



## Amendment to the Code of Academic Integrity (Senate Document #19-20-32) Student Conduct Committee | Chair: Andrea Dragan

The Senate Executive Committee (SEC) and Senate Chair Lanford request that the Student Conduct Committee review the proposal entitled, *Amendment to the Code of Academic Integrity*.

Specifically, it asks that you:

1. Review the University of Maryland Code of Academic Integrity ([III-1.00\[A\]](#)).
2. Review language related to degree revocation within the University of Maryland Policy and Procedures Concerning Scholarly Misconduct ([III-1.10\[A\]](#)).
3. Consult with the proposers, the Director of the Office of Student Conduct, the Associate Provost for Faculty Affairs, and the Dean of the Graduate School.
4. Consider whether the *Code of Academic Integrity* should be amended to define degree revocation and identify it as a potential sanction.
5. Consult with a representative of the Office of General Counsel on any proposed changes to the University's policy.
6. If appropriate based on the committee's consideration of the above items, recommend whether the existing policy should be revised.

We ask that you submit a report to the Senate Office no later than **February 7, 2020**. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.



Amendment to the Code of Academic Integrity

Table with 4 rows: NAME/TITLE (Andrea Goodwin, John Bertot and Steve Fetter), EMAIL (Agoodwin@umd.edu), PHONE (3013148204), UNIT (Office of Student Conduct), CONSTITUENCY (Staff)

DESCRIPTION OF ISSUE

Students may commit violations of the Code of Academic Integrity that go undetected until after the student has graduated from the University and receives their degree. It is the current and longstanding practice of the Office of Student Conduct to hold former students accountable for violations of the Code of Academic Integrity that occurred at the time they were a student.

However, the Code of Academic Integrity does not currently define "Degree Revocation" as a sanction and does not state that this is the standard penalty for a former student found responsible for academic dishonesty who has since earned their degree.

Degree Revocation is referenced in the University's Policy on Scholarly Misconduct, part X (B) 2:

Disciplinary Action. The University views Scholarly Misconduct as grounds for disciplinary action pursuant to applicable University policies, procedures, and contracts. Disciplinary action may include suspension and/or termination of employment of a faculty or staff member found responsible for Scholarly Misconduct.

The Code of Academic Integrity references the University of Maryland Policy and Procedures Concerning Scholarly Misconduct (III-1.10(A) in the following way: In cases where an allegation of academic dishonesty could also be a violation of the University's Policy in scholarly misconduct, the Director of Student Conduct and the University's Research Integrity Office will determine whether this Code or the relevant University policy will apply.

However, the University of Maryland Policy and Procedures Concerning Scholarly Misconduct does not specifically define Degree Revocation. This applies to scholarly work, which includes research and other creative activity, research training, applications and proposals, and related activity containing a research component, performed at the University by any person, including students.

DESCRIPTION OF CHANGE YOU WOULD LIKE TO SEE

Amend the Code of Academic Integrity to clearly define degree revocation as a sanction and outline circumstances in which a degree may be revoked. For example:

"Degree Revocation" means rescinding a degree previously awarded by the University. In cases where a degree revocation sanction has been issued, it will be permanently noted on the student's academic transcript.

## **SUGGESTION FOR HOW YOUR PROPOSAL WOULD BE PUT INTO PRACTICE**

Charge the appropriate Senate Committee with revising the *Code of Academic Integrity* to incorporate the suggested changes. After approval by the Senate and the President, the changes could then be implemented by the appropriate offices.

## **ADDITIONAL INFORMATION**

## Appendix 2

### Amendment to the *Code of Academic Integrity* Senate Document #19-20-32 Frequently Asked Questions (FAQs) on Degree Revocation

Does the University currently have the ability to revoke a degree?

- Degree revocation can currently be used as a sanction in the academic misconduct process.
- The *Code of Academic Integrity* has a provision that allows for “Other sanctions,” in order to allow for sanctions that are not explicitly listed in the *Code* if they are appropriate for the specific case.
- However, since degree revocation is not explicitly listed in the *Code* as a potential sanction, current and former students are not aware that it is a possible consequence of egregious misconduct, or that it would be the normal sanction in cases involving the scholarly misconduct policy.

How many cases have resulted in degree revocation? How many of those were related to scholarly misconduct, versus those associated with *Code of Academic Integrity* violations?

- The Office of Student Conduct has revoked at most 4 degrees over the past 19 years.
- At least 2 of those were related to scholarly misconduct.

Do peer institutions allow degree revocation as a sanction for former students? Do peer institutions incorporate any sort of statute of limitations for degree revocations?

