

## **SECTION IV: Faculty Responsibilities**

### II-1.25- POLICY ON FACULTY WORKLOAD AND RESPONSIBILITIES

(Approved by the Board of Regents, August 19, 1994; Amended by the Board of Regents, July 9, 1999)

#### I. Purposes

The purposes of the "USM Policy on Faculty Workload and Responsibilities" are to promote optimal performance by the University of Maryland System and by each of its institutions in meeting the needs and expectations of its students and other clienteles, and to provide mechanisms that will ensure public accountability for that performance. Because faculty are the primary performers of the System's instruction, research/scholarship and service, the policy must encourage and support faculty in applying their creativity, ingenuity, initiative, knowledge, experience, and professional skills in performing many diverse functions. Faculty is expected to meet their responsibilities independently and in full accord with both institutional expectations and established tenets of academic freedom.

This policy reflects the centrality of instruction at degree-granting institutions while acknowledging the essential development of knowledge through research/scholarship and its application to societal needs.

#### II. Application

The policy applies to the following individuals:

1. All persons holding tenured and tenure-track positions who are classified as faculty (instructional, research and public service) and are so reported to the Maryland Higher Education Commission through the Employee Data System;
2. All persons who, while holding faculty rank, are classified as administrators and are so reported to the Maryland Higher Education Commission through the Employee Data System, and perform their administrative duties at the level of academic department or equivalent academic unit, including chairs, assistant chairs, program director, etc.;
3. All persons who, while neither tenured nor on the tenure track, are employed full time by the USM, are classified as instructional faculty and are so reported to the Maryland Higher Education Commission through the Employee Data System; and
4. All persons who, while neither tenured nor on the tenure track, are employed full time by the USM, are classified as research faculty and are so reported to the Maryland Higher Education Commission through the Employee Data System, and whose salaries are supported, in whole or in part, by state funds.

The University of Baltimore Law School and the University of Maryland at Baltimore schools of law, medicine, dentistry and pharmacy shall develop separate policies for their faculties. These policies, subject to the approval of the Chancellor, shall provide accountability fully comparable to that provided in this policy. This policy does not apply to individuals who hold faculty rank but who are assigned to administrative duties outside the department or equivalent academic units, for example, deans, vice presidents, presidents, etc.; nor does it apply to individuals who are classified as research faculty but whose salary is fully supported by non-state funds, e.g., federal research grants.

#### III. Responsibilities

Each institutional president shall establish, in consultation with faculty and academic administrators, and subject to approval by the Chancellor, institution-specific policy and implementation mechanisms consistent with the University of Maryland System's "Policy on Faculty Workload and Responsibilities." Institution-specific policies, including proviso for departmental/school variation, shall include explicit statements of expectations and accountability mechanisms, including the means for comparing faculty performance with workload expectations and reporting the results of such comparisons.

#### IV. Standard Workload Expectations

Each institution's policy shall include standard expectations for faculty workload. It is understood that there will be exceptions and that those exceptions will be both accounted for and justified. Generally, standard expectations will cover instruction, research/scholarship, and service, and will be consistent with the mission of the institution. The proper balance among instruction, scholarship/research, and service for an individual faculty member may change over the faculty member's career. For each individual faculty member, any substantial difference between the actual and the standard expectation for any basic workload element will be balanced by compensating changes in one or both of the other basic workload elements. Workload expectations for each faculty member should be reviewed annually by the responsible department chair and/or other appropriate administrator and adjusted as necessary and appropriate. The following table provides guidelines for the general standard expectation in the categories of instruction, research/scholarship and service. It is understood that there may be differences across departments of an institution, as approved by the president.

<b>INSTITUTION TYPE</b>	<b>INSTRUCTION SERVICE</b>	<b>RESEARCH</b>	<b>SCHOLARSHIP</b>
<b>COMPREHENSIVE</b>			
% of Total Effort	65 – 77	15 – 25	5 - 15
# Course Units/Yr.	7-8		
<b>RESEARCH</b>			
% of Total Effort	45 – 55	35 – 45	5 - 15
# Course Units/Yr.	5-6		
<b>NON-DEGREE GRANTING</b>			
% of Total Effort	5-15	75-85	15-25

\*Including directed research and individual studies.

Instructional effort includes, in addition to classroom time, all concomitant activities necessary to the preparation, delivery and evaluation of instruction and learning, including the various forms of student advising. The sum of the “% of total effort” in each area must equal 100% for each individual faculty member.

For purposes of defining standard instructional load expectations, the course unit is defined as equivalent to a three-credit course. Individuals whose instructional load includes other than three-credit courses will have their standard instructional load expectations defined accordingly. As an example, the following weights should be used to convert graded instructional experiences that do not follow the traditional course format (e.g., individual studies, supervision of dissertation research, etc.) to course units.

<b>COURSE LEVEL</b>	<b>No. of Credits</b>
Supervised	
800-899 (dissertation & doctoral level individual studies) credit hours = 1 course unit	9
799 (masters thesis) credit hours = 1 course unit	12
500-798 (other graduate level individual studies) credit hours = 1 course unit	18
100-499 (graduate/undergrad level individual studies) credit hours = 1 course unit	21

Workload expectations for each faculty member in the areas of research/scholarship and service shall be specified according to institutional mission.

In order to focus on the centrality of instruction, all faculty members, including those with administrative responsibilities at the departmental level, shall be involved in the instructional program. Further, senior faculty in departments having undergraduate programs shall participate in undergraduate teaching.

V. Exceptions to Standard Workload Expectations.

All faculty at degree-granting institutions are expected to be involved in instruction, research/scholarship and service as previously defined. Recognizing that some faculty will assume new or additional responsibilities in any one of these areas, exceptions to the standard workload may be made. However, the department is responsible for making the necessary adjustments in the total faculty workload so that departmental expectations in each of these areas are fulfilled. These expectations will be determined by student and curricular needs, shall be consistent with the resources available to the department, and shall be approved by the president. Institutions shall make the minimum number of exceptions necessary for fulfillment of its institutional mission. Exceptions to the standard workload may be made based on the following considerations.

1. Instruction. Exceptions from the standard instructional load may be based upon a number of factors, including class size; development of new courses; modality of instruction, including distance education; level of instruction; discipline; accreditation requirements; etc.
2. Departmental Administration. Assumption of responsibility for the functions of chair, assistant chair, or program director, or for special departmental projects, may require reduction of expectations for service, research/scholarship or instruction. The magnitude of such reduction shall be dependent on the scope of administrative responsibilities and size of the department.
3. Externally Funded Research and Service Activities. Assignment of additional time for research or service activities can be supported by external funds, either research or training grants. In these instances, the accompanying reduction of expectations for service or instruction should mirror the replacement of departmental salary support by externally-funded salary support.
4. Department-Supported Research. (Departmental Research) Assignment of additional time for research activities supported by the department and consequent reduction of expectations for service or instruction should be related to the institution's mission.
5. Department-Supported Service. Assignment of additional time in areas of service and consequent reduction of expectations for research/scholarship or instruction should be directly related to the duration and the extent of the commitment. For example, individual faculty members may be released from the standard expectation in the areas of research/scholarship or instruction in order to make major professional contributions -- e.g., to work in partnership with the public schools or with business or industry.

VI. Accountability

The institutional reward structure will take cognizance of the workload assignment for each faculty member. Institutions shall develop procedures for the systematic review of faculty, recognize outstanding performance, and establish consequences for failure to fulfill expectations.

The focus of external accountability (to the Regents and to the State) will be the department or academic unit, not the individual faculty member. The primary measure of departmental accountability should be the total number of course units produced on load by the department or academic unit's tenured/tenure track faculty (excluding the department chair) divided by the number of full-time equivalent faculty adjusted for sabbaticals.

