integrity, remember to have your students write out the Honor Pledge on all examinations and assignments:

"I pledge on my honor that I have not given or received any unauthorized assistance on this examination (assignment)."

The Campus Assessment Working Group surveyed first-year students regarding academic integrity. Their findings reinforce the need for Instructors to discuss academic integrity on a regular basis in the classroom. You can find this report here:

https://www.irpa.umd.edu/CAWG/Reports/2018/snapshot_july18.pdf.

There is also a rubric provided by the Department of Undergraduate Studies on how to promote academic integrity in the classroom. You can find that here: <http://www.gened.umd.edu/for-Instructor/integrity.html>.

Finally, there is information available for faculty and all instructors from the Teaching & Learning Transformation Center. They offer guidance on syllabus language, technology and academic misconduct, and other strategies to reduce academic dishonesty. You can find information here: <https://tltc.umd.edu/integrity>.

ASSIGNMENTS

- Switch or modify assignments each class and semester.
- Require students to turn in two copies of each assignment. Return one copy and keep the other for your records.
- Give clear instructions on whether students may work together on an assignment and what materials may be used to complete the assignment.
- Let students know that they should not turn in the same paper in two courses, even if the course was in a different semester.
- Provide examples of where students should not seek guidance or information.

EXAMS

- Switch exams each class and semester. Create different versions of the exam to use.
- Do not let students keep a copy of exams.
- Never give the original exam as a make-up.
- If you do return exams, keep a copy of each student's exam on file. At times students have changed numbers or written answers on returned exams and requested a re-grade.
- Give clear instructions both in writing and orally as to what is allowed or not allowed during exams.
- Give clear expectations as to when and how make up exams are given.
- Give clear instructions as to what can be considered "notes" for open note/open book exams.
- If the class is very large, require students to show a student ID before and after taking exams.
- Have students space out their seats when possible.
- Make time before exams for students to use the restroom, get a drink, etc.
- Use proctors to help monitor exams, particularly in classes larger than 40 students.
- Give clear instructions on cell phone/purse/backpack placement prior to exams.

- Recommend students turn cell phones off during exams.

WHAT TO DO WHEN YOU SUSPECT ACADEMIC DISHONESTY ON ASSIGNMENTS

- Notify the Office of Student Conduct of any act of suspicion as soon as possible. A complaint form is available on our web site at: <http://www.studentconduct.umd.edu>.
- Do not grade an assignment suspected of academic dishonesty. Professors will be notified of the outcome of the Honor Review process via email. The outcome notice will indicate the grade for the assignment or other grade changes to be placed for the student or if a grade of "XF" will be placed for the student by OSC should the student be found responsible for violating the *Code*.
- If the case occurs at the end of the semester and you need to post grades, use a "J" meaning that judicial action is pending until the case has been resolved.
- Feel free to tell the student of your suspicion and referral to the Office of Student Conduct.

WHAT TO DO WHEN YOU SUSPECT ACADEMIC DISHONESTY ON EXAMS

- If a student is using unauthorized materials, either confiscate them immediately or direct the student to remove them from the desk, but allow the student complete the exam.
- Notify the Office of Student Conduct of suspicion. A referral form is available on our web site at: <http://www.studentconduct.umd.edu>.
- If students are talking or appear to be sharing information, make a statement to the class that no talking is allowed. Or, speak directly to the students. Move their seats.
- If a student is looking at another's work, make a statement to the class that all work is individual. Or, speak to the student individually about what you are witnessing.
- Refer to all points made above in the section regarding academic dishonesty on assignments.

Note: It's always good to try to get a second or third person to observe the behavior.

HOW TO MAKE A REFERRAL TO OSC

- Complete the complaint form available on our web site at: <http://www.studentconduct.umd.edu>.
- You may upload supporting documents as a part of the form via PDF. When possible please include the course syllabus and any information provided to the class regarding academic integrity.
- For Advice or Assistance, contact the Office of student Conduct at (301) 314-8204.

Note: When referring a case, the Office of Student Conduct, a staff member or a community advocate will contact you to discuss specifics of the case. If the case goes to an Honor Review, the advocate will attend the Honor Review with you. The Honor Board may have questions only the instructor can answer so it is important that you attend in some capacity.

