

ACADEMIC INTEGRITY POLICY AND THE UNDERGRADUATE HONOR CODE

TITLE I. GENERAL PROVISIONS

A. Purpose

The University of Miami community recognizes integrity as a core institutional value. The Undergraduate Honor Code is based upon the Academic Integrity Policy which was approved by the Faculty Senate, the President of the University, and the Board of Trustees in 2019.

A full copy of the Academic Integrity Policy may be accessed through the link: [The Honor Code](#) is designed to ensure academic integrity of the University of Miami, 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.

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 the Academic Integrity Policy (AIP) and the Honor Code which derives from it. Students are expected to warn fellow students who do not appear to be observing proper ethical standards and to report violations of the policy. The absence of a signed pledge does not free a student from the ethical standards set by the Honor 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 the Academic Integrity Policy and the Undergraduate Honor Code which derives from this policy. No action under the Academic Integrity Policy or the Undergraduate Honor Code shall be brought against any student who has graduated from, or officially severed all relations with the University. To the extent of a conflict between the Academic Integrity Policy and the Undergraduate Honor Code, the terms of the Academic Integrity Policy shall control.

E. Faculty Cooperation

The Academic Integrity Policy and this Undergraduate Honor Code acknowledge that the norms and the responsibility of academic integrity are to be jointly upheld by the faculty and student members of the University community. Substantial responsibility is vested in the schools and colleges to manage first-time offences and to coordinate their faculty's efforts.

TITLE II. VIOLATIONS OF ACADEMIC INTEGRITY

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.

B. Violations

1. **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.
2. **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.
3. **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.
4. **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. THE UNDERGRADUATE HONOR COUNCIL AND APPEALS BOARD

A. General

1. The Honor Council's purpose is to review documents provided by individual school Academic Integrity Committees (AIC), ascertain the facts in a given case and, upon finding a violation of academic integrity, suggest appropriate penalties. It should be noted that while penalties regarding grades may be recommended by the AIC, Honor Council and/or Appeals Board, allocation of grades rests solely with the instructor. Students may appeal grades through the Faculty Senate Student Affairs Committee. The Honor Council may, however, determine disciplinary actions which could include suspension or expulsion.
2. The University of Miami Undergraduate Honor Council is a standing committee deriving its authority from the University.
3. The Honor Council shall consist of up to 31 representatives from the undergraduate schools or colleges selected each year for a one-year term by the Appeals Board in addition to 18 faculty appointed by the respective undergraduate School Councils for a term of 2 years.
4. The Appeals Board shall attempt to include at least one representative from each undergraduate school or college on the council.
5. Each Honor Council Hearing Panel shall consist of 2 faculty and 2 students. The Dean of Students will resolve any ties (refer to the Academic Integrity Policy for more information).

B. Appointment of the Council

1. Faculty are appointed by each respective School Council for a 2-year term.
2. 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).
3. Each Spring semester students may apply for initial appointment or re-appointment to the Honor Council by submitting a written application to the Dean of their school or college or to the office of the Dean of Students at a time designated by the Appeals Board. Each Dean may recommend to the Secretary at least five applicants in addition to the members currently serving from that school or college.
4. The Appeals Board shall interview the students and shall appoint 31 students to serve on the Honor Council.

C. Officers of the Honor Council

1. The Honor Council shall elect from its members a President and a Vice President.
2. The President must have served at least one year as a member of the Honor Council.
3. The Vice President shall assume the responsibilities of the President when the President is unavailable.

4. The President shall preside over meetings of the Honor Council.

D. Meetings

1. Bi-Weekly Meetings shall be called by the President.
2. A quorum of the Council for the purpose of transacting affairs is a majority of the active members.

TITLE IV. THE APPEALS BOARD AND SECRETARY

A. The Appeals Board

1. The Appeals Board consists of: the Vice President for Student Affairs, or designee, the President of the Undergraduate Student Body Government, and a tenured academic dean from the school or college where the violation occurred. The student speaker from the Honor Council hearing panel serves as a non-voting member.