Each president shall submit annually to the Chancellor an accountability report in a form to be developed by the Chancellor.

## II.1.25 (A) UMES POLICY ON FACULTY WORKLOAD AND RESPONSIBILITIES

### I. Introduction

The University of Maryland System has established minimum standards for faculty performance in the areas of instruction, research/scholarship, and service for all System institutions. These standards are set forth in the **University of Maryland System Policy on Faculty Workload and Responsibilities**.

The purposes of the **UMES Policy on Faculty Workload** are to promote optimal performance by the faculty and to provide mechanisms of accountability. Faculty are the primary performers of teaching, research/scholarship and service and are encouraged to pursue these activities with the highest degree of skill, effort, and professionalism in accordance with the institutional mission and expectations as well as established tenets of academic freedom.

The UMES policy reflects the centrality of instruction to the mission and purpose of the University. UMES rewards its faculty primarily for their teaching and advising, for research and scholarship, for contributions to the University, and for contributions to the community.

### II. Application

This policy applies to the following individuals:

1. All persons holding tenured and tenure-track positions who are classified as faculty (instructional, research and public service) and are so reported to the Maryland Higher Education Commission through the Employee Data System.
2. All persons who, while holding faculty rank, are classified as administrators and are so reported to the Maryland Higher Education Commission the Employee Data System, and perform their administrative duties at the level of academic department or equivalent academic unit, including chairs, assistant chairs, program director, etc.;
3. All persons who, while neither tenured or on the tenure track, are employed full time by UMES, are classified as instructional faculty and are so reported to the Maryland Higher Education Commission through the Employee Data System; and
4. All persons who, while neither tenured nor on the tenure track, are employed full time by UMES, are classified as research faculty and are so reported to the Maryland Higher Education Commission through the Employee Data System, and whose salaries are supported, in whole or in part, by state funds.

This policy does not apply to individuals who hold faculty rank but who are assigned to administrative duties outside the department or equivalent academic units, for example, deans, vice presidents, presidents, etc.; nor does it apply to individuals who are classified as research faculty but whose salary is fully supported by non-state funds, e.g., federal research grants, experiment station faculty.

### III. Definitions

- A. **Instructional Effort** – classroom time (including field trips and laboratory work), necessary preparation for classroom instruction, evaluations of instruction and learning, and student advising.
- B. **Research/Scholarship** – the nature of performance in this area varies from one discipline to another; the requirements are outlined in more detail in the **UMES Policy and Procedures on Promotion and Tenure of Faculty**.
- C. **Service** – includes contributions to the University and the Community as described in the **UMES Policy and Procedures on Promotion and Tenure of Faculty**.
- D. **Course unit** – one course unit is equivalent to a three credit course.

**IV. Responsibilities**

The department chair is responsible for ensuring compliance with faculty workload standards as approved by the President for that department. The department chair shall meet with each faculty member in the department prior to the beginning of the academic year to establish the faculty member's workload expectations for that academic year. These expectations shall be recorded as percentages, and should equal 100% for teaching, research/scholarship, and service.

Each faculty member is responsible for recording and documenting research/scholarship and service activities during the academic year. These records shall be forwarded to the department chair, in a form established by the University, at the end of each academic year.

Each department chair shall compile the information obtained from the faculty in the format required by USM, and forward the information to the Vice President for Academic Affairs. This information shall include a comparison of the department's performance compared with the expected workload performance for that year. The Vice President for Academic Affairs shall review the information for form and accuracy and forward it to the President.

**V. Standard Workload Expectation**

**A. System Expectation**

UMES is classified as a Comprehensive University. The System standard workload requirements for a Comprehensive University are:

	<b>Instruction*</b>	<b>Research</b>	<b>Scholarship</b>
% of total effort	65-75	15-25	5-15
# of course units per year	7-8		

\*Including direct research and individual studies.

The following weights should be used to convert graded instructional experiences that do not follow the traditional course format (e.g., individual studies, supervision of dissertation research, etc.) to course units.

<b>Course Level</b>	<b>No. of Credits = 1 Course Unit</b>
800 -899 (dissertation & doctoral level individual studies)	10 credits = 1 course unit
799 (masters thesis)	13 credits = 1 course unit
500-798 (other graduate level individual studies)	18 credits = 1 course unit
400-499 (graduate/under-graduate level individual studies)	21 credits = 1 course unit
100-399 (undergraduate level individual studies)	30 credits = 1 course unit

**B. UMES Expectation**

All full-time faculty members at UMES are expected to teach **12 credit hours** per semester, which is the equivalent of 8 course units per year, as well as the established System standards for research/scholarship and service.

## VI. Exceptions to Workload Expectations

### Type of Exceptions

#### A. Departmental Exceptions

Exceptions to the standard workload expectations for individual departments may be made by the Vice President for Academic Affairs, with the approval of the President.

Deviations from UMES exceptions for an entire department will be extremely rare, and would only be made if it is demonstrated that the mission of the department is best achieved by such deviations. In general, each department is expected to make adjustments for individual exceptions so that the department as a whole is able to meet the faculty workload requirements.

A department seeking an exception must apply in writing to the Vice President for Academic Affairs no later than March 1 for an exception for the following academic year. The request must come from the department chair. Exceptions may be made for one academic year only.

#### B. Individual Exceptions

Exceptions to the standard workload expectations for individuals may be requested in the following manner.

1. A written application for an exception should be sent to the department chair with supporting documentation.
2. The department chair shall forward the application to the Vice President for Academic Affairs or a designee with comments concerning departmental support of the application.
3. The Vice President for Academic Affairs or a designee shall make a recommendation to the President that the application be approved or disapproved.
4. The decision of the President shall be final.

### Reasons for Exceptions

In general, faculty are expected to fulfill workload expectations. Exceptions will be kept to a minimum, shall be granted for a period of one academic year, and shall generally be based on:

1. Instruction Exceptions from the standard instructional load may be based upon a number of factors, including class size; development of new courses; modality of instruction, including distance education; level of instruction; discipline; accreditation requirements; etc.
2. Departmental Administration Assumption of responsibility for the functions of chair, assistant chair, or program director, or for special service, research/scholarship or instruction. The magnitude of such reduction shall be dependent on the scope of the administrative responsibilities and size of the department.
3. External-Funded Research and Service Activities Assignment of additional time for research or service activities can be supported by external funds, either research or training grants. In these instances, the accompanying reduction of expectations for service or instruction should mirror the replacement of departmental salary support by externally-funded salary support.
4. Department-Supported Research (Departmental Research) Assignment of additional time for research activities supported by the department and consequent reduction of expectations for service or instruction should be related to the institution's mission.

5. Department-Supported Service Assignment of additional time in areas of service and consequent reduction of expectations for research/scholarship or instruction should be directly related to the duration and the extent of the commitment. For example, individual faculty members may be released from the standard exception in the areas of research/scholarship or instruction in order to make major professional contributions – e.g., to work in partnership with the public schools or with business or industry.

V. **Accountability**

The focus for accountability is in the area of faculty workload in the academic department, not individual faculty members. UMES shall use the following reporting mechanism to ensure compliance with faculty workload expectations in each department.

1. **Departmental Reports**

Each department chair shall submit a report to the Vice President for Academic Affairs within thirty (30) days of the close of the academic year which contains the following information:

- a. Teaching, research and service activities for each faculty member in the department as compared to the established departmental expectations. Any exceptions should be noted.
- b. A written evaluation of each faculty member in the areas of teaching, research, and service.
- c. Each department, by vote of all faculty members in the department, shall nominate a candidate for award for excellence in teaching, research, and service. These nominations shall be included in the report to the Vice President for Academic Affairs.