REFERRAL AND CHARGES

Once a copy of the complaint and the information accompanying the allegation is received, a staff member in OSC will conduct an initial review.

An OSC staff member will determine whether there is reasonable cause to proceed with the case. They will examine the evidence gathered to determine what "type" of academic dishonesty may have occurred.

Each of the aforementioned definitions of academic dishonesty is a distinct and separate action. However, a student may be charged with more than one violation.

Additionally, students may submit a self-referral to the Office of Student Conduct. If there was no suspicion by a University official or instructor that academic dishonesty was committed, then the student will not be charged and a disciplinary file will not be made. The student and instructor of the course will meet in a conference to discuss the incident. The student will be required to complete the noncredit academic integrity seminar and receive either a grade that is reduced by one grade or an F on the assignment, which is to the discretion of the instructor.

PROCEDURES & PROCESS

PRELIMINARY INTERVIEW

If it is concluded that reasonable cause exists, the student is contacted and requested to schedule a "Preliminary Interview" with a staff member from the Office of Student Conduct.

A "Preliminary Interview" is designed to provide students with information about the academic integrity system, and to determine what course of action is necessary to resolve the allegation presented in the referral. The student will receive a copy of the complaint as well as other information about the process.

POSSIBLE OUTCOMES

The Preliminary Interview may result in three possible outcomes:

- OSC may dismiss the case if it is clear the student was not involved or there is not enough information to proceed
- The student may acknowledge responsibility for committing the violation
- The student may challenge the allegation in one of three processes (listed below)

Students accused of academic dishonesty are offered four options to resolve the allegation:

- Informal Resolution - admit responsibility and accept the sanction presented to them by OSC (no appeal);
- Disciplinary Conference – contest the charge or penalty before a staff member (no appeal);
- Disciplinary Conference Board – contest the charge or penalty before a staff member and two USJ students (no appeal); or
- Honor Review – contest either the charges or the penalty before an Honor Board comprised of 3 students and 2 Faculty/staff (appeal possible).

Note: In accordance with the *Code of Academic Integrity*, the normal penalty for an act of academic dishonesty is the grade of “XF” in the course. The grade is recorded on the academic transcript with the notation, “failure due to academic dishonesty.” Students receiving an “XF” may not represent the university in extracurricular activities or run for or hold office in any student organization. The “X” and notation may be removed after one year after completion of an academic integrity seminar and filing a petition with the Student Honor Council. However, the Student Honor Council and the staff in the Office of Student Conduct may impose a lesser or severe penalty depending on mitigating or aggravating factors. The *Code*, part 56 provides a range of possible sanctions.

DISCIPLINARY CONFERENCE (*CODE*, PARTS 30-35)

A Disciplinary Conference is a process leading to the resolution of an academic dishonesty case. The purpose of the Disciplinary Conference is for a staff member to explore and investigate the incident giving rise to the appearance of academic dishonesty. Students may opt for a Disciplinary Conference to resolve the matter, but they may not appeal the outcome. A Disciplinary Conference may not always be offered to a student. Instructor participation in the Disciplinary Conference is always recommended.

Please note there is also the possibility to resolve the case with a Disciplinary Conference Board (*CODE*, Parts 36-40) where a staff member and two USJ-trained students determine the outcome. Similar to a Disciplinary Conference, there is no appeal to the decision.

HONOR REVIEW (*CODE*, PARTS 41-53)

An Honor Review is the process leading to the resolution of an academic dishonesty case. The purpose of an Honor Review is to explore and investigate the incident giving rise to the appearance

of academic dishonesty and to reach an informed conclusion as to whether academic dishonesty occurred. Honor Reviews are before a panel typically consisting of three Honor Council members and two Faculty/staff members. At times Honor Reviews may be held with an "Ad Hoc" Board, in those cases the board consists of two students and one Faculty.

As the reporting instructor, your attendance at an Honor Review is very important. A student Community Advocate will assist you through the Honor Review process and serve as the Complainant for the Honor Review. The Community Advocate will present evidence and analysis to the Honor Board during the Honor Review. Be prepared to provide a narrative and answer questions from the Honor Board about the allegation.

The Office of Student Conduct regularly recruit instructors and staff members to serve on Honor Reviews. This is a great opportunity to serve the University community, learn about the Honor Review process, and become further educated on the University's policy on academic integrity.