B. The Secretary

1. The Vice President for Student Affairs shall appoint a Secretary to the Honor Council
2. The Secretary, who shall be the Dean of Students or their designee, shall keep orderly records of all Honor Council and Appeal Board proceedings, provide such advice as may be sought by the Honor Council, and perform the other duties as necessary based on the University's Academic Integrity Policy.

TITLE V. PROCEDURES: REPORTING VIOLATIONS

- A. Any member of the University can confidentially report academic dishonesty to the instructor teaching the course or directly to the Dean of Students when there is strong evidence that an academic integrity violation has occurred.
- B. If no evidence is present or when suspicion is not strong, the instructor may give the student a warning and close the matter.
- C. When instructors have a strong suspicion, or when evidence is present, instructors shall report the violation through the process described herein and have the authority to recommend a sanction.
- D. Instructors 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.
- E. Based on the class of violation, the appropriate adjudicating body will be assigned to adjudicate the case.

TITLE VI. CLASSIFICATION OF VIOLATIONS AND SANCTION GUIDELINES

- A. The University distinguishes between a) first-time violations that are of low severity, b) first-time violations that are more severe, and c) repeat violations of any type and highly egregious offenses.
- B. For greater consistency of sanctions for the same violation across the University, instructors are encouraged to consult the examples of violation classes and guidelines for potential sanctions suggested by the University. These guidelines may be used to set course specific policies and/or for recommending sanctions when course specific expectations are not clearly outlined in the syllabus.
- C. When instructors have clearly outlined expectations and grade sanctions in their syllabus, those grade sanctions will supersede the grade sanctions recommended by the AIC, Honor Council, and/or Appeals Board.
- D. The suggested violation classes and corresponding recommended sanctions are only examples and do not provide an exhaustive list. The determination of the severity of a violation and the corresponding sanction will often fall on instructors and the hearing boards.
- E. If a student is ultimately found not responsible for a violation of this Honor Code, no sanctions can be imposed even if sanctions were recommended by the faculty member and/or provided for in the faculty member's syllabus.

1. Examples of Class I Violations and Sanctions Guidelines

Class I violation are first-time offences that need to be addressed, but offer an expedited process at the school level due to the low severity of the offence.

Alleged Violation*	Recommended Sanction(s)
<ul style="list-style-type: none"> • Studying from someone else’s notes, when prohibited by the instructor. • Utilizing tutor or writing center in violation of the rules and guidelines set by the instructor. • Providing false or misleading information to be excused from class or delay taking a quiz, exam, or extending a deadline. • Plagiarism: Submitting an assignment where up to 25% of the assignment is not the work of the student and/or properly cited. • Copying homework or providing homework to another student to copy. • Signing in for another student for attendance purposes. • Working with a group (collusion) on an assignment, exam, or paper that should be done individually. • Submitting the same work for more than one course. • Any use of digital technologies prohibited by the instructor. 	<ul style="list-style-type: none"> • Minimum “F” on the assignment. • Maximum “F” in the course. • Educational sanction related to academic integrity. <ul style="list-style-type: none"> • Not a reportable disciplinary concern to graduate or professional schools, etc. <p>For an expedited process, student can accept faculty recommended sanction or the minimum sanction (“F” on the assignment) when faculty recommendation is not available.</p> <p>If a student wishes a hearing with the AIC, and is found responsible, the committee may recommend increasing or decreasing the sanction suggested by the instructor.</p> <p>The parties can appeal to the Honor Council as the final adjudicator.</p>

* This is not an exhaustive or strict list. These examples are provided only as a guideline to determine severity of the violations and commensurate sanction(s). Note: When the instructor has clearly outlined expectations and grade sanctions in their syllabus, those grade sanctions will supersede the grade sanctions outlined above and/or recommended by the AIC, Honor Council, and/or the Appeals Board.

2. Examples of Class II Violations and Sanction Guidelines

Class II violations are first-time offences that are more egregious than Class I violations with higher penalties, but allow for an expedited process at the school level.