- Peers generally do allow for degree revocation as a potential sanction.
- Some institutions have the authority to revoke a degree but have not used that authority.
- Degree revocation is used very rarely and only in egregious cases. Peer institutions cite scholarly misconduct cases as potential valid reasons or the only reasons for degree revocation as a sanction.
- At peer institutions, former students have all of the due process rights current students would have in the academic misconduct process.

What is the process a case would go through in order to end in revocation of a degree?

- When an allegation is received, the Research Integrity Officer (RIO) and the Director of Student Conduct together review it to determine which policy should apply.
- For potential scholarly misconduct, the RIO would initiate a review under the University of Maryland Policy and Procedures Concerning Scholarly Misconduct (III-1.10[A]).
- If a former student is found responsible for violating the scholarly misconduct policy, the responsible administrator would determine what disciplinary action is appropriate.
- If degree revocation is recommended, the case would be referred to the Office of Student Conduct for review under the *Code of Academic Integrity*.
- The process in the *Code* would be followed. If an Honor Board finds the former student responsible, it would determine an appropriate sanction.
- Former students retain all rights to due process and appeals through both the scholarly misconduct and academic misconduct processes.

What stages are involved in the scholarly misconduct process? What due process rights do Respondents have through that process?

- The scholarly misconduct policy begins with a Preliminary Assessment phase, where the RIO determines whether the alleged conduct would constitute scholarly misconduct if it were true, and whether there is evidence to support reviewing the allegation.

- In the Inquiry Phase, a committee gathers evidence and assesses whether an allegation warrants an investigation.
- In the Investigation Phase, a separate committee investigates and comes to a finding as to whether the misconduct occurred and whether the Respondent is responsible.
- The scholarly misconduct process incorporates due process for the Respondent at every stage, through opportunities to respond to the allegation at each stage and opportunities to comment on draft reports and challenge determinations by each committee.
- The Respondent has the right to appeal the finding of the Investigation Committee.

Why is there no statute of limitations for cases that might result in degree revocation?

- The scholarly misconduct policy has no statute of limitations, due to the severity of the misconduct and the potential harm to the University, its reputation, and the scholarly community.
  - The scholarly misconduct policy states that “Misconduct in carrying out academic activities undermines the integrity of the educational system and the scholarly enterprise, and erodes the public trust in the university community.”
- Likewise, the *Code of Academic Integrity* has no statute of limitations, and specifically indicates that it applies to individuals who were students at the time of the violation.
- If a former student goes into academia, and their career path and the work that builds their professional reputation is based on misconduct like fabricated data, the University should review it and consider whether degree revocation is the correct response. We recognize that the consequence of revoking a degree would be serious damage to the individual’s career, but depending on the facts of the case, it might still be the appropriate sanction regardless of when it is found.
- There could be cases that show up in the news where the University would be pressured to act regardless of how far back the misconduct occurred, so it’s important to have this tool available to us.

Is degree revocation too severe a sanction for some *Code of Academic Integrity* violations?

- The degree revocation sanction, while available, would need to be appropriate depending on the facts of the case.
- In cases where an undergraduate student cheated on one exam and it wasn’t discovered until after graduation, degree revocation may not be a reasonable sanction.
- Other sanctions could be considered that may be more appropriate for the case.
- Former students would have the ability to appeal the sanction based on the grounds that it is grossly disproportionate to the offense.

What would an Honor Board do in a case where degree revocation would be unreasonable given the violation?

- Other sanctions would be considered instead of degree revocation.
- Possible sanctions could include putting a hold on the former student’s account (so they cannot get transcripts), either for a defined period of time or until the person completes an educational sanction such as a reflection paper or academic integrity seminar/tutorial.

If a former UMD student was also a former student of another institution and they committed misconduct while at that institution, but there is no evidence of misconduct while at UMD, would their UMD degree be revoked?

- No. A degree could only be revoked if the former student had been found responsible of misconduct while a student at the University of Maryland.

Standards of appropriate research conduct may change over time. How would this review take that into account for cases where an allegation focuses on misconduct well in the past?

- The scholarly misconduct policy focuses on whether the conduct seriously deviates from practices commonly accepted in the field. In cases that span years or decades, the RIO and the committees involved in the review would consider how practices have changed over time.
- Committees in the scholarly misconduct process include members with expertise in the relevant field, so that practices and standards in the discipline may be considered.
- In the academic misconduct process, faculty and staff are included on Honor Boards, so they can give perspectives on whether accepted practices could have changed in the time since the alleged conduct.