STANDARD OF EVIDENCE: "CLEAR & CONVINCING"

The standard of proof used to determine responsibility is "clear and convincing." Are the facts clear **and** are you convinced to a reasonable degree that the student violated the policy? The burden to provide clear and convincing evidence of academic dishonesty rests with the instructor of the course.

ROLE OF ADVOCATE, ADVISOR, AND SUPPORT PERSON (CODE, PARTS 21-24)

The Respondent may be assisted by an Advocate, who must be a registered, degree-seeking student at the University. The role of an Advocate is limited to:

(a) Making brief opening and closing statements. (b) Suggesting relevant questions, which may be directed to witnesses. (c) Providing confidential advice to the Respondent. (d) Following a determination of responsibility, the Advocate may make recommendations regarding sanctions, if appropriate.

The Respondent may also choose to be assisted by an Advisor of their choice, who may be an attorney, at their own initiation and expense. The Advisor is present to provide advice and consultation to the Respondent. If necessary, the Respondent may request a recess in order to speak privately with an Advisor. The Advisor shall not be an active participant in the hearing. The Advisor may not speak for the Respondent, advise the Advocate, serve as a witness, provide evidence in the case, delay, or otherwise interfere with the University's disciplinary process.

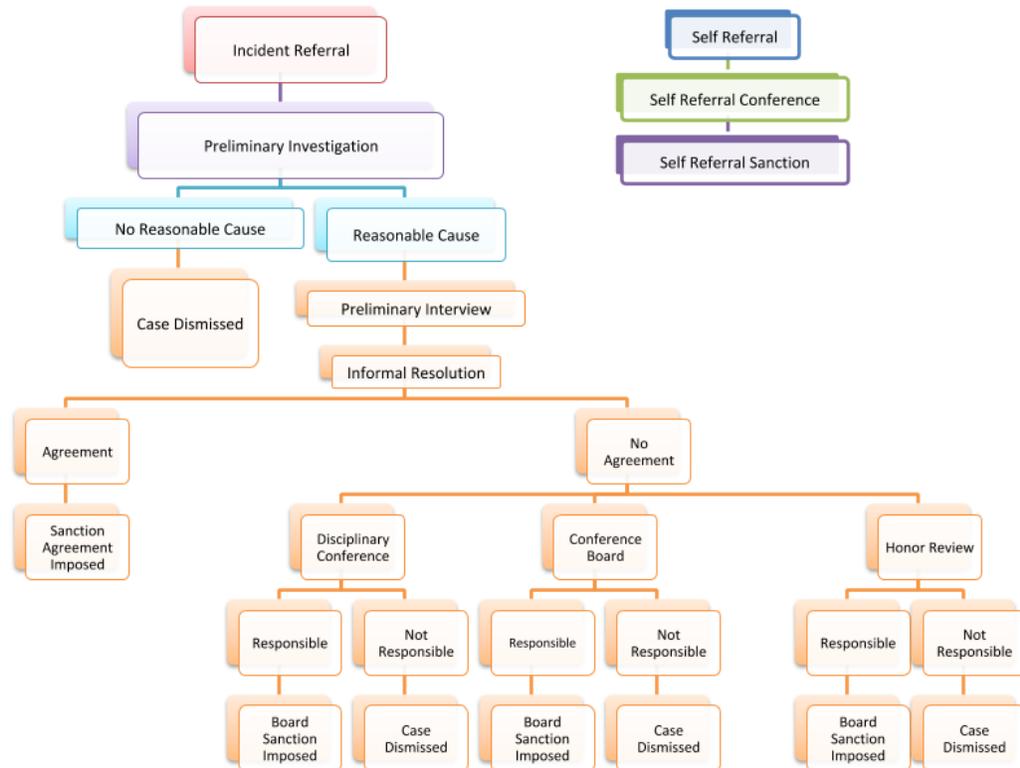
Respondents may choose to be supported by a Support Person of their choice to provide emotional and logistical support. A Support Person shall not be an active participant in the process.

As a general practice, disciplinary proceedings will not be delayed due to the unavailability of an Advocate, Advisor, or Support Person.

APPEALS (CODE, PARTS 57-64)

Students may appeal the board’s decision and the sanction within a limited time period. The complaining party may only appeal the sanction in a case, not the decision.

