

# THE HONOR CODE – UNDERGRADUATE HONOR CODE

## TITLE I. GENERAL PROVISIONS

### A. Purpose

This Code is established for the undergraduate student body to protect the academic integrity of the University of Miami, to encourage consistent ethical behavior among undergraduate students, and to foster a climate of fair competition. While a student's commitment to honesty and personal integrity is assumed and expected, this Code is intended to provide an added measure of assurance that, in fulfilling the University's requirements, a student's work will never involve falsification, plagiarism, or other deception regarding the true nature of the materials presented. Each student is responsible for completing the academic requirements of each course in the manner indicated by the faculty.

The University of Miami community recognizes integrity as a core institutional value. The responsibility to uphold the University Honor Code and high academic standards is a shared value between faculty, students, and administrators. It is each community member's responsibility to ensure that academic integrity is upheld. Faculty, in particular, have a vital role to play in this regard and should be diligent in reporting violations.

This policy acknowledges that the norms and the responsibility of academic integrity are to be jointly upheld by the faculty and student members of the University community.

### B. The Honor Creed

As a student of the University of Miami, I commit myself to upholding the Honor Code and promoting the values of Honesty, Responsibility, and Integrity.

### C. Responsibility of the University Community

All undergraduate students are responsible for reading, understanding, and upholding this Code. Students are expected to warn fellow students who do not appear to be observing proper ethical standards and to report violations of this Code. The absence of a signed pledge does not free a student from the ethical standards set by this Code. To fulfill the responsibilities of membership in the University community, violations of this Code should be reported by faculty and by all other members of the community.

### D. Jurisdiction

All undergraduate students, full and part-time, attending the University of Miami shall be subject to this Code. No action under this Code shall be brought against any student who has graduated from, or officially severed all relations with, the University.

## TITLE II. VIOLATIONS

### A. Policy Statement

All forms of scholastic dishonesty are prohibited, whether related to a written or oral examination, a thesis, term paper, mode of creative expression, computer-based work, or other academic undertaking. Scholastic dishonesty includes, but is not limited to, cheating, plagiarism, collusion, the falsification or misrepresentation of experimental data, and violating the professional ethics that obtain in clinical activities, research projects and internships. In determining what constitutes academic dishonesty, a student should be guided by the purposes of this Code, common sense, and information provided by the instructor.

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### B. Violations

**Cheating** - implies the intent to deceive. It includes all actions, devices and deceptions used in the attempt to commit this act. Examples include, but are not limited to, copying answers from another student's exam, and using a cheat sheet or crib notes in an exam.

**Plagiarism** - is representing the words or ideas of someone else as your own. Examples include, but are not limited to, failing to properly cite direct quotes and failing to give credit for someone else's ideas. Plagiarism also includes copying your own work from another class or prior assignment without proper citation.

**Collusion** - is the act of working together on an academic undertaking for which a student is individually responsible. Examples include, but are not limited to, sharing information in labs that are to be done individually.

**Academic Dishonesty** - includes any other act not specifically covered that compromises the integrity of a student or intrudes, violates, or disturbs the academic environment of the university community. Examples are attempting or agreeing to commit, or assisting in or facilitating the commission of, any scholastic dishonesty violation, failing to appear or testify without good cause when requested by the Honor Council, failing to keep information about cases confidential, supplying false information to the Honor Council and accusing a student of a violation of this Code in bad faith.

### TITLE III. REPORTING VIOLATIONS

1. Any member of the University can confidentially report academic dishonesty to the faculty teaching the course or directly to the Dean of Students when there is strong evidence that an academic integrity violation has occurred.
2. If no evidence is present or when suspicion is not strong, faculty may give the student a warning and close the matter.
3. When faculty have a strong suspicion, or when evidence is present, faculty shall report the violation through the process described herein and have the authority to recommend a sanction.
4. Faculty must also report all cases of academic integrity violations in which they have taken an adverse action affecting a student's grade but have not invoked the adjudication process described herein.
5. Based on class of violation, the appropriate adjudicating body will be assigned to adjudicate the case.