Alleged Violation*	Recommended Sanction(s)
<ul style="list-style-type: none"> Possession of or use of any materials prohibited by instructor. Unauthorized use of term paper or exam (e.g., past exams or other source). Giving exam to students in a later section. Plagiarism: Submitting an assignment where 25% to 50% of the assignment is not the work of the student and/or properly cited. <ul style="list-style-type: none"> Bringing a cheat sheet or unauthorized notes or formulas into the exam. Facilitating the academic dishonesty of another student (e.g., texting or emailing exam answers to another student, helping another student write a paper). 	<ul style="list-style-type: none"> At minimum, "F" in the course. At maximum, dismissal from the University. Educational sanction related to academic integrity. <p>The parties can appeal to the Appeals Board as the final adjudicator.</p>

* This is not an exhaustive or strict list. These examples are provided only as a guideline to determine severity of the violations and commensurate sanction(s). Note: When the instructor has clearly outlined expectations and grade sanctions in their syllabus, those grade sanctions will supersede the grade sanctions recommended by the AIC, Honor Council, and/or the Appeals Board.

3. Examples of Class III Violations and Sanction Guidelines

Class III violations are repeated offenses of any kind, or a violation so egregious it requires an Honor Council Hearing, with more severe sanction guidelines than Class II.

Alleged Violation*	Recommended Sanction(s)
<ul style="list-style-type: none"> Any repeat alleged violation that the student has been found responsible for previously. Falsifying or forging academic credentials or University documents including internship documentation and letters of recommendation. Submission or use of falsified data. Sabotage of someone else's work. Taking a test or writing a paper for someone else. Plagiarism: Submitting an assignment where 50% or more of the assignment is not the work of the student and/or properly cited. <ul style="list-style-type: none"> Obtaining/purchasing exam answers or term papers from someone else. Unauthorized distribution of a quiz or exam. Any other type of fraud. 	<ul style="list-style-type: none"> At minimum, "XF" in the course. At maximum, expulsion from the University. Educational sanction related to academic integrity. <p>The parties can appeal to the Appeals Board as the final adjudicator.</p>

* This is not an exhaustive or strict list. These examples are provided only as a guideline to determine severity of the violations and commensurate sanction(s). Note: When the instructor has clearly outlined expectations and grade sanctions in their syllabus, those grade sanctions will supersede the grade sanctions recommended by the AIC, Honor Council, and/or the Appeals Board.

MEMBERSHIP AND HEARING PANEL STRUCTURES

School/College Academic Integrity Committee:	
Adjudicates	Alleged Class I and Class II violations
Hearing Panel Structure	3 Faculty
Membership	6 Faculty*, Dean of Undergraduate Studies/Education (DoUG) (non-voting) *At the school's 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
Selection	Faculty appointed by the school council of the school/college for a 2-year term
Honor Council:	
Adjudicates	Alleged Class III violations and appeals for Class I and II violations
Membership	18 Faculty, up to 31 Students, Dean of Students (non-voting)
Hearing Panel Structure	2 Faculty, 2 Students (Dean of Students will resolve any ties) 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: 1) A panel deviating from the regular number and structure of members. 2) An administrative hearing with the Dean of Students (or designee) and an Academic Dean (or faculty designee). **Parties in the policy are defined as the student(s) suspected of academic dishonesty, and the faculty reporting the suspected behavior.
Selection	Faculty: Appointed by the school council of each school/college for a 2-year term Students: Multi-layered interview process
Appeals Board:	
Adjudicates	Appeals for Class II and Class III violations
Hearing Panel Structure	VP for Student Affairs DoUG of the school where the violation occurred U/G Student Government President Speaker of the Honor Council hearing panel (non-voting)

Note: The Appeals Board – the only grounds for appeal to the Appeals Board are: the failure to follow the procedures established for adjudication of an academic integrity violation constituted an error; and the sanction(s) imposed was (were) not commensurate with the offense.

