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FINAL SUBMISSION PER UC FINAL REVIEW

**University of Houston
UCC**

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**ACADEMIC HONESTY**

AUG 16 2012

**Article 1. General Provisions**

**UCC Certified**

**1.01 Rationale.**

The University of Houston can best function and accomplish its objectives in an atmosphere of high ethical standards. It expects and encourages all students, faculty and staff to contribute to such an atmosphere in every way possible and especially by observing all accepted principles of academic honesty. It is recognized, however, that a large university will include a few students who do not understand, appreciate, and practice these principles. As a consequence, alleged cases of academic dishonesty will inevitably occur, and students will be accused. The following procedures are designed to handle these cases in fairness to all concerned: the accused student, the faculty, and the University of Houston.

**1.02 General Jurisdiction.**

Matters relating to academic honesty are within the general jurisdiction of the senior vice president for academic affairs and provost. Allegations of scientific misconduct against students engaged in research supported by funding from the University of Houston or other sources will be handled according to the University of Houston Ethical Conduct in Academic Research and Scholarship Policy (To obtain a paper copy, contact the Division of Research at 713-743-9222 or at [www.research.uh.edu](http://www.research.uh.edu)).

**1.03 College with Jurisdiction.**

Specific jurisdiction in academic honesty matters rests in each school or college of the University of Houston. The school or college with jurisdiction is determined by the course in which dishonesty occurs. If the student involved majors in a college other than that offering the course, the college offering the course has jurisdiction, but the college hearing officer of the student's major college will be informed. If the college with jurisdiction cannot be determined from the relationship between the alleged actions of a student or group of students and a particular course, then the provost will designate which has jurisdiction.

**1.04 Colleges to which the Policy Applies.**

The policy on academic honesty applies to all colleges within the university. However, any college may present to the provost a code separate from this university policy. After approval by the provost, and after such publication as the provost shall direct, academic honesty matters over which that college has jurisdiction shall be governed by that code. Honor systems within the professional colleges are especially encouraged.

#### 1.05 Questions Regarding Applicability of Policies.

All questions regarding the applicability of college codes or University of Houston policy or special provisions of either shall be determined finally by the provost.

#### 1.06 Compass of Actions Taken Against Students.

Actions taken against students are university-wide in their effect, unless otherwise specified.

#### 1.07 Faculty Responsibility.

Faculty shall have the responsibility of reporting incidents of alleged academic dishonesty through their departmental hearing officer to their college hearing officer.

#### 1.08 Student Responsibility.

Students shall have the responsibility of reporting incidents of alleged academic dishonesty to the instructor involved, or to the appropriate authority if the alleged act is not associated with a specific class.

#### 1.09 Purpose of Procedures.

The purpose of these procedures is to provide for the orderly administration of the Academic Honesty Policy consistent with the principles of due process of law. Reasonable deviations from these procedures will not invalidate a decision or proceeding unless the provost determines, upon written appeal from the accusing and/or accused parties, that the deviation will result in prejudice to one or more of the parties involved.

#### 1.10 Instructor Responsibility.

Instructors shall have the responsibility of taking action with respect to incidents of alleged academic dishonesty in accordance with this Academic Honesty Policy.

#### 1.11 Definitions.

##### 1.11.01 Class Day.

Class days, for purposes of this policy, are defined as days the University of Houston is open and classes are meeting (excluding Saturdays) as posted in the academic calendar, excluding professional colleges and programs.

#### 1.11.02 Internal Use.

Internal use defines who has access to a student's records. Records for internal use will be released only to University of Houston officials who have an educational purpose to know the information included in the student's records.

#### 1.11.03 Academic Record.

Academic record includes documents, forms, copies, reports, statements, recordings, etc. that are acquired while a student attends the University of Houston. The information is available to outside sources according to the procedures established by the Family Education Rights and Privacy Act.

#### 1.11.04 Sanction.

Sanction means the penalty assessed for a violation of the Academic Honesty Policy.

#### 1.11.05 Instructor.

Instructor refers to a faculty member, lecturer, teaching assistant, or teaching fellow in charge of the section in which an alleged violation of this Academic Honesty Policy has occurred. Such individuals will typically be the instructor of record of the course section in question. In instances where this is not the case, instances of alleged cheating should be reported to the supervisor (e.g., laboratory supervisor) of the instructor as well as the departmental hearing officer.

#### 1.11.06 Departmental Hearing Officer.

Departmental hearing officer refers to the person responsible for facilitating the departmental procedures related to the alleged violation(s) of the academic honesty policy. Typically the department chair serves in the role or an individual designated by the department chair.