### TITLE IV. CLASSIFYING OF VIOLATIONS

#### A. Class I Violation

1. Definition: First time alleged violations that will be expeditiously adjudicated by the School/College due to the low severity of the alleged offense. Class I Violations are not considered active conduct records and therefore are not reportable to graduate or professional schools, etc..
2. Examples of Class I Violations (non-exhaustive):
  - a. Studying from another student's notes, when prohibited by the instructor.
  - b. Utilizing a tutor or the writing center in violation of the rules and guidelines set by the instructor.
  - c. Providing false or misleading information to be excused from class or to delay taking a quiz, exam, or extending a deadline.
  - d. Plagiarism: Submitting an assignment where up to 25% of the assignment is not the work of the student and/or properly cited.
  - e. Copying homework or providing homework to another student to copy.
  - f. Signing in for another student for attendance purposes.
  - g. Working with a group (collusion) on an assignment, exam, or paper that should be done individually.
  - h. Submitting the same work for more than one course.

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- i. Any use of digital technologies prohibited by the instructor.
3. Recommended Sanctions for Responsible Finding or Admission of a Class I Violation
  - a. Minimum “F” on the assignment.
  - b. Maximum “F” in the course.
  - c. Educational sanction related to academic integrity.

### B. Class II Violation

1. Definition: First-time violations that are considered more egregious than Class I violations with higher penalties but allow for an expedited process at the School/College level. Class II Violations are not considered active conduct records and therefore are not reportable to graduate or professional schools, etc..
2. Examples of Class II Violations (non-exhaustive)
  - a. Possession of or use of any materials prohibited by instructor.
  - b. Unauthorized use of term paper or exam (e.g., past exams or other source).
  - c. Giving exam to students in a later section.
  - d. Plagiarism: Submitting an assignment where 25% to 50% of the assignment is not the work of the student and/or properly cited.
  - e. Bringing a cheat sheet or unauthorized notes or formulas into the exam.
  - f. Facilitating the academic dishonesty of another student (e.g., texting or emailing exam answers to another student, helping another student write a paper).
3. Recommended Sanctions for Responsible Finding or Admission of a Class II Violation
  - a. At minimum, “F” in the course.
  - b. At maximum, dismissal from the University.
  - c. Educational sanction related to academic integrity.

### C. Class III Violation

1. Definition: Repeated violations of any kind, or a violation so egregious it requires an Honor Council Hearing, with more severe sanction guidelines than Class II
2. Examples of Class III Violations (non-exhaustive)
  - a. Any repeat alleged violation that the student has been found responsible for previously.
  - b. Falsifying or forging academic credentials or University documents including internship documentation and letters of recommendation.
  - c. Submission or use of falsified data.
  - d. Sabotage of someone else’s work.
  - e. Taking a test or writing a paper for someone else.
  - f. Plagiarism: Submitting an assignment where 50% or more of the assignment is not the work of the student and/or properly cited.
  - g. Obtaining/purchasing exam answers or term papers from someone else.
  - h. Unauthorized distribution of a quiz or exam.
  - i. Any other type of academic fraud.
3. Recommended Sanctions for Responsible Finding or Admission of a Class III Violation
  - a. At minimum, “XF” in the course.
  - b. At maximum, expulsion from the University.
  - c. Educational sanction related to academic integrity.
4. Parties involved can appeal the outcome of a Class III violation hearing to the Appeals Board as the final adjudicator.

## TITLE V. ADJUDICATING BODIES – JURISDICTION, COMPOSITION AND SELECTION

### A. School/College Academic Integrity Committee

1. Adjudicates Class I and Class II Violations
2. Hearing panel structure consists of 3 Faculty from the School/College
3. Membership consists of 6 Faculty total from the School/College and the Academic Dean for

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Undergraduate Studies of the School/College

- a. At the School/College discretion, committee membership may be altered to compose more than two hearing panels, or decreased to constitute one panel as long as the cases are adjudicated in a timely manner.
4. Selection of the members are appointed by the school/college council of the school/college for 2-year term.