TITLE VII. ADJUDICATION PROCESSES

Any member of the University may confidentially report academic dishonesty to the instructor teaching the course or directly to the Dean of Students when there is strong evidence that an academic integrity violation has occurred. If no evidence is present or when suspicion is not strong, instructors may give the student a warning and close the matter. When instructors have a strong suspicion, or when evidence is present, instructors shall report the violation through the process described herein and have the authority to recommend a sanction. Instructors 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. Based on the class of violation, the appropriate hearing board will adjudicate the case.

A. Process for Class I Violations

1. Instructors 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 DoUG of the school.
2. The instructor may or may not recommend a sanction depending on the specific expectations and policies outlined in their syllabus. However, if an instructor has clearly outlined expectations and grade sanctions in their syllabus, those grade sanctions will supersede the grade sanctions recommended by the AIC, and/or the Honor Council.
3. The DoUG 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:
 - i. Admit responsibility and take the instructor's suggested sanction or the sanction set forth in the syllabus (Expedited Process).
 - ii. Admit responsibility and take the minimum sanction when the instructor's recommendation is not available and the syllabus is silent as to the sanction (Expedited Process).
 - iii. Request a hearing with the AIC.
4. The student will get 3 academic days to make a decision. If the student does not respond within the allowed time, the sanction set forth in the syllabus, the sanction recommended by the instructor, or the minimum sanction, if neither of the foregoing two instances apply, will hold and the student will waive the right to any further hearing.
5. If the student accepts responsibility and agrees with the sanction set forth in the syllabus, the instructor's recommended sanction, or the minimum sanction, the DoUG will administer the Academic Integrity Resolution Form. No further action will be needed. The DoUG 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, the DoUG will refer the case to the AIC within 3 academic days of the student's decision. The AIC will meet within 2 weeks of receiving the DoUG's notice. The AIC will listen to both parties and make a recommendation within 3 academic days of the hearing. The AIC's recommendation may be more or less stringent than the faculty's recommended sanction. If the student is found responsible and the instructor has clearly outlined expectations and sanctions in their syllabus concerning a grade sanction, this grade sanction will supersede the AIC's recommendation on grading but will not impact other disciplinary measures imposed by the AIC.
7. The parties will have 3 academic days to consider the AIC's recommendation and make a decision. If the student fails to respond within the allotted time, the sanction set forth in the syllabus, the sanction recommended by the instructor, or the minimum sanction, if neither of the foregoing two instances apply, will hold and the student will waive the right to appeal. If the parties agree with the AIC's recommended action, the DoUG will administer the Academic Integrity Resolution Form and will report the matter to the Dean of Students within 3 academic days, during the fall and spring semesters, for record-keeping.
8. If either party does not agree with the AIC, 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 AIC's determination.

9. The Dean of Students within 7 academic days of receiving the appeal will establish the Honor Council hearing panel and will inform the parties. The procedures for a hearing before the Honor Council, as set forth in Title VII(C), will apply, but for a Class I violation, there will no right to appeal to the Appeals Board.
10. The Honor Council's decision will be binding for both parties. If the student is found responsible and the instructor has clearly outlined expectations and sanctions in their syllabus concerning a grade sanction, this grade sanction will supersede the Honor Council's recommendation on grading but will not impact other disciplinary measures imposed by the Honor Council.
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 a student has been found responsible for, the DoUG will forward the case to the Dean of Students to be adjudicated by the Honor Council as a Class III violation, 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 the AIC by reporting to the DoUG within 3 days of receiving the grade. The DoUG will report the violation to the Dean of Students and will refer the case to the AIC. However, if the instructor involved has clearly outlined expectations and grade sanctions in their syllabus, those grade sanctions will supersede any recommendations made by AIC, Honor Council, or the Appeals Board.