ACADEMIC INTEGRITY CASES: A DIAGRAM



FAQS REGARDING ACADEMIC INTEGRITY

HOW COMMON IS ACADEMIC DISHONESTY AT COLLEGES ACROSS THE COUNTRY?

In one 1992 study, Donald L. McCabe surveyed the extent of self-reported cheating by 1,800 students at nine medium to large state universities. He found that 52% of the students admitted to copying from others on an examination; 38% admitted to some form of test cheating on three or more occasions. McCabe's research has important implications for ethics in business and the professions. It's reasonable to hypothesize that students who develop the habit of cheating in college may also see cheating as an effective strategy in their careers.

WHAT IF A STUDENT REFUSES TO WRITE THE PLEDGE?

The Maryland Honor Pledge was reviewed by legal counsel and is carefully crafted to respect the autonomy of individuals who might object to a pledge requirement on religious or ideological grounds. The University Senate resolution on the Honor Pledge states that "signing or non-signing of the Pledge will not be considered in grading or judicial procedures."

If a handwritten Honor Pledge and signature do not appear on a paper or examination, instructors should ask the student for an explanation. Doing so has the added value of encouraging teachers and students to discuss the importance of academic integrity and the best ways to promote it. Students remain free to decline to write or sign the Pledge and should not be penalized for exercising that right. Students should be reminded, however, that they are subject to the requirements of the *Code of Academic Integrity*, whether or not they write and sign the Honor Pledge.

ISN'T IT BURDENSOME AND TIME-CONSUMING TO REPORT INCIDENTS OF ACADEMIC DISHONESTY?

A few cases are protracted. Most are not. Accused students often admit the offense and accept the sanction presented to them. If an Honor Review is necessary, it is conducted as an inquiry (not a trial) by a panel of students and Faculty/staff members. Questioning by lawyers is not permitted. Furthermore, a student Community Advocate is assigned to assist instructors in presenting appropriate evidence. Many of the cases going to an Honor Review, result in a finding of responsibility and imposition of the "XF" grade penalty.

HOW IS "EDUCATION" PART OF THE ACADEMIC INTEGRITY SYSTEM OF MARYLAND?

In the broadest sense, simply holding an individual accountable for their behavior has an educational value, both for them and the community as a whole. Administrators and Honor Council members give dozens of classroom presentations each semester, reviewing and discussing University academic integrity policies. Students found responsible for violating the *Code* also complete educational sanctions as a part of the resolution process.

HOW SHOULD I DOCUMENT AN ALLEGATION OF ACADEMIC DISHONESTY?

As soon as you suspect academic misconduct (or an attempt) to have occurred, inform OSC. There is a complaint form found on the Office of Student Conduct website that you may use to inform OSC of an allegation. You may also upload any documents you think are necessary to supplement the form (in PDF form). Do not impose a penalty or dismiss a student from class. Instructors are encouraged to confer with accused students who allegedly violated the *Code* and to inform them OSC will be conducting an appropriate inquiry. Concerned students, parents, or other parties should then be referred to OSC.

WHAT IS AN HONOR BOARD?

An Honor Board is the group that hears a specific case of academic dishonesty. It is comprised of three students, two Instructor or staff members, and one Presiding Officer. If the Respondent is found responsible for an act of academic dishonesty, the Honor Board also imposes a sanction. In some cases, the Respondent may admit to committing academic dishonesty but petitions the Honor Board for a lesser sanction.

HOW LONG DOES AN HONOR REVIEW TAKE?

It depends on the case, but as a guideline, allow for 90 minutes to 4 hours.

WHY ISN'T THE ENTIRE BOARD MADE OF INSTRUCTORS?

Maryland is unique in that Honor Reviews are student-led; this policy has been in place since 1989 when the *Code of Academic Integrity* was adopted by the University Senate. While the process is student-led, the *Code* stipulates that each board must have two Faculty/staff members.

WHAT PENALTIES ARE IMPOSED FOR ACADEMIC DISHONESTY AT MARYLAND?

Strict penalties are necessary, so academic dishonesty is not trivialized. For example, the common practice at many colleges of simply awarding a failing grade for academic dishonesty is no deterrent to a student already in danger of failing the course.