### **B. Honor Council**

1. Adjudicates Class III Violations and Appeals for Class I and Class II Violations
2. Hearing panel structure consists of 2 Faculty and 2 Students with the addition of the Dean of Students or their designee to resolve any tie votes.
  - a. In exceptional cases when the Dean of Students is unable to find 2 students to serve on a hearing panel within 7 days, the parties may agree to one of the following options for an expedited hearing:
    - i. A panel deviating from the regular number and structure of members.
    - ii. An administrative hearing with the Dean of Students (or designee) and an Academic Dean (or faculty designee).
3. Membership consists of 18 Faculty, up to 31 Students and the Dean of Students or their designee.
4. Selection of the members:
  - b. Faculty are appointed by the School/College Dean for a 2-year term.
  - c. Full time undergraduate students in good standing (as defined in the University of Miami Bulletin) with a cumulative grade point average of 2.5 or better are eligible for membership on the Council (High school grade point average will be used for first semester students).
    - i. Each year students may apply for initial appointment or re-appointment to the Council by submitting a written application to the Office of the Dean of Students at a time designated by the Appeals Board.
    - ii. Applications are reviewed and applicants are interviewed by the Officers of the Honor Council. Second round interviews are conducted by the Dean of Students and their designee and the President of Student Government. Final approval of the selected applicants is made by the Senior Vice President for Student Affairs.
5. Vacancies and Removal of Members:
  - a. The Appeals Board shall fill vacancies on the Council. In so doing, the Committee shall first consider the current year's nominees not previously appointed. If necessary, it may then seek additional nominations from the Dean.
  - b. Members of the Honor Council may be removed by the Appeals Board on its own motion, or upon recommendation of the Council President, for failure to attend meetings or hearings, or for other good cause.

### **C. Appeals Board**

1. Adjudicates Final Appeals for Class II and Class III Violations
2. Membership and Hearing Panel Structure consists of the Vice President for Student Affairs, the Academic Dean for Undergraduate Studies from the School/College where the violation occurred, the Undergraduate Student Government President and a student member of the Honor Council hearing panel from the case.

## **TITLE VI. HEARING PROCESS FOR EACH TYPE OF CLASS VIOLATION AND APPEALS**

### **B. Process for Class I Violations**

1. Faculty must immediately report the suspected violation to the Department Chair (or relevant administrator in the non-departmentalized schools) and complete the online Academic Integrity Reporting Form. The Department Chair will immediately inform the Academic Dean for Undergraduate Studies of the school.
2. The faculty may or may not recommend a sanction.