2. **Report to President**

- a. The Vice President shall compile the reports of the department chairs. The reports should be reviewed for compliance with established workload standards. Additional information may be requested.
- b. The Vice President shall forward the reports to the President with comments concerning compliance and recommendations.
- c. The President shall review the reports and choose the one individual from each department for outstanding service in teaching, research, and service.
- d. Upon approval of the reports, the President shall forward them to the Office of Institutional Research who will prepare a report for the President to submit to the Chancellor.

(Approved by the Board of Regents, November 30, 1989; Amended by the Board of Regents, June 27, 2003)

## I. INTRODUCTION

By accepting an appointment to an institution in the University System of Maryland, faculty members make a major professional commitment to the institution, its students, and the State of Maryland. Maryland law encourages higher education institutions to promote economic development in the State and to increase their financial resources through arrangements with the private and nonprofit sectors, including collaborative research and development, commercial application of institution-owned intellectual property, and provision of technical assistance. The University System of Maryland encourages its faculty to use its expertise in serving the economic and social interests of the community and the advancement of the academic disciplines.

Faculty members may be expected to contribute to all aspects of the mission of the institution, including such essential components as teaching, student direction, and advisement; research and economic development; professional, public, and institutional service; and administration. The distribution of assignments will vary greatly from year to year and from person to person according to the particular talents and interests of the faculty member and the needs of the institution and the academic unit as determined in consultation with the department chair or responsible administrator.

## II. SCOPE AND PURPOSE

- A. Scope. This policy applies to all faculty members in the University System of Maryland and shall be incorporated in the published policies of each institution. By explicit reference, some sections of the policy apply only to full-time faculty members.
- B. Purpose. Recognizing the need for balance among personal, institutional, and social missions and goals, this policy establishes broad guidelines for avoiding conflicts of commitment and requires each institution to review or develop procedures for handling possible instances of conflict of commitment.
- C. Definition. A conflict of commitment situation arises when outside activities substantially interfere with the person's obligation to students, colleagues, or the institution.

## III. PROFESSIONAL SERVICES WITHIN THE INSTITUTION

Full-time faculty members may undertake consulting, overload teaching, or professional services within the constituent institution during an appointment period for a stipend only with the advance written approval of the President or designee.

## IV. EXTERNAL COMMITMENTS

Consulting and other external professional services may enhance the reputation of the institution as well as the individual, assist in recruiting or placing students, apply the expertise developed in its academies to the enterprises of the State, and test the applicability of theoretical ideas. Nevertheless, the faculty and the institution must remain vigilant to ensure that such external services enhance and do not detract from a faculty member's fulfillment of his or her responsibilities to the institution. Therefore, external professional services, whether income-producing or not, may be undertaken only when it is ensured that all responsibilities associated with the individual's faculty position are fully satisfied and will continue to be met.

### A. Professional Services

1. Within USM or State of Maryland. Consulting or professional services which carry a stipend and are rendered to another institution in the University System or another State agency in Maryland require the advance written approval of the President or designee of the faculty member's institution.

2. Use of University Resources. A faculty member may use the physical resources of his or her institution in connection with consulting or professional services beyond routine use of the office, computer, library, and telephone only if the institution is reimbursed in accordance with prior arrangements, or if such reimbursement is waived by the President or designee of the affected institution.
  3. Endorsement Not Implied. A faculty member shall not convey endorsement by the institution or the University System of the recommendations or results from his or her consulting or professional services.
  4. Protection of Intellectual Property. No individual shall enter into an agreement in the pursuit of consulting or professional services which conflicts with the University System policy on intellectual property (See Policy IV-3.20) without the advance written waiver or consent of the Chancellor or designee.
- B. Teaching Outside the Home Institution. A full- time faculty member, with the advance written permission of the President (or designee) of his or her institution, may teach a maximum of two courses at another institution for extra compensation during the individual's contract year.

#### V. DISCLOSURE TO PREVENT CONFLICT OF COMMITMENT

Although external activities may enhance the institution and the University System of Maryland, they also bring with them the potential for conflicts of commitment. Although some situations carry the potential for a conflict of commitment, the faculty member and the University may be able to avoid actual conflict by careful attention to the individual's assigned institutional responsibilities. In situations that have the potential for conflict, a faculty member must confer with the department chair or other appropriate administrator and resolve the potential conflict according to institutional procedures before assuming additional professional responsibilities outside the unit.

#### VI. IMPLEMENTATION

- A. Limits of Application to Contract. Nothing contained in this policy shall be construed as imposing any obligations on faculty members to the institution or to the University System beyond those required by law or contract, nor as adding any grounds for termination of a faculty appointment beyond those stipulated in the policies governing faculty appointments, ranks, and tenure, as approved by the Board of Regents.
- B. Procedures at Each Institution. Each institution of the University System of Maryland shall develop and publish procedures to implement this policy. Such procedures shall include provisions for regular reporting by faculty members to the institution on all outside professional consulting or teaching and substantial external professional services, whether paid or unpaid.

## II-3.10(A) UMES POLICY AND PROCEDURE ON OUTSIDE CONSULTANCY

(Approved by the President January 1, 1992)

### I. Policy

The University of Maryland Eastern Shore strives to provide quality education in the liberal arts and sciences and selected career fields as well as to provide appropriate research and public service programs to the state and the region which it serves. In order to accomplish this goal, the campus must employ and retain faculty, administrators and professional staff who are highly competent in their field. These people are often sought by the business and professional community to provide consulting or other professional services. It is the policy of UMES, consistent with the Board of Regents Policy 11-3.10, that professional consultancy by full and part-time faculty and professional staff members is permitted when responsibilities to UMES have been fully satisfied as determined by the responsible administrator and if there is not conflict of interest.

### II. Procedures for Reporting Paid Professional Consultancy

A. Reports must be made by any staff member doing outside paid consulting work. Reports are made to the department chair or department administrator in writing, due within ten days of the close of each semester, and must contain:

1. the number of hours worked, and the dates;
2. the company or agency for which the work was performed; (names of clients or patients need not be disclosed if this would be a breach of ethical standards)
3. the general nature of the work.

B. Reports are signed by the department chair or department administrator and forwarded to the President through the appropriate administrative channels.

### III. Consultancy to Another State Agency

Paid consultancy or professional service to another State agency must be approved in advance by the department chair or department administrator and the President. A written explanation of the services to be rendered, the time involved, and the agency should be submitted to the department head. The department head shall recommend to the President either approval or denial of the consultancy.

If the President's decision is negative the individual requesting the decision is so informed in writing with an explanation for the decision. The decision of the President is final.

### IV. Consultancy to UMES Administered Grants

Paid consultancy for contracts or grants administered through UMES are generally not allowed. A waiver may be granted by the President in unusual or exceptional circumstances. A written request for a waiver should be made to the President through the department head. The request should contain a detailed explanation of the services to be rendered and an explanation of the unusual circumstances which may warrant a waiver of the normal policy.

### V. Use of UMES Resources

UMES resources are not to be used in rendering consulting services unless there have been prior arrangements with the responsible administrator for reimbursement. There must be a written identification of the costs, and agreement specifying when the costs will be reimbursed.

VI. Conflict of Interest and Conflict of Commitment

A. Definition

BOR II-3.10 section II.B. states “conflict of interest arises when a faculty member influences, or is in a position to influence, the institution’s decision for personal financial gain or benefit. A conflict of commitment situation arises when outside activities substantially interfere with the person’s obligation to students, colleagues, or the institution”.