B. Process for Class II Violations

These are first time violations that are deemed more severe than the Class I violations. The reporting and hearing process for Class II violations will be the same as Class I violations except:

1. The minimum recommended sanction for Class II violations is "F" on the course. This assumes that the instructor did not have clear grade sanctions and expectations for integrity violations on their syllabus. If they do, the grade sanctions set forth in the syllabus supersede any recommendations on grading by the Honor Council or the Appeals Board but do not impact any other disciplinary sanctions imposed by such adjudicatory bodies.
2. Parties will have the right to appeal to the Appeals Board after the Honor Council's determination in accordance with the grounds described below in Title VIII.
3. Except for a grade sanction that is clearly set forth in the faculty member's syllabus, the Appeals Board's decision on disciplinary action will be binding for both parties.

C. Process for Class III Violations

The Honor Council will hear repeated violations of any kind, or a violation so egregious that it requires an Honor Council hearing, with more severe sanction guidelines than Class II. The instructor reporting process will be the same as for Class I and II violations. The DoUG 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. DoUG will forward the case to the Dean of Students for adjudication by the Honor Council. 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.

1. Investigation

The Dean of Students shall assign Investigators from the Honor Council student membership to gather and examine all information for the complaint used by the school-level AICs and prepare findings for presentation to the Hearing Panel. They should interview the student charged, the complainant, the instructor, 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 or syllabus of the instructor and shall make such inquiry as appropriate.

2. Hearing Panel Selection and Regulations

Upon receipt of the investigators' reports, the Dean of Students shall select a four member Hearing Panel ("Hearing Panel" or "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. Hearing Panels shall be filled on a rotating and impartial basis, subject to review by the Appeals Board on its own motion, or upon request of the President of the Honor Council. The Dean of Students shall supply the members of the panel with the name of the student charged and the nature of the activity to which the charge relates.

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.

Hearings that are scheduled within the last two weeks of the end of the 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 Faculty Dean or their faculty designee.

3. Charge

Following receipt of the investigators' 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.

The Dean of Students shall provide a copy of the charge to the Complainant.

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.

If a student is charged with a violation of this Code within two weeks prior to the student's graduation, the Secretary 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 the student's graduation until the case is fully adjudicated.

4. Plea

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.

If the accused admits the charge, the Panel shall receive mitigating circumstances before retiring to deliberate on a sanction.

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.

If the accused refuses to enter a plea or speak on his 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.

5. Hearing Procedures

The hearing shall be held in private. Witnesses may attend only to present their testimony. Panel members, witnesses, and others involved in the hearing shall not discuss the case with anyone outside the hearing.

The student charged, the Dean of Students, the complainant and all witnesses must attend the hearing. In addition to those required by the Honor Council to attend, a University of Miami undergraduate student, faculty, or staff advisor may attend and assist the accused. Such an advisor may not speak on behalf of the accused.

If a student enters a plea of “responsible” when charged by the Dean of Students, the Panel may elect to not hear witnesses or the complainant.

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.

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.

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.

6. Presentation of Information

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.

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 therefrom.

7. Witnesses

A witness may refuse to answer a question if the answer, if truthful, might incriminate the witness.

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 witness's reasons constitute good cause.

8. Deliberation

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 super-majority vote (3 out of 4) is required to find the accused responsible. The Panel shall not consider prior Responsible findings under this Code in deciding responsibility.

9. Mitigation Hearing – Finding of Responsible

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 sanction(s).

10. Dismissal – No Finding of Responsible

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. Additionally, no sanction can be imposed even

if sanctions were recommended by the faculty member and/or provided for in the faculty member's syllabus.

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.

11. Affirmative Rights of the Accused

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.

The accused has the right to choose a University of Miami undergraduate student, faculty, or staff member to attend the hearing and assist them. The advisor cannot speak on the accused's behalf.

The accused has the right to question the complainant and witnesses and submit statements or evidence to prove not responsible, if they deny the charge(s).

The accused has the right to remain silent and no inference may be drawn from this silence.

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 them 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.

The accused has the right to present evidence of mitigating circumstances before the Panel retires to deliberate on a sanction, if the accused enters a plea of responsible, or is found responsible.

The accused, if found responsible, has the right to review a written summary upon which the finding of responsibility and sanction were based.