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3. The Academic Dean for Undergraduate Studies will determine the violation class and meet with the student within 5 academic days of receiving a report to present the charges (and potential sanctions) and go over the student's options as follows:
  - a. Admit responsibility and take faculty suggested sanction (Expedited Process).
  - b. Admit responsibility and take the minimum sanction when faculty recommendation is not available (Expedited Process).
  - c. Request a hearing with the Academic Integrity Committee.
4. The student will get 3 academic days to make a decision. If the student does not respond within the allowed time, faculty sanction (or the minimum sanction in case where faculty does not recommend a sanction) will hold and the student will waive the right to any further hearing.
5. If the student accepts responsibility and agrees with the faculty sanction (or the minimum sanction in cases where faculty does not recommend a sanction), the Academic Dean for Undergraduate Studies will administer the Academic Integrity Resolution Form. No further action will be needed. The Academic Dean for Undergraduate Studies will report the case to the Dean of Students for record-keeping within 3 academic days of the resolution.
6. If the student does not admit responsibility or does not agree with the sanction recommended by the faculty, the Academic Dean for Undergraduate Studies will refer the case to the Academic Integrity Committee within 3 academic days of the student's decision. The Academic Integrity Committee will meet within 2 weeks of receiving the Academic Dean for Undergraduate Studies' notice. The Academic Integrity Committee will listen to both parties and make a recommendation within 3 academic days of the hearing. The Academic Integrity Committee's recommendation may be more or less stringent than the faculty's recommended sanction.
7. The parties will have 3 academic days to consider Academic Integrity Committee's recommendation and make a decision. If the student fails to respond within the allotted time, the faculty sanction will hold and the student will waive the right to appeal. If the parties agree with Academic Integrity Committee's recommended action, the Academic Dean for Undergraduate Studies will administer the Academic Integrity Resolution Form and will report the matter to the Dean of Students within 3 academic days for record-keeping.
8. If either party does not agree with the Academic Integrity Committee, an appeal can be made to the Honor Council. Such requests must be made in writing to the Office of Dean of Students within 3 academic days of communication of Academic Integrity Committee's determination.
9. The Dean of Students within 7 academic days of receiving the report of the alleged violation will establish the Honor Council hearing panel and will inform the parties.
10. The Honor Council's decision will be binding for both parties.
11. The adjudication process will continue as outlined herein even if the student withdraws from the course. If the student is found responsible, the course where the violation occurred will reflect on the student's transcript with a failing grade (in addition to any other sanctions determined by the hearing panel).
12. When there is a prior record of violations that student has been found responsible for, the Academic Dean for Undergraduate Studies will forward the case to the Dean of Students to be adjudicated by the Honor Council and will inform the parties.
13. A student who wants to contest a grade affected due to academic integrity violation may request a hearing with Academic Integrity Committee by reporting to the Academic Dean for Undergraduate Studies within 3 days of receiving the grade. Academic Dean for Undergraduate Studies will report the violation to the Dean of Students and will refer the case to Academic Integrity Committee.

### C. Process for Class II Violations

1. The reporting and hearing process for Class II violations will be the same as Class I violations except:
  - a. The minimum recommended sanction for Class II violations is "F" on the course.
  - b. Parties will have the final right to appeal to the Appeals Board after Honor Council's

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determination..

- c. The Appeals Board's decision will be binding for both parties.

### D. Process for Class III Violations

1. The Faculty reporting process will be the same as for Class I and II violations.
2. The Academic Dean for Undergraduate Studies of the School/College will determine the violation class and meet with the student within 5 academic days of receiving a report to present the charges (and potential sanctions) and to inform the student about next steps. The Academic Dean for Undergraduate Studies for the School/College will forward the case to the Dean of Students for adjudication by the Honor Council.
3. The Dean of Students within 7 academic days of receiving the report of the alleged violation will establish the Honor Council hearing panel and will inform the parties.
4. The Dean of Students shall assign Investigators from the Honor Council student membership to gather and examine all information for the complaint and prepare findings for presentation to the Hearing Panel. They should interview the student charged, the complainant, the faculty member, if any, responsible for the course or other activity to which the charges relate, and any other potential witnesses. They should also review all documentary evidence available including any statement of the faculty member and shall make such inquiry as appropriate.
5. Hearing Panel Selection and Regulations:
  - a. Upon receipt of the investigator's reports, the Dean of Students shall select a four-member Hearing Panel from among the members of the Honor Council consisting of two faculty members and two students and designate one student Panel member as the Panel Speaker. The Dean of Students shall also designate two additional members to investigate the charge.
  - b. Upon receipt of the notice, hearing panel members shall recuse themselves if they are aware of any personal bias or conflict of interest that may improperly affect their judgment, or if they are enrolled in the course section or other academic activity to which the complaint relates. If a hearing Panel member does not offer voluntary recusal, a majority of the Panel, excluding the challenged member, may remove that member for cause.
  - c. Hearings that are scheduled within the last two weeks of the end of academic year or during summer terms may be heard by an administrative panel consisting of the Dean of Students or their designee and an Academic Dean or their faculty designee.
6. Charge
  - a. Following receipt of the investigator's report and designation of the Hearing Panel, the Dean of Students shall prepare a charge that includes a brief description of the alleged violation. The Dean of Students shall then serve the student charged with a copy of the charge and the names of the Hearing Panel members.
  - b. The Dean of Students shall provide a copy of the charge to the complainant.
  - c. Within one day of the receipt of the names of hearing Panel members, the student charged may challenge any member by submitting to the Dean of Students a written statement specifying why the Panel member should not serve. The Dean of Students shall determine if just cause exists to remove the Panel member and shall notify the accused of new Panel members. The accused then has the right to object to any new member following the procedures in this section.
  - d. Within one day of the receipt of the charge, the accused may challenge the hearing date, time or location by providing the Dean of Students with a written request specifying the reasons for the request. The Dean of Students shall determine if the request provides a valid reason to alter the date, time or location of the hearing and shall notify the accused student, witnesses, and Panel members in any change in date, time, or location.
  - e. If a student is charged with a violation of this Code within two weeks prior to the student's graduation, the Dean of Students shall make every reasonable effort to conclude the procedures under this Code prior to the student's graduation. If the procedures are not completed prior to graduation, the University reserves the right to delay graduation until the