B. Procedures for Resolving Issues of Conflict of Interest

Any faculty member or professional staff member engaged or seeking to be engaged in consulting work who has reason to believe that there may be a conflict of interest, or the appearance of a conflict of interest, should

1. inform the department chair or responsible administrator of the possible conflict;
2. consult the State Ethics Commission for an official opinion. [The State Ethics Commission has the sole authority to interpret the State Ethics Law.]
3. At the request of the department chair or responsible administrator, consulting work may be suspending pending an opinion by the State Ethics Commission.

VII. Miscellaneous

- A. A faculty member or professional staff member shall not in any way convey through his or her outside work an endorsement by UMES of the recommendations or results.
- B. No individual shall enter into any agreement in the pursuit of consulting services which conflicts with UMES or University System policy on intellectual property without the express written consent of the Chancellor.

43.0 II-3.20- POLICY ON TEACHING OUTSIDE THE HOME INSTITUTION BY FULL-TIME FACULTY

(Approved by the Board of Regents, November 30, 1989)

A full-time faculty member, with the written permission of the President (or designee) of his or her institution, may teach a maximum of two courses at another institution for extra compensation during the individual's contract year.

Replacement for: BOR III-14.50 and BOT VII-K.5.b(1) and (2)

52.0 III-1.00 POLICY ON FACULTY, STUDENT AND INSTITUTIONAL RIGHTS AND RESPONSIBILITIES FOR ACADEMIC INTEGRITY

(Approved by the Board of Regents, November 30, 1989)

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

I. FACULTY RIGHTS AND RESPONSIBILITIES

- A. Faculty members shall share with students and administrators the responsibility for academic integrity.
- B. Faculty members shall enjoy freedom in the classroom to discuss all subject matter reasonably related to the course. In turn, they have the responsibility to encourage free and honest inquiry and expression on the part of students.
- C. Faculty members, consistent with the principles of academic freedom, have the responsibility to present courses that are consistent with their descriptions in the catalog of the institution. In addition, faculty members have the obligation to make students aware of the expectations in the course, the evaluation procedures, and the grading policy.
- D. Faculty members are obligated to evaluate students fairly, equitably, and in a manner appropriate to the course and its objectives. Grades must be assigned without prejudice or bias.
- E. Faculty members shall make all reasonable efforts to prevent the occurrence of academic dishonesty through appropriate design and administration of assignments and examinations, careful safeguarding of course materials and examinations, and regular reassessment of evaluation procedures.
- F. When instances of academic dishonesty are suspected, faculty members shall have the responsibility to see that appropriate action is taken in accordance with institutional regulations.

II. STUDENT RIGHTS AND RESPONSIBILITIES

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

### III. INSTITUTIONAL RESPONSIBILITIES

- A. Constituent institutions of the University of Maryland System shall take appropriate measures to foster academic integrity in the classroom.
- B. Each institution shall take steps to define acts of academic dishonesty, to ensure procedures for due process for students accused or suspected of acts of academic dishonesty, and to impose appropriate sanctions on students found to be guilty of acts of academic dishonesty.
- C. Students expelled or suspended for reasons of academic dishonesty by any institution in the University of Maryland System shall not be admissible to any other System institution if expelled, or during any period of suspension.

Replacement for: BOR I-9.00

### III-1.00(A) UMES POLICY CONCERNING UNIVERSITY ESTABLISHED EXAMINATIONS

(Approved by the President January 1, 1991)

#### I. POLICY

It is the policy of UMES that a final examination shall be given in every course. Exceptions may be made with the approval of the department chairperson and the dean.

All University established exams shall be given at the regularly scheduled time and place as listed in the schedule of classes unless approval for a change has been granted by the department chairperson and dean.

#### II. PROCEDURES

##### A. Religious Observances

Absences of students that are as a result of religious observances shall be excused, and provision shall be made for rescheduling.

##### B. Changes

All unpublished changes in the scheduling of or location of tests must be approved by the department chair and reported to the dean.

##### C. Make-Up Examinations

An instructor has an obligation to provide a student with an opportunity for a make-up examination if the absence was caused by:

1. Illness documented by an excuse signed by the Vice President for Student Affairs;
2. Religious observance;
3. Participation in University activities at the request of university authorities.
4. Compelling circumstances beyond the student's control.

The make-up examination must be given on campus at a time and place mutually agreeable to the instructor and student; and must cover only material for which the student was originally responsible.

132.0 VI-1.00- POLICY ON AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY

(Approved by the Board of Regents On October 19, 1989)

The University of Maryland System is actively committed to providing equal educational and employment opportunity in all of its institutions and programs. All policies, programs, and activities of the University System are and shall be in conformity with all pertinent federal and State laws on non-discrimination regarding race, color, religion, age, national origin, sex, and handicap, including, but not limited to, Title VI of the Civil Rights Act of 1964 as amended, Title IX of the 1972 Education Amendments, and Section 504 of the Rehabilitation Act of 1973.

It is the goal of the University of Maryland System to assure that women and minorities are equitably represented among the student body, faculty, staff, and administration of the institutions constituting the System, so that the System reflects the diversity of the State's population.

The Board of Regents shares with the Maryland Higher Education Commission certain authorities and responsibilities with respect to ensuring equal educational and employment opportunity throughout the University of Maryland System. To assist the Board in carrying out these responsibilities, the following delegations of authority are made.

The Chancellor shall: (1) prepare, in System's name, any plans, reports, or data which the Commission may require the Board to submit in connection with the statewide desegregation and equal opportunity program mandated by State law; (2) be responsible for monitoring the progress made by the University of Maryland System under, and assuring compliance with, the goals, measures, and commitments made in the MHEC statewide desegregation and equal opportunity program; and (3) report quarterly to the Board regarding progress and compliance with the statewide desegregation and equal opportunity program.

The Presidents and Directors shall be responsible for implementing the statewide desegregation and equal opportunity program at their respective institutions. Each President shall designate an individual or office to which inquiries regarding compliance with federal, State, University System laws, policies, or plans with respect to desegregation and equal opportunity may be made.

Replaces Policies VI-21.00 and VI-28.00 of the former Board of Regents of the University of Maryland and Section O of Policy XIII of the former Board of Trustees of the State Universities and Colleges.

136.0 VI-1.05 POLICY OF NON-DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION

(Approved by the Board of Regents, July 11, 1997)

The commitment of the University System of Maryland to the most fundamental principles of academic freedom, equality of opportunity, and human dignity requires that treatment of students, faculty, and staff of University System of Maryland institutions, and applicants for admission and employment, be based on individual abilities and qualifications and be free from invidious discrimination.

This policy specifically prohibits discrimination against students, faculty, and staff on the basis of sexual orientation in academic admissions, financial aid, educational services, housing, student programs and activities, recruitment, hiring, employment, appointment, promotion, tenure, demotion, transfer, layoff or termination, rates of pay, selection for training and professional development, and employee services. "Sexual orientation" is defined as the identification, perception, or status of an individual as to homosexuality, heterosexuality, or bisexuality. The Board of Regents reserves the right to observe the terms of any bona fide employee benefit plan such as a retirement, pension, or insurance plan, and to enforce or comply with any Federal or State law, regulation, or guidelines, including conditions for the receipt of federal funding.

This policy shall be published in all appropriate University System of Maryland Headquarters and individual institutions' documents, and University System of Maryland Headquarters and each System institution shall adopt procedures to implement and enforce this policy, including the designation and publication of the officials responsible for receiving, investigating and resolving complaints of discrimination prohibited by this policy.

(a) Faculty I.D. Card

Each faculty member should carry a picture identification card. The card may be required to gain access to certain buildings or to show at anytime for security reasons. These cards are made either during the regular registration period in the Student Development Center or after registration in the Office of Residence Life.