The normal sanction for undergraduate students for a violation of the *Code* is the "XF" grade penalty, noted on the transcript as "failure due to academic dishonesty." Students may petition the Appellate Board for removal of the "X" from the transcript one year after being found responsible for an offense if they successfully complete an academic integrity seminar. Other sanctions may be imposed based on

mitigating and aggravating circumstances. The normal sanction for a graduate student is dismissal (suspension or expulsion). All sanctions include some type of grade penalty and some type of educational/reflective exercise.

ISN'T AN "XF" TOO LENIENT/TOO STRICT FOR AN ACT OF ACADEMIC DISHONESTY?

This is the normal sanction as stated in the *Code of Academic Integrity*. To hold a Respondent to a higher/lower sanction than an "XF" is unfair to both that Respondent and all the other Respondents who have been reviewed under the *Code*.

WHAT ABOUT THE THREAT OF LAWSUITS?

The state has policies to represent and indemnify employees for litigation arising out of the performance of their duties. Furthermore, we know of no reported case in the country where a Instructor has been found liable for a good-faith report of student academic dishonesty—even if the Respondent was later determined to be innocent of any wrongdoing. No court has overturned a finding under the University's *Code of Academic Integrity*, even though over 1,500 students have been held accountable under the *Code*—most with serious transcript notation penalties.

I REPORTED A CASE AND THE STUDENT WASN'T PUNISHED. WHY SHOULD I REPORT ANOTHER CASE?

No fairly administered conduct system will result in a finding of responsibility against the respondent in every case. At Maryland, given the severity of the "XF" transcript notation penalty, the *Code of Academic Integrity*, as adopted by the University Senate, places a heavy burden of "clear and convincing" standard of evidence on the Complainant to support a charge of academic dishonesty. Nonetheless, even the minority of students who are found not responsible for a violation regard a Honor Review as a serious and solemn event. Recidivism is rare.

A finding that there was insufficient evidence to hold a student responsible for academic dishonesty is not a reflection against a referring instructor. Most referring instructors see "winning" or "losing" a particular case as secondary to upholding a process that has produced demonstrable results in promoting academic integrity on campus.

THE DISCIPLINE PROCESS: NON-ACADEMIC MISCONDUCT

PURPOSE

The purpose of the student discipline process is to maintain the behavioral standards set by the campus community and to provide all students with a fair, administrative adjudication process.

Informal Honor Reviews and other proceedings at educational institutions do not follow the same procedures used in courtrooms. The University does not employ lawyers to “prosecute” students or apply the rules of evidence used in a civil or criminal trial. Instead, charges are investigated and resolved in an atmosphere of candor, truthfulness, and civility.

Students accused of violating University disciplinary regulations are encouraged to discuss the allegations with their parents or guardians, legal counsel, and with appropriate University staff members. Students are also encouraged to read the *Code of Student Conduct* in its entirety.

HOW TO MAKE A REFERRAL FOR NON-ACADEMIC MISCONDUCT

- Complete the short complaint form available on our web site at: <http://www.studentconduct.umd.edu>
- When possible please include documents collected.
- For Advice or Assistance, contact the Office of Student Conduct at (301)314-8204.

EXAMPLES OF NON-ACADEMIC MISCONDUCT IN THE CLASSROOM

- Disorderly or disruptive behavior in the classroom
- Bribery
- Intentionally interfering with the freedom of expression of others
- Damage to property (e.g. desk space, classroom space)
- Further information of other prohibited conduct may be located in Part 9 of the *Code of Student Conduct* at: <http://www.president.umd.edu/policies/docs/V-100B.pdf>

THE PRELIMINARY INTERVIEW

When the Office of Student Conduct or the Office of Rights and Responsibilities receives a complaint, the referred student is contacted by e-mail and requested to schedule a "Preliminary Interview" with a staff member.

This purpose of the meeting provides the student with the opportunity to respond to allegations made against him/her. Determination of disciplinary charges may be filed pursuant to the *Code of Student Conduct* and an explanation of the processes to resolve the allegations is provided. The staff member conducting the meeting will gather detailed information by asking questions and inviting comments.