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case is fully adjudicated.

7. Plea
  - a. Upon receipt of the charge and at any time before the hearing, the accused may then admit or deny the charge, in whole or in part. Accused students must always speak for themselves and not through their chosen Advisor.
  - b. If the accused admits the charge the Panel shall receive mitigating circumstances before retiring to deliberate on a sanction.
  - c. If the accused student denies the charge, the student shall have the opportunity to question the complainant and witnesses and submit statements or evidence to prove their innocence.
  - d. If the accused refuses to enter a plea or speak on their own behalf, the Panel shall enter a plea of “not responsible” for the accused and proceed with the hearing. No inference of responsibility may be drawn from the silence of the accused.
8. Hearing Procedures
  - a. The hearing shall be held in private. Witnesses may attend only to present their testimony. Hearing Panel members, witnesses, and others involved in the hearing shall not discuss the case with anyone outside the hearing.
  - b. The student charged, the Dean of Students, the complainant and all witnesses must attend the hearing. In addition to those required by the Council to attend, a University of Miami undergraduate student advisor may attend and assist the accused. This Advisor may not speak on behalf of the accused.
  - c. If a student enters a plea of “responsible” when charged by the Dean of Students, the Panel may elect not to hear witnesses or the complainant.
  - d. It is not the function of the Panel to act as prosecutor of the case against the student charged, but to examine all evidence in order to ascertain the truth of the matter.
  - e. If a question of policy or procedure not covered by this Code arises during the course of a hearing, the Panel shall determine the question by majority vote of the members present.
  - f. The Hearing Panel may, at any time, conform the charge to the evidence received, provided the student charged is given an opportunity to respond. If the modification occurs during the Panel deliberations following a hearing, the hearing shall be reopened.
  - g. Presentation of Information:
    - i. The Speaker of the Panel shall commence the hearing by reading the charge and any statements received from the complainant. The Panel shall hear a report of the investigation. The investigators shall remain in the hearing as resources for the Panel, but shall not participate in deliberations or vote with the Panel. The Panel and the accused student may then question the investigators.
    - ii. The Hearing Panel may consider an affidavit or written statement against the student charged only if the person giving the affidavit or statement cannot appear in person to testify before the Panel. Before any such document is considered, the student charged must have been advised of its content and the name of the person making the affidavit or statement three working days before the hearing. The student must also be given an opportunity to rebut any fact or inference that might be drawn there from.
  - h. Witnesses:
    - i. A Witness may refuse to answer a question if the answer, if truthful, might incriminate the witness.
    - ii. A student witness called by the Panel may be sanctioned by the Panel for refusing to appear without good cause. The Panel shall determine if the witnesses’ reasons constitute good cause.
  - i. Deliberation:
    - i. When the Panel is satisfied it has heard all evidence in a case, it shall request summary statements before it retires to deliberate to determine responsibility based on clear and convincing evidence. A majority vote (3 out of 4) is required to find the accused responsible.