(b) Teaching Load Form

The “Teaching Load Form” (See Appendix) is a record of faculty’s teaching load per semester. It also denotes the texts used in the classes taught, the posted office hours and additional University responsibilities. This form may be obtained from the department chair or dean to be submitted at the beginning of each semester to the department chair.

(c) Classroom Repairs

Faculty members encountering maintenance problems or necessary repairs while assigned the use of a classroom or laboratory should contact Physical Plant. Examples of problems handled include leaking plumbing or defective electrical fixtures, broken locks, elevators out of the service, broken windows, torn upholstery, installation of shelves, inoperative refrigeration units, broken handrails, rooms too hot or too cold, and repair of electronic equipment to name a few.

## 51.0 III-1.00 (B) UMES STUDENT CODE OF ACADEMIC INTEGRITY

(Approved by the Faculty Assembly on November 17, 1998)

### INTRODUCTION:

The University is an academic community. Its fundamental purpose is the pursuit of knowledge. Like all other communities, the University can function properly only if its members adhere to clearly established goals and values. Essential to the fundamental purpose of the University is the commitment to the principles of truth and academic honesty. Accordingly, the Code of Academic Integrity is designed to ensure that the principles of academic honesty lie with the students.

### DEFINITIONS:

1. **Academic Dishonesty:** Any of the following acts, when committed by a student, shall constitute academic dishonesty:
  - a. **CHEATING:** Intentionally using or attempting to use unauthorized material, information, or study aids in any academic exercise.
  - b. **FABRICATION:** Intentional and unauthorized falsification or invention of any information or citation in an academic exercise.
  - c. **FACILITATING ACADEMIC DISHONESTY:** Intentionally or knowingly helping or attempting to help another to violate any provision of this Code.
  - d. **PLAGIARISM:** Intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise.

### RESPONSIBILITY TO REPORT ACADEMIC DISHONESTY

2. Academic dishonesty is a corrosive force in the academic life of a University. It jeopardizes the quality of education and depreciates the genuine achievement of others. It is, without reservation, a responsibility of all members of the campus community to actively deter it. Apathy or acquiescence in the presence of academic dishonesty is not a neutral act. Histories of institutions demonstrate that a laissez-faire response will reinforce, perpetuate, and enlarge the scope of such misconduct. Institutional reputations for academic dishonesty are regrettable aspects of modern education. These reputations become self-fulfilling and grow, unless vigorously challenged by students and faculty alike.

All members of the University community – students, faculty, and staff – share the responsibility and authority to challenge and make known acts of apparent academic dishonesty. Faculty must undertake a threshold responsibility for such traditional safeguards as examination security and proctoring.

### HONOR STATEMENT

1. All applicants for admission to undergraduate or graduate programs at the University of Maryland Eastern Shore will be expected to sign an honor statement as a condition of admission. Failure to sign the statement in no way relieves the student from the responsibilities specified in this Code. The statement shall also appear on appropriate registration materials. Wording of the statement will be recommended by the Student Honor Council, for approval by the UMES Senate.

### PROCEDURES: ACADEMIC DISHONESTY

2. Any Member of the University community who has witnessed an apparent act of academic dishonesty or has information that reasonably leads to the conclusion that such an act has occurred or has been attempted, has the responsibility to inform the Office of the Academic Affairs promptly. The Office of Academic Affairs will then send a written report of the allegation to the Student Honor Council, the accused student, and the instructor teaching the course.

3. Upon receipt of a report of academic dishonesty, the Student Honor Council will assign the matter to three of its members for preliminary inquiry. Members of the Student Honor Council when acting in this capacity shall be designated Review Offices. In the event the report pertains to the conduct of a graduate student, then at least two of the Review Officers will be graduate students.
4. The Review Officers shall conduct a preliminary inquiry into the facts of the case in order to determine if there is a reasonable cause to believe that an act of academic dishonesty has occurred or has been attempted.
5. University administrators and faculty members are expected to provide reasonable assistance to the Review Officers and to permit access to pertinent student papers or examinations, as determined by the Vice President for Academic Affairs. The Review Officers shall be advised by the Vice President for Academic Affairs.
6. If, after consultation with the Vice President for Academic Affairs:
  - (a) A majority of Review Officers determine that an act of academic dishonesty did not occur or was not attempted, the Council will inform the student and the course instructor of its finding; or
  - (b) If a majority of Review Offices determines that there is a reasonable cause to believe that an act of academic dishonesty did occur or was attempted, they will forward a written referral containing a statement of facts and their rationale to the Student Honor Council.
7. Upon receipt of a written referral from the Review Officers, the Student Honor Council shall:
  - (a) Convene an Honor Board to resolve the matter through an Honor Review. The Board will be selected in a manner described in Paragraph 13, below.
  - (b) Appoint one of the Review Officers or the Campus Advocate to serve as the Presenter of the case. The responsibilities of the Presenter are more fully described in Paragraph 11 below.
8. The meetings and deliberations of the Review Officers and of the Student Honor Council shall be privileged and confidential.
9. The principal responsibilities of the Presenter are:
  - (a) To prepare a formal Charge of Academic Dishonesty, including the identity of the complaining party, and deliver it to the student and the Honor Board. The student will be deemed to have received such notice on the date of personal delivery, or, if certified mail is used, on the date of delivery at the most recent address provided to the University by the student;
  - (b) To inform the complaining party of the actions being taken; to present the evidence and analysis upon which the Charge is based to the Honor Board during the Honor Review;
  - (c) To perform such other duties as may be requested by the Student Honor Council or the Honor Board.
10. The Charge of Academic Dishonesty serves to give a student a reasonable understanding of the act and circumstances to be considered by the Honor Board, thereby placing the student in a position to contribute in a meaningful way to the inquiry. It also serves to provide initial focus to that inquiry. It is not, however, a technical or legal document and is not analogous to an indictment or other form of process. The charge may be modified as the discussion proceeds, as long as the accused student is accorded a reasonable opportunity to prepare a response.

**PROCEDURES: RESOLUTION BY AN HONOR REVIEW**

11. An Honor Review is conducted by an Honor Board. The Board is convened by the Student Honor Council acting for the Vice President for Academic Affairs. It must consist of six (6) persons, five (5) of whom will be voting members. Determinations of the Honor Board will be by a majority vote (three votes or more). Honor Boards are selected as follows:

- (a) Three (3) students selected by the Student Honor Council from among its members. In the event the student accused of academic dishonesty is a graduate student, then at least two (2) of the student members shall be graduate students. No person who served as a Review Office may serve on a factually related Honor Board.
- (b) Two (@) faculty members shall be selected by the Vice President for Academic Affairs from a list of four faculty members elected by the Faculty Assembly. Faculty Assembly will elect four (4) faculty members from the three (3) undergraduate Schools, at least two of them must be Graduate Faculty and all undergraduate Schools must be represented. In the event the student accused of academic dishonesty is a graduate student, then at least one (1) of the persons selected shall be a member of the Graduate faculty;
- (c) The Honor Board shall have one (1) person as a non-voting member, who shall serve as the Presiding Officer. The Presiding Office may be a student, faculty, or staff member of the University. The Presiding Officer will be selected by the Vice President for Student Affairs.

If the Vice President for Academic Affairs determines that Student Honor Council or a Student Honor Board cannot be convened within a reasonable period of time after an accusation is made, the Vice President or a designee may review the case. If there is reasonable cause to believe that an act of academic dishonesty has occurred or has been attempted, the Vice President or designee will convene an ad hoc Honor Board by selected and appointing two students and one faculty/staff member. Whenever possible, student members of ad hoc boards shall be members of the Student Honor Council. A non-voting presiding officer shall be appointed by the Vice President for Student Affairs. If Review Officers cannot be appointed in accordance with Part Five of this Code, the Campus Advocated or another person designated by the Vice President for Academic Affairs will serve in that capacity.