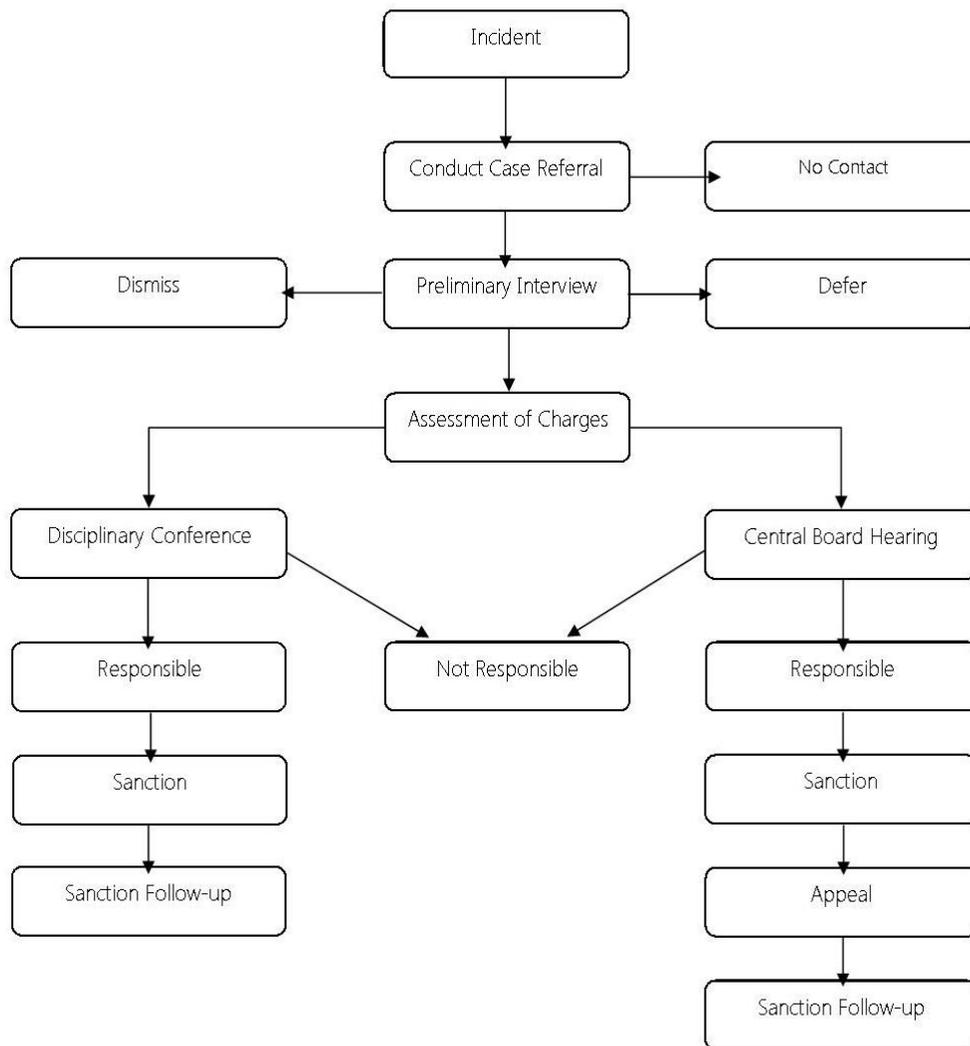
POSSIBLE OUTCOMES

Depending upon the case, possible outcomes of a Preliminary Interview include:

- Dismiss the case due to insufficient evidence
- Defer the case for a period of time, contingent upon the student's good behavior.
- Resolve the case immediately in a disciplinary conference, if agreeable to both the accused student and the staff member and if the student is not facing dismissal from the University or housing termination
- Notify the student of disciplinary charges and schedule the appropriate proceeding (i.e. Conference or Honor Review) at a later date

Students who are referred to a conference or Honor Review, are informed of the specific charges against them and the exact date, time, and location of the meeting. As an instructor if you report a case of misconduct your attendance at a conference or Honor Review is very important.

NON-ACADEMIC CASES: A DIAGRAM



CLASSROOM DISRUPTION

Classroom disruption by students is a rarity at UMD, but it can occur. The following advice from SYNTHESIS: Law and Policy in Higher Education (Spring 1997) may be used to assist Instructors members who have never encountered a disruptive student, and may be unsure how to respond.