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- ii. The Panel shall not consider prior discipline under this Code in deciding responsibility.
- j. Mitigation Hearing-Finding of Responsible:
  - i. A student who enters a plea of responsible or is found responsible by the Panel shall be given an opportunity to present evidence relevant to the determination of the penalty.
- k. Dismissal-Finding of Not Responsible:
  - i. If the complaint is dismissed or the student is found not responsible, no record of any complaint against a student shall appear in the student's file, or other official University record.
  - ii. If substantial time has elapsed between the occurrence of the alleged violation and the filing of the complaint, the Panel shall dismiss the complaint if it determines, by majority vote of those present, that the passage of time has materially prejudiced its ability to reach a fair decision in the case.
- l. Affirmative Rights of the Accused Student:
  - i. The accused has the right to challenge the hearing date, time, or location. The objection must be submitted in writing to the Secretary of the Honor Council within one (1) day of the receipt of the charge. The objection must fully explain the reasons for the request.
  - ii. The accused has the right to choose a University of Miami undergraduate student to attend the hearing and assist the student. The advisor cannot speak on the student's behalf.
  - iii. The accused has the right to question the complainant and witnesses and submit statements or evidence to prove not responsible, if the charge has been denied.
  - iv. The accused has the right to remain silent and no inference may be drawn from this silence.
  - v. The accused has the right to call witnesses and present evidence in their defense. A student may offer a written request to the Panel that the Panel call specific witnesses for him/her if those witnesses have previously refused to appear and are shown in the request to be material to the accused student's defense. The Panel shall determine a witnesses' materiality based on the statement presented by the accused.
  - vi. The accused has the right to present evidence of mitigating circumstances before the Hearing Panel retires to deliberate on a sanction, if the student enters a plea of responsible or found responsible by the Panel.
  - vii. The accused, if found responsible, has the right to review a written summary upon which the finding of responsibility and sanction were based
  - viii. Parties will have the right to appeal to the Appeals Board after Honor Council's decision is rendered
  - ix. The Appeals Board's decision will be binding for both parties.
- m. The adjudication process will continue as outlined herein even if the student withdraws from the course. If the student is found responsible, the course where the violation occurred will reflect on the student's transcript with a failing grade (in addition to any other sanctions determined by the hearing panel).



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### E. Process for Appealing to the Appeals Board

1. Class I Violations
  - a. After the Academic Integrity Committee's determination has been made either party can appeal to the Honor Council within 3 academic days of communication of Academic Integrity Committee's decision. The request should be made in writing and to the Office of the Dean of Students.
    - i. The Honor Council's decision will be binding for both parties and no further appeal will be allowed.
2. Class II and III Violations
  - a. After the Honor Council's determination, parties have the right to appeal to the Appeals board.
  - b. The decision of the Appeals Board will be binding for other parties.
3. The only grounds for appeal to the Appeals Board are:
  - a. that the failure to follow the procedures established for adjudication of an academic integrity violation constituted an error
  - b. that the sanction(s) imposed was (were) not commensurate with the offense.
4. Allowable appeals must be made in writing and submitted to the Office of the Dean of Students within 3 academic days from the date the determination of the Honor Council is communicated to the student, stating with specificity the grounds for the appeal and facts upon which it is based.
5. The Dean of Students within 7 academic days from the date of receipt of an appeal, will establish the hearing panel.
6. Upon establishment, the hearing panel will make a determination within 5 academic days as to whether the appeal is timely and made on proper grounds. The Dean of Students will communicate that determination to the student within the next 3 academic days.
7. If the appeal is determined to be timely and made on proper grounds, the hearing panel will make a decision on the merits of the appeal within 10 academic days of its determination on the validity of the appeal. The Vice President of Student Affairs (or designee) will communicate the hearing panel's decision to the student within 3 academic days of the determination.

### F. Amendment of this Code

1. The Code may be amended solely by formal action of the President of the University following consultation with the students and the approval of the Faculty Senate.
2. The provisions of this Honor Code document as written are subject to change. Please contact the Dean of Students for information regarding any changes.

### G. Effective Date

This version of the University of Miami Undergraduate Honor Code is effective as of the publication of this document.

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## UNDERGRADUATE HONOR CODE PROCEDURES