- 12. The purpose of an Honor Review is to explore and investigate the incident giving rise to the appearance of academic dishonesty, to reach an informed conclusion as to whether or not academic dishonesty occurred, and to make a recommendation to the Dean. In keeping with the ultimate premise and justification of academic life, the duty of all persons at an Honor Review is to assist in a thorough and honest exposition of all related facts. The basic tenets of scholarship – full and willing disclosure, accuracy of statement and intellectual integrity in hypothesis, in argument, and in conclusion – must always take precedence over the temptation to gain a particular resolution of the case. An Honor Review is not in the character of a criminal or civil legal proceeding. It is not modeled on these adversarial systems; nor does it serve the same social functions. It is not a court or tribunal. Rather it is an academic process unique to the community of scholars that comprise a University.
- 13. The role of the Presiding Officer is to exercise impartial control over the Honor Review in order to achieve an equitable, orderly, timely, and efficient process. The Presiding Officer is authorized to make all decisions and rulings as are necessary and proper to achieve that end, including such decisions and rulings as pertain to scheduling and to the admissibility of evidence. If in the judgment of the Presiding Office there is reasonable cause to question the impartiality of a board member, the Presiding Officer will so inform the Honor council, which will reconstitute the board.
- 14. The Presiding Officer will select the date, time and place for the Honor Review and notify the student in writing a minimum of ten (10) days prior to the review.
- 15. The sequence of an Honor Review is necessarily controlled by the nature of the incident to be investigated and the character of the information to be examined. It thus lies within the judgment of the Presiding Office to fashion the most reasonable approach. The following steps, however, have been found to be efficient and are generally recommended:
  - (a) The Presenter, and then the student summarized the material before the Honor Board, including any relevant information or arguments.
  - (b) The Presenter, and then the student present question persons having knowledge of the incident, and offer documents or other materials bearing on the case. The Presenter, he student, and all members of the Honor Board may question any person giving testimony.
  - (c) The members of the Honor Board may ask the Presenter or the student any relevant questions. The member may also request any additional material or the appearance of other persons they deem appropriate.

- (d) The Presenter, and then the student, should make brief closing statements.
- (e) The Honor Board meets privately to discuss the case and reaches a finding by a majority vote.
- (f) The Honor Board will not conclude that a student has attempted or engaged in an act of academic dishonesty unless, after considering all the information before it, a majority of members believe that such a conclusion is supported by clear and convincing evidence. If this is not the case, the Honor Board will dismiss the charge of academic dishonesty in favor of the student with a finding that an attempt or act of academic dishonesty “did not occur”, or that it was “not proven”, whichever more accurately describes the result of its investigation. The student would then be notified in writing of the decision to dismiss the charge.
- (g) If the Honor Board finds the student has engaged in an act of academic dishonesty both the Presenter and the student may recommend an appropriate penalty. Pertinent documents and other material may be offered. The Honor Board then meets privately to formulate a recommendation. The recommendation of the Honor Board will be by a majority vote of its members.
- (h) The Presiding Officer will provide the appropriate Dean with a written report of the findings and recommendations.

16. The Presiding Officer will attempt to ensure that the following rules and points of order are observed:

- (a) The student may be assisted by an advisor, who may be an attorney. The role of an advisor will be limited to
  1. Making brief opening and closing statements, as well as comments on an appropriate sanction.
  2. Suggesting relevant questions, which the Presiding Officer may direct to the witness.
  3. Providing confidential advice to the student.

Even if accompanied by an advisor, the student must take an active and constructive role in the Honor Review. In particular, the student must fully cooperate with the Honor board and respond to its inquiries without undue intrusion or comment by an advisor. In consideration of the limited role of an advisor and of the compelling interest of the University to expeditiously conclude the matter, the work of an Honor Board will not, as a general practice, be delayed due to the unavailability of an advisory.

- (b) A tape recording of the Honor Review will be maintained.
- (c) Presence at an Honor review lies within the judgment of the Presiding Officer. An Honor Review is a confidential investigation. It requests a deliberative and candid atmosphere, free from distraction.

Accordingly, it is not open to the public or other “interested” person. However, at the student’s request the Presiding Officer will permit a student’s parents or spouse to observe and may permit a limited number of additional observers. The Presiding Officer may cause to be removed from the Honor Review any person, including the student or an advisor, who disrupts or impedes the investigation, or who fails to adhere to the rulings of the Presiding Officer. The Presiding Officer may direct that the person(s), other than the student and the Presenter, who are to be called upon to provide information, be excluded from the Honor Review except for that purpose. The members of the Honor Board may conduct private deliberations at such times and places as they deem proper.

- (d) It is the responsibility of the person desiring the presence of a witness before an Honor Review Board to ensure that the witness appears. If necessary, a subpoena may be requested. The Presiding Officer of the board may subpoena witnesses upon the motion of any board member or of either party and shall subpoena witnesses upon request of the Board advisor. Subpoenas must be approved by the Vice President for Academic Affairs and shall be personally delivered or sent by certified mail, return receipt requested. University student and employees are expected to comply with subpoenas issued pursuant to this procedure unless compliance would result in significant and unavoidable personal hardship or substantial interference with normal University activities.

If the Vice President for Academic Affairs or his or her designee determines that a fair hearing cannot be held without the testimony of a particular witness, and after good faith attempts are made, the witness either fails or refuses to appear, the disciplinary hearing will be postponed until the witness agrees to appear or the charges will be dismissed. Because experience has demonstrated that the actual appearance of an individual is of greater value than a written statement, the latter is discouraged and should not be used unless the individual cannot or reasonably should not be expected to appear. Any written statement must be dated, signed by the person making it and witnessed by a University employee. The work of an Honor Board will not, as a general practice be delayed due unavailability of a witness.

- (e) An Honor Review is not a trial. Formal rules of evidence commonly associated with a civil or criminal trial may be counterproductive in an academic investigation proceeding, and shall not be applied. The Presiding Officer will accept for consideration all matters that reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious, irrelevant, or personally abusive materials should be excluded.
- 17. If the Honor Board finds that an attempt or act of academic dishonesty did occur, it shall recommend an appropriate sanction. The normal sanction shall be a grade of "XF" in the course, but the Honor Board may recommend a lesser or more severe sanction. Generally, acts involving advance planning, falsification of papers, collaboration with others or some actual or potential harm to other students will merit a severe sanction, i.e., suspension or expulsion, even for a first offense. An attempt to commit an act shall be punished to the same extent as the consummated act.
- 18. The finding of the Honor Board will be final and not subject to review. The Board's sanction recommendation is advisory to the Dean. If the Dean modifies the Honor Board's recommendation, the Dean will provide written reasons to the Honor Board.

#### PROCEDURES: ACTION BY THE DEAN, INSTRUCTOR, VICE PRESIDENT AND PRESIDENT

- 19. If the Honor Board finds that an attempt or act of academic dishonesty did occur, then the Dean will provide the student a copy of the Board's finding and recommendations, by personal delivery or certified mail. The Student may submit a written appeal to the Dean concerning the Honor Board's recommendation within ten (10) days after the student receives the Board's findings and recommendations. The student will be deemed to have received such findings and recommendations on the date of personal delivery, or if certified mail is used, on the date of delivery at the last address provided to the University by the student.
- 20. If the Honor Board awards the student a grade including the grade of "XF," or fashions an academic requirement, the decision constitutes the final and conclusive action of the University. If the Honor Board determines to suspend or expel the student, this action will not be implemented until reviewed by the President (or designee). If the Honor Board determines to take an action not otherwise described above (e.g., a community service assignment), then this will not be implemented until reviewed by the Vice President for Academic Affairs. In each instance, the review shall be limited to ensuring the sanction is not grossly disproportionate to the findings of the Honor Board.