If the college responsible for the course in question does not have individual departments for the course, departmental hearing officer as used below shall refer to the individual designated by the dean of the college to act as the initial hearing officer in academic honesty cases (see Article 5.02).

#### 1.11.07 College Hearing Officer.

The college hearing officer is designated by the dean of the college in which the alleged violation of the academic honesty policy occurs and is responsible for facilitating the college procedures related to the alleged violation of the academic honesty policy.

#### 1.11.08 Student.

Student refers to any individual who has ever registered and paid (made a complete payment or has made at least one installment payment) for a course, or courses at the University of Houston. This definition would normally include undergraduate students, graduate students, postbaccalaureates, professional school students and individuals auditing courses.

#### 1.12 Notification.

All required written notices shall be addressed to the student via their UH email or US mail at his/her mailing address as it appears in University of Houston records. It is the responsibility of the student to keep his/her current email and mailing address up to date on his/her student record (my.uh.edu). A notice properly addressed and so sent shall be presumed to have been received by the student.

#### 1.13 Retaliation

The University of Houston prohibits retaliatory action against persons who report incidents of alleged academic dishonesty under this policy, are suspected of having reported incidents of alleged academic dishonesty under this policy, who are identified to serve or have served as witnesses in any academic honesty proceeding, or who are identified to serve or have served on an Academic Honesty Panel. Any acts of retaliation will be referred to the appropriate office for review and response.

### Article 2. Preventive Practices

#### 2.01 Preventive Measures.

Instructors can help students comply with the academic honesty policy by minimizing temptation to act dishonestly. Measures instructors should consider are:

- a. Maintaining adequate security precautions in the preparation and handling of tests;
- b. Structuring the type and sequence of examination questions so as to discourage dishonesty;
- c. Providing ample room for proper spacing of students during examinations, when possible;

- d. Monitoring examinations, especially in large classes and in classes where not all students are known to the instructor or the assistant;
- e. Making clear to their students the rules concerning the use of electronic devices;
- f. Making clear to their students, in writing, what constitutes academic dishonesty, particularly in those classes where group activities (laboratory exercises, generation of field reports, etc.) are part of the instructional process;
- g. Requiring students to show a picture ID and sign major assignments and exams; and
- h. Helping raise consciousness of the issue of academic honesty by asking students to sign an honor pledge in the first week of class and to write a short honor pledge in their own hand on their major assignments.

### Article 3. Categories of Academic Dishonesty

#### 3.01 Application of the Academic Honesty Policy.

This policy applies only to those acts of dishonesty committed by a student enrolled at the University of Houston.

#### 3.02 Academic Dishonesty Prohibited.

“Academic dishonesty” means employing a method or technique or engaging in conduct in an academic endeavor that the student knows or should know is not permitted by the University of Houston or a course instructor to fulfill academic requirements. Academic dishonesty includes, but is not limited to, the following:

- a. Stealing, as theft of tests or grade books, from faculty offices or elsewhere; this includes the removal of items posted for use by the students;
- b. Using “crib notes,” as unauthorized use of notes or the like to aid in answering questions during an examination;
- c. Securing another to take a test in the student’s place. Both the student taking the test for another and the student registered in the course are at fault;
- d. Representing as one’s own work the work of another without acknowledging the source (plagiarism). This would include submitting substantially identical laboratory reports or other materials in fulfillment of an assignment by two or more individuals, whether or not these used common data or other information, unless this has been specifically permitted by the instructor;

- e. Changing answers or grades on a test that has been returned to a student in an attempt to claim instructor error;
- f. Giving or receiving unauthorized aid during an examination, such as trading examinations, whispering answers, and passing notes, and using electronic devices to transmit or receive information;
- g. Openly cheating in an examination, as copying from another's paper;
- h. Using another's laboratory results as one's own, whether with or without the permission of the owner;
- i. Falsifying results in laboratory experiments;
- j. Mutilating or stealing library materials; misshelving materials with the intent to reduce accessibility to other students;
- k. Failing to report to the instructor or departmental hearing officer an incident which the student believes to be a violation of the academic honesty policy;
- l. Misrepresenting academic records or achievements as they pertain to course prerequisites or corequisites for the purpose of enrolling or remaining in a course for which one is not eligible;
- m. Possessing on one's person during an examination, quiz or any in-class assignment an electronic device that allows communication with another person, access to unauthorized material, access to the internet, or the ability to capture an image, unless such possession is expressly permitted by the instructor; and
- n. Any other conduct which a reasonable person in the same or similar circumstances would recognize as dishonest or improper in an academic setting.