1. **Instructors are responsible for management of the classroom environment.** It is the role of the instructor to create an environment that supports the free exchange of ideas in the spirit of academic freedom, however it is imperative that an environment which fosters responsibility and respect is created. It is the responsibility of the instructor to maintain order in the learning environment which includes classrooms, lectures, discussion groups, libraries, laboratories, office hours, and off-campus venues.
2. **Classroom disruption should be seen as a disciplinary offense, as defined by the University's *Code of Student Conduct*.** The term "classroom disruption" means behavior a reasonable person would view as substantially or repeatedly interfering with the conduct of a class. Examples include repeatedly leaving and entering the classroom without authorization, making loud or distracting noises, rude or disrespectful behavior, persisting in speaking without being recognized, or resorting to verbal or physical threats/abuse.
3. **Both students and instructors have some measure of academic freedom.** University policies on classroom disruption cannot be used to punish lawful classroom dissent. Differences of opinion and thought should be welcomed if presented in a mutually respectful manner. The lawful expression of a disagreement with the teacher or other students is not in itself "disruptive" behavior.
4. **Rudeness, incivility, and disruption are often distinguishable, even though they may intersect.** In most instances, it's better to respond to rudeness through effective communication with the student. It is recommended that you address the student one on one rather than in front of the whole class and inform them of what appears to be problematic about the way they are communicating (e.g. When you interrupt others, it can be perceived as though you don't care about what other people have to say). Rudeness can become disruption when it is repetitive, especially after a warning has been given.
5. **Strategies to prevent and respond to disruptive behavior include the following:**
 - a. Clarify standards for the conduct of your class. Instructors may vary in what their expectations are of student participation in class. For example, if you want students to raise their hands for permission to speak or not use cell phones during class, say so,

using reminders, as needed. Another instructor may not have the same standard which is why it is important to outline this behavior expectation early.

- b. Serve as a role model for the conduct you expect from your students.
- c. If you believe inappropriate behavior is occurring, consider a general word of caution, rather than warning a particular student (e.g. "we have too many individual conversations at the moment; let's all focus on the same topic").
- d. If the behavior is irritating, but not disruptive, try speaking with the student after class one on one. Most students are unaware of distracting habits or mannerisms, and have no intent to be offensive or disruptive.
- e. There may be rare circumstances when it is necessary to speak to a student during class about his or her behavior. Try to do so in a firm and friendly manner, indicating that further discussion can occur after class. Public arguments and harsh language must be avoided.
- f. A student who persists in disrupting a class may be directed to make a choice: cease the disruptive behavior, or leave the classroom. If they fail to comply with that directive, they can be informed that if they do not leave the class, you will contact the campus police. Whenever possible, prior consultation should be undertaken with the Department Chair and the Office of Student Conduct (301)314-8204.
- g. If a disruption is serious, and other reasonable measures have failed, the class may be adjourned, and the campus police summoned. Teachers must not use force or threats of force, except in immediate self-defense. Prepare a detailed written account of the incident. Identify witnesses for the Campus Police, as needed.

The Office of Student Conduct can help by reviewing university disciplinary regulations with you, and meeting with students formally, or informally. It's better to report disruptive incidents to us promptly, even if they seem minor. One of our preferred strategies is to develop behavioral plans with students, so they have clear guidelines about what behavior is expected of them. In the most serious cases, we can suspend students immediately, pending disciplinary proceedings, or medical evaluation.

STUDENTS OF CONCERN

Although instances of students engaging in disruptive, threatening, or violent behavior are rare, circumstances may arise that cause concern among our Instructor, staff, or students. Oftentimes, the concern stems from behavior, in or out of the classroom, that might be considered odd or out of the ordinary. Some warning signs might include the following:

- Disorderly or substantially disruptive behavior
 - Verbal aggression – expressing uncontrollable anger, hostility, or frustration
 - Unusual, bizarre, or disturbing behavior
 - Threat of violence or physical harm – in person, over the telephone, or through electronic means
 - Destructive behavior – causing damage to property
 - Stalking behavior – pursuing another person
 - Act(s) of violence – striking, pushing, or assaulting another person
 - Possession of a weapon
 - Messages shared via email, text, or online discussion posts
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WHAT SHOULD I DO IF I AM CONCERNED ABOUT A STUDENT'S BEHAVIOR?

It is most important to remember that early intervention is vital and that trained colleagues are prepared to assist. Below are University resources available to address specific situations.