#### THE GRADE OF "XF"

- 21. The grade of "XF" is intended to denote a failure to accept and exhibit the fundamental value of academic honesty. The grade "XF" shall be recorded on the student's transcript with the notation "failure due to academic dishonesty." The grade "XF" shall be treated in the same was as an "F" for the purpose of Grade Point Average, course repeatability, and the determination of academic standing.
- 22. No student with an "XF" on his or her transcript shall be permitted to represent the University in any extracurricular activity or run for or hold office in any student organization that is allowed to use University facilities or that receives University funds.
- 23. A student may file a written petition to the Student Honor Council to have the grade of "XF" removed and permanently replaced with the grade of "F." The decision to remove the grade of "XF" and replace it with an "F" shall rest in the discretion and judgment of a majority of a quorum of the Council; provided that:

- (a) At the time the petition is received, at least twelve months shall have elapsed since the grade of “XF” was imposed; and
  - (b) At the time the petition is received, the student shall have successfully completed a non-credit seminar on academic integrity, as administered by the Office of the Academic Affairs; or, if the person no longer enrolled at the University, an equivalent activity as determined by the Office of Academic Affairs, and
  - (c) The Office of Academic Affairs certifies that to the best of its knowledge the student has not been found responsible for any other act of academic dishonesty or similar disciplinary offense at the University of Maryland Eastern Shore or another institution.
24. Prior to deciding a petition, the Honor Council will review the record of the case and consult with the Vice President for Academic Affairs. Generally, the grade of “XF” ought not to be removed if awarded for an act of academic dishonesty requiring significant premeditation. The decision of the Honor Council review for four years, unless the Honor Council specifies an earlier date on which the petition may be reconsidered. Honor Council determinations pertaining to the removal of the “XF” grade penalty may be appealed to the Vice President for Academic Affairs. If the Vice President removes the grad of “XF” from the student’s transcript, the Vice President shall provide written reasons to the Honor Council. If the “XF” grade is removed, records of the incident may be voided by the Vice President for Academic Affairs for good cause, upon written petition of the student. Factors to be considered in review of such petition shall include:
- (a) The present behavior of the student,
  - (b) The conduct of the student subsequent to the violation,
  - (c) The severity of damage or harm resulting from it.

#### **THE STUDENT HONOR COUNCIL**

25. There shall be a Student Honor Council. The Honor Council is composed of ten (10) full-time students, normally selected in the spring for the following academic year, and who may be reselected for additional one-year terms.
26. The members of the Honor Council are selected in the following manner:
- (a) The Deans of the Undergraduate Schools each appoint one undergraduate student,
  - (b) The Dean of the Graduate School will appoint one graduate student,
  - (c) The Student Government Association will elect four full-time undergraduate students and the Graduate Students Association will elect two graduate students.
  - (d) If a Dean wishes to reappoint a member of the Council, the Dean shall seek the recommendation of the executive committee of the Student Honor council. The Council shall recommend reappointment only if the member has demonstrated a level of service and commitment to the functions and ideals of the Council that is exemplary.
27. A member of the Honor Council must be in high academic standing (a cumulative G.P.A. or at least 3.0) at the University and have no history of disciplinary, academic, or criminal misconduct.
28. All council members are subject to the training and conduct requirements as outlined below:
- (a) Prior to participating in board deliberations, new members will participate in one orientation session offered at least once each academic year by the Academic or Student Affairs Office.
  - (b) Student members of the Honor council who are charged with any violation of this Code or with a criminal offense may be suspended from their judicial positions by the Vice President for Academic Affairs during the pendency of the charges against them. Students convicted for any such violation or offense may be disqualified by the Vice President for Academic Affairs from any further participation in the Council. Additional grounds and procedures for removal may also be set forth in the bylaws of the Honor Council.

29. The Student Honor Council has the following responsibilities and authority:
- (a) To develop bylaws subject to approval by the University for legal sufficiency and consistency with the requirements of this Code, and the Code of Student Conduct (if any),
  - (b) To designate from its members students to serve as Review Officers, Presenters, and members of Honor Boards as specified in this Code. Appointment to these responsibilities will generally rotate in accordance with the bylaws of the Honor Council.
  - (c) To consider petitions for the removal of the grade of "XF" from University records in accordance with Part 26 of this Code.
  - (d) To receive complaints or reports of academic dishonesty from any source,
  - (e) To assist in the design and teaching of the non-credit seminar on Academic integrity and moral development, as determined by the Vice President for Student Affairs
  - (f) To advise and consult with faculty and administrative officers on matters pertaining to academic integrity at the University.
  - (g) To issue an annual report to the Campus Senate on academic integrity standards, policies, and procedures, including recommendations for appropriate changes.
30. The campus administration shall provide an appropriate facility, reserved for the primary use of the Honor Council, and suitable for the conduct of hearings. Clerical and secretarial assistance will also be provided.

#### **FUTURE SELF-GOVERNANCE**

31. Insofar as academic dishonesty is most immediately injurious to the student body, and because the student body is in a unique position to challenge and deter it, it is the intent of the University that ultimately this Code will evolve into one that is marked by complete student administration. The UMES Senate shall review the operation of this Code during the 2002-2003 academic year based in part on the annual reports of the Student Honor Council for the first three years of its operation. Consideration at that time should be given to introducing additional enforcement responsibilities and privileges characteristic of traditional honor systems at sister institutions, including the provision that only student members of Honor Boards may vote. It is expected that faculty participation on the Honor Boards will continue since the faculty ha an important interest in academic integrity, and since faulty members will have insights that should be consider in the resolution of individual cases.

#### **TERMS:**

**AD HOC HONOR BOARD:** Board consisting of two students and one faculty member appointed by the Vice President for Academic Affairs, and a Presiding Officer appointed by the Vice President for Student Affairs. (Part 14)

**ACADEMIC DISHONESTY:** SEE Part 1 of this Code.

**CHARGE OF ACADEMIC DISHONESTY:** A formal description of the case being considered by the Honor Board. Part 12

**HONOR BOARD:** Body appointed by the Student Honor Council to hear and resolve a case of academic dishonesty. The board consists of five voting members (three student members of the Honor Council and two faculty members). (Part 13)

**HONOR REVIEW:** The process leading to resolution of an academic dishonesty case. The process is conducted by an Honor Board. (Parts 18-21)

**PRESENTER:** The officer responsible for preparing the charge of academic dishonesty and presenting the case before the Honor Board. The presenter is appointed by the Honor Board from among the Review Officers, or is the Campus Advocate. (Part 11)

**PRESIDING OFFICER:** The individual on the Honor Board responsible for directing proceedings during the Honor Review. The Presiding Officer is a non-voting member of the Honor Board selected by the Vice President for Student Affairs. (Part 16)

**QUORUM:** Two-thirds of the members of the Student Honor Council

**REVIEW OFFICERS:** Three members of the Student Honor Council assigned to make a preliminary inquiry into an allegation of academic dishonesty. (Part 5)

**STUDENT HONOR COUNCIL:** A body of ten (10) students selected by the various Deans of Schools, as well as by the Student Government Association and the Graduate Students Association.

59.0 III-1.20 POLICY FOR REVIEW OF ALLEGED ARBITRARY AND CAPRICIOUS GRADING

(Approved by the Board of Regents, January 11, 1990)

Each institution shall develop guidelines and procedures to provide a means for a student to seek review of course grades alleged to be arbitrary or capricious. In this policy, the term "arbitrary and capricious" grading means 1) the assignment of a course grade to a student on some basis other than performance in the course; 2) the assignment of a course grade to a student by unreasonable application of standards different from the standards that were applied to other students in that course; or 3) the assignment of a course grade by a substantial and unreasonable departure from the instructor's initially articulated standards.