Parties will have the right to appeal to the Appeals Board after the Honor Council's decision is rendered. Appeals must be in writing, addressed to the Appeals Board and, be submitted within three (3) days of receipt of the hearing summary. The only grounds for an appeal, however, are: (i) a. the failure to follow the procedures established for adjudication of an academic integrity violation constituted an error; or (ii) b. the sanction(s) imposed was (were) not commensurate with the offense

12. Sanctions

Penalties shall be based on the severity of the violation and shall consist of one or more of the following:

- a. Disciplinary Warning
- b. Strict Disciplinary Probation
- c. Final Disciplinary Probation
- d. Suspension from the University
- e. Expulsion from the University
- f. University service
- g. Minimum "F" on the assignment (grade penalties may only be 'suggested' to the instructor of record. Students who wish to appeal grades assigned by the instructor may do so by appealing to the Faculty Senate Student Affairs Committee)
- h. Maximum "XF" in the Class
- i. Other appropriate action as approved by the Academic Integrity Committee or the Honor Council

Failure to comply with any of the above penalties may result in additional sanctions.

The Panel may consider prior discipline in assessing sanctions.

When instructors have clearly outlined expectations and grade sanctions in their syllabus, such grade sanctions will supersede the grade sanctions recommended by the AIC, Honor Council, and/or Appeals Board but they will not impact any other disciplinary sanctions imposed by these adjudicatory bodies.

13. Panel's Decision

The Panel's decision shall be made promptly after the Hearing. However, when considering complaints involving more than one accused student, the Panel may postpone judgment until the completion of the hearings for all students under the given complaint.

Notice thereof shall be given to the Student and Complainant. The student charged may elect to hear the decision of the Panel in person at the conclusion of the Panel's deliberations or elect to be notified of the decision at a later time by the Secretary.

In reporting its decision to the student charged, the Panel shall provide a written summary of its reasons for the decision.

Parties will have the right to appeal to the Appeals Board after Honor Council's determination. The only grounds for an appeal are: (i) the failure to follow the procedures established for adjudication of an academic integrity violation constituted an error; or (ii) the sanction(s) imposed was (were) not commensurate with the offense.

When instructors have clearly outlined expectations and grade sanctions in their syllabus, such grade sanctions will supersede the grade sanctions recommended by the Honor Council but they will not impact any other disciplinary sanctions imposed by the Honor Council.

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).

TITLE VIII. APPEALS TO THE APPEAL BOARD AND OTHER TERMS

A. Appeals for Class II and Class III Violations

1. After the Honor Council's Determination in connection with a Class II or a Class III violation, the parties have the right to appeal to the Appeals Board.
2. The only grounds for an appeal to the Appeals Board are:
 - a. That the failure to follow the procedures of this Code constituted an error, or
 - b. That the sanctions imposed by the Honor Council were not commensurate with the offense.
3. 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.
4. The Dean of Students within 7 academic days from the date of receipt on an appeal, will establish the Appeals Board.
5. Upon establishment, the Appeals Board 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.
6. If the appeal is determined to be timely and made on proper grounds, the Appeals Board 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 decision to the student within 3

academic days of the determination.

7. The Appeals Board shall review the record and:
 - a. Affirm the Honor Council's sanction;
 - b. Reduce the Honor Council's sanction,
 - c. Increase the Honor Council's sanction, or
 - d. Refer the case back to the Honor Council for appropriate action.

8. The decision of the Appeals Board shall be final. Note that the Appeals Board may require any of a series of disciplinary actions but can only recommend that course grades be changed. More specifically, when instructors have clearly outlined expectations and grade sanctions in their syllabus, such grade sanctions will supersede the grade sanctions recommended by the Honor Council and/or Appeals Board. Students who disagree with the grade given to them by their instructor may appeal the specific grade to the Faculty Senate Student Affairs Committee.

B. Effective Date

This version of the University of Miami Undergraduate Honor Code is effective as of the beginning of the Fall 2021 semester.

C. Amendment of this Code

1. The Honor Code, itself, may be amended solely by formal action of the President of the University following consultation with the students and 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.