Issue	Resource	Contact
THREAT OF VIOLENCE, SUBSTANTIAL DISRUPTION, POSSESSION OF WEAPON Immediate Police response and intervention	University Police	911 301.405.3555 (Non-emergency) 301.405.3333 (Emergency)
MEDICAL OR PSYCHIATRIC Immediate medical/psychiatric care	911 or UMCP Mental Health Service	911 or 301.314.8106
EMOTIONAL OR PSYCHOLOGICAL Assessment, counseling, and consultation	UMCP Counseling Center	301.314.7651
DISORDERLY OR DISRUPTIVE BEHAVIOR Behavior evaluation under Code of Student Conduct	Office of Student Conduct	301.314.8204
BEHAVIOR EVALUATION or THREAT ASSESSMENT CONSULTATION Behavior evaluation or threat assessment	UMD Behavioral Evaluation & Threat Assessment Team (BETA Team)	301.314.2383 or Beta@umd.edu

RESOURCES

IMMEDIATE THREAT OF VIOLENCE OR SUBSTANTIAL DISRUPTION

The University Police will respond to a student who acts in a violent manner or threatens violence. Additionally, the Office of Student Conduct is authorized to impose an immediate suspension from classes (pending a Honor Review) if a student engages in threatening or disruptive behavior. Procedures may be initiated by the Vice President for Student Affairs or the Director of Student Conduct to require an evaluation conducted by campus mental health professionals or to dismiss students who pose a "direct threat" to self or others.

MEDICAL OR PSYCHIATRIC

If you think a student is at risk of harming him/herself or others (suicidal or homicidal) or is exhibiting extremely bizarre behavior, contact the University Health Center Mental Health Services at 301.314.8106. The University Police– (911) should be contacted if there is a threat of violence or medical transportation is required.

EMOTIONAL DISTRESS

When a student shows signs of emotional or psychological distress, comprehensive evaluation and treatment are provided by Mental Health Services in the Health Center. Counseling services available at the Counseling Center are free to students.

DISORDERLY OR DISRUPTIVE BEHAVIOR

A student who exhibits behavior that is disorderly, disruptive, or poses a concern for violence should be reported to the Office of Student Conduct at 301.314.8204 or studentconduct@umd.edu.

Disruptive or disorderly students may be in violation of the University's *Code of Student Conduct* and/or be referred to specific counseling or mental health interventions, if appropriate. Additional advice is provided in a Classroom Disruption Advisory issued by the Office of Student Conduct and may be found at: www.studentconduct.umd.edu.

BEHAVIORAL EVALUATION & THREAT ASSESSMENT TEAM (BETA)

The Behavioral Evaluation and Threat Assessment (BETA) team is a group of University of Maryland staff members who provide resource information helpful to other staff, instructors, and administrators dealing with students who may be threatening, disruptive, or otherwise concerning. The team is designed to provide information and referrals to those dealing with or concerned about these behaviors. The BETA is NOT designed to deal with immediate threats or immediate crisis situations.

Assistance in immediate crises is obtained by calling the University Police (911). The Team is not an administrative, treatment or disciplinary body. It does not adjudicate, discipline, or impose sanctions against any member of the campus.

Members of the UMD community may contact and consult with the BETA Team, whose contact information is listed below:

BETA Team email: Beta@umd.edu

Dr. John Zacker

Chair of the BETA Team and Assistant Vice President for Student Affairs,
Mitchell Building, 301-314-8430, jzacker@umd.edu

Lt. Raphael Moss

Police Officer, Department of Public Safety,
Pocomoke Building, 301-405-3555, rmoss2@umd.edu

Dr. Andrea Goodwin

Director, Office of Student Conduct,
Mitchell Building, 301-314-8204, agoodwin@umd.edu

Director, Mental Health Services, TBD
University Health Center, 301-314-8106

Director, Counseling Center, TBD
Shoemaker Building, 301-314-7651

Dr. Ted Pickett, Jr.

Associate Director, Counseling Service,
Shoemaker Building, 301-314-7651, tpickett@umd.edu

Ms. Maria Lonsbury

Case Manager for the BETA Team and Project Specialist, Office of the Vice President for Student Affairs,
Mitchell Building, 301-314-8441, lonsbury@umd.edu