Replacement for: BOR II-5.01 and II-6.0

III-1.20(A) - UMES PROCEDURES FOR REVIEW OF ALLEGED ARBITRARY AND CAPRICIOUS GRADING

(Approved by the President January 1, 1992)

A. DEFINITIONS

1. “Arbitrary and Capricious Grading”
  - a. The assignment of a course grade to a student on some basis other than performance in the course, or
  - b. The assignment of a course grade to a student by unreasonable application of standards different from standards that were applied to other students that were in that course, or
  - c. The assignment of a course grade by a substantial and unreasonable departure from the instructor’s initially articulated standards.
2. “Student”

Student refers to any individual in attendance at UMES, and includes both undergraduates and graduate levels.
3. “Instructor”

Instructor refers to any tenured or non-tenured teacher or any Graduate Assistant teaching a course and assigning grades at UMES.
4. “Day or Days”

Refers to normal working days at UMES.

B. INFORMAL PROCEDURE

1. A student who believes he or she has received an improper final grade in a course should inform the instructor promptly. The instructor shall meet with the student at a mutually convenient time and place within ten days of receipt of the information. The purpose of the meeting is to attempt to reach a resolution.
2. If the instructor has left the University, is on approved leave, or cannot be reached by the student, the student should contact the Department Chairperson. The Department Chairperson, or a designee, shall meet with the student as described above to attempt to solve the problem.

C. FORMAL APPEAL

A formal appeal is available only upon a showing that the informal process has been exhausted.

1. General Requirements
  - a. An appeal must be made in writing, addressed to the appropriate dean and contain:
    - the course title and number;
    - the instructor’s name; and
    - a statement detailing why the grade is believe to be arbitrary and capricious as defined in this policy, and providing all relevant supporting evidence.
  - b. An appeal must be received in the Dean’s Office within 20 (twenty) days of the first day of instruction of the next semester (excluding summer).

2. Procedures

- a. Each school shall have a standing committee of two tenured faculty and one senior level student for the undergraduate school or graduate student for the graduate school to hear appeals of arbitrary and capricious grading. The appeal shall be heard within the academic unit offering the course. If the instructor of the course is a member of the committee, that instructor shall be replaced by an alternate dean.
- b. Each written appeal is to be reviewed by the entire committee for a decision by the majority. The committee shall either dismiss the appeal, or move it forward.
- c. Grounds for dismissal are:
  - the student has submitted the same complaint to any other grievance procedure;
  - the allegations, if true, would not constitute arbitrary and capricious grading;
  - the appeal was not timely;
  - the informal process has not been exhausted.
- d. If the appeal is dismissed, the committee shall notify the student in writing within ten days of the decision, and include the reason or reasons for the dismissal.
- e. If the appeal is not dismissed, the committee shall submit a copy of the appeal to the instructor. The instructor must reply in writing to the committee within ten days.
- f. If based on the instructor's reply, the committee feels there is a viable solution, that solution should be pursued with the student and the instructor.
- g. If no solution is reached, a fact-finding meeting with the instructor shall be held promptly. It is to be non-adversarial and informal with neither party represented by an advocate. Witnesses may be asked to make a statement to the committee if the committee is informed prior to the meeting. The meeting shall not be open to the public.
- h. The committee shall meet privately at the close of the fact-finding meeting to decide whether a majority believe the evidence supports the allegation of arbitrary and capricious grading beyond a reasonable doubt.
- i. The committee shall notify the student, the instructor, and the Dean in writing of the decision within five days of the meeting.

D. AUTHORITY OF THE COMMITTEE

1. The committee has the authority to take any action it believes will bring about substantial justice, including but not limited to:
  - a. Directing the instructor to grade the student's work anew.
  - b. Directing the instructor to administer a new final exam or paper.
  - c. Directing the cancellation of the student's registration in the course.
  - d. Directing the award of a grade of "pass" in the course.
2. The committee does not have the authority to:
  - a. Assign a letter grade for the course.
  - b. Reprimand or take disciplinary action against the instructor.
3. The decision of the committee is final, and binding on both parties. The decision may not be appealed to any other body within UMES or the University of Maryland System.

E. IMPLEMENTATION

The dean shall be responsible for implementing the decision of the committee.

85.0 III-5.10- POLICY CONCERNING THE SCHEDULING OF ACADEMIC ASSIGNMENTS ON DATES OF RELIGIOUS OBSERVANCE

(Approved by the Board of Regents, January 11, 1990)

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

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

Replacement for: BOR I-2.00 and I-2.01

III-5.10(A) - UMES POLICY AND PROCEDURES CONCERNING ACADEMIC ASSIGNMENTS ON DATES OF RELIGIOUS OBSERVANCES

(Approved by the President January 1, 1992)

I. POLICY

It is the policy of UMES that students not be penalized in any way for participation in religious observations. Students shall be allowed, whenever practical, to make up academic assignments that are missed due to such absences. It is the student's responsibility to contact the instructor for each course in which work is missed, and make arrangements for make-up work or examinations.

A. Examinations and Tests

Students shall be allowed to take any examination or test administered during the student's absence for religious observance within one week of the student's return. Only material for which the student was originally responsible may be used in a make-up examination, and the examination must be given at a time and place feasible for both the instructor and the student.

B. Classwork

Students absent for religious observation shall receive any materials given out during the absence, and shall be given an opportunity to obtain class notes. Students shall be given a reasonable time to make up class assignments.

II. COMPLAINTS

A. A student may file a complaint about an instructor who he or she believes has not complied with this policy. Such complaints should be:

1. in writing;
2. submitted to the Department Chairperson; and
3. state the specifics of the complaint

B. The Department Chairperson shall review the complaint and meet with the instructor and the student to resolve the complaint.

C. A copy of the complaint is to be maintained by the Department Chairperson.

D. A student is not to be penalized in any way for filing a complaint.

E. If the student believes his or her final grade was affected a complaint may be filed under UMES Policy III.1.20 (A), Procedures For Review of Alleged Arbitrary and Capricious Grading.

III. ACADEMIC SCHEDULE

The President may specify certain dates within the academic calendar which, for reasons of religious observation by a large number of student and faculty, may not be used to administer examinations or tests, and may not be set as due dates for assignments.

(a) Enrollment and Class Lists

No student is officially enrolled in any class either for credit or as an auditor unless the student's name is on the official class list or the instructor has received the student's class card. A student may receive a grade or official audit credit only if he/she is officially enrolled, even if the student has attended the class and completed the work. It is, therefore, important that the student is informed as to whether he/she is properly registered. Class lists showing names of students assigned to each class and section are distributed to department heads as soon after registration as possible.

(b) Scheduling of Classrooms

Information as to the time and place of meeting of all classes is printed in the Schedule of Classes. Request to change the time or place of class meetings are made only through the department chair and the dean of the school under whose jurisdiction the course is given with the approval of the Vice President for Academic Affairs.

Classrooms and teaching laboratories may be used for occasional special lectures or discussions with the approval of the scheduling coordinator. In order that Physical Plant can have the facilities open, supply custodial service and notify Campus Security that special use of the building and room had been authorized, reservations must be made in advance of the activity scheduled.

Request for repairs to furniture in classrooms and teaching laboratories or for special equipment should be made directly to the department chair or dean. Each faculty member is expected to help protect University property and to conserve utilities by making certain upon leaving a room not in immediate use that windows are closed and the lights are turned off. Items left in classrooms should be taken to the lost and found service at the information desk of the Student Development Center.