## Article 4. Sanctions

### 4.01 Sanctions.

The sanctions for confirmed violations of this policy shall be commensurate with the nature of the offense and with the record of the student regarding any previous infractions.

Sanctions may include, but are not limited to: a lowered grade, failure on the examination or assignment in question, failure in the course, probation, suspension, or expulsion from the University of Houston, or a combination of these.

If a sanction of probation or suspension is assigned, it must have a specified starting and ending date, unless the sanction is expulsion, in which case, an end date is not specified. Students are not permitted enrollment under sanctions of suspension and expulsion.

A student who is found to have violated the Academic Honesty Policy at the departmental or college level before the end of an academic term may remain enrolled in the course at issue while any appeal provided for under this policy is pending. Sanctions do not become final and may not be applied while any appeal provided for under this policy is pending.

Students may not receive a W for courses in which they have been found guilty of a violation of the Academic Honesty Policy. If a W is received prior to a guilty finding, the student will become liable for the Academic Honesty penalty, including F grades.

#### 4.02 Probation, Suspension, and Expulsion.

The terms probation, suspension and expulsion as used herein refer to these sanctions only as they are imposed as a result of violations of this Academic Honesty Policy. All policies and procedures for the imposition and appeal of these sanctions are contained within this policy.

### Article 5. Departmental Hearing

#### 5.01 Departmental Hearing.

When an instructor has reasonable grounds to believe that a student has committed an act of academic dishonesty, the instructor shall notify the departmental hearing officer of the concerned department, in writing, within five class days of discovery. Students who believe they have observed an act of academic dishonesty shall report the incident to the instructor, as soon as possible, who shall then report the incident in writing to the departmental hearing officer within five class days. In case waiver of a hearing is an option as provided in Article 5.04, the departmental hearing officer shall, within five class days of receiving the instructor's report, inform the accused student in writing of the nature of the violation and the recommended sanction, and ask the student to select between the hearing and waiver options.

If the departmental hearing officer has not received a response within 10 class days of the notification of these options, the departmental hearing officer shall, within the next five class days, schedule a departmental hearing. In case waiver of a hearing is not an option, the departmental hearing officer shall, within 10 class days of receiving the instructor's report, schedule a departmental hearing. To schedule a departmental

hearing, the departmental hearing officer shall notify the instructor, the accused student and the accusing party, if other than the instructor, of the nature of the violation and the time and date of the hearing as provided in Article 1.12. Should any of the parties fail to appear, without good cause, at the departmental hearing, the departmental hearing officer may render a decision in their absence.

Both the instructor and the student shall have an opportunity to present their cases during the above hearing. This may include the introduction of documents and/or physical evidence as well as statements from individuals who have knowledge of the circumstances. Both parties have an opportunity to examine the documents pertaining to the alleged violations during the hearing. If either party intends to have individuals appear at the hearing for such statements or as legal counsel, the departmental hearing officer must be notified at least three class days before the hearing. If either party will be advised by legal counsel, the hearing cannot be held with such counsel in attendance unless a representative from University of Houston legal counsel is also present.

If physical evidence or witness testimony is presented in a departmental hearing, and if either party needs reasonable time to review the evidence and/or consider the witness testimony, either party may request a postponement of the departmental hearing. Decisions on postponement of the hearing will be made at the discretion of the departmental hearing officer.

The departmental hearing officer shall render a decision within three class days after the hearing and forward copies of the decision to the student, instructor, and college hearing officer of the college responsible for the course in which the alleged violation occurred. Both the accused student and the instructor have equal option of appeal if the decision of the departmental hearing officer is not acceptable. If a written appeal is not received by the college hearing officer of the college within ten class days of the decision at the departmental level, the action recommended by the departmental hearing officer shall be implemented. A departmentally recommended sanction involving suspension or expulsion shall be reviewed in a college hearing unless such hearing is waived as provided in Article 5.05 below.

#### 5.02 Colleges without Departments.

For colleges that do not have individual departments, the decision of the initial hearing officer designated by the dean of the college shall constitute the equivalent of a departmental decision. Only if this decision is reviewed and upheld by the college by virtue of appeal or automatic review would a college decision be rendered. The hearing officer for the college appeal or review shall not be the initial hearing officer.

#### 5.03 Group Violations of the Academic Honesty Policy.



At the discretion of the departmental hearing officer, in instances where two or more students are alleged to be involved in the same infraction of the academic honesty policy, the case against the whole group will be dealt with at a single hearing. The facts common to all cases will be presented with all students allegedly involved in attendance. Each student shall be allowed to present his/her statement to the departmental hearing officer separately. If requested by the presenting student, such statements shall be presented outside the hearing of the other students.

#### 5.04 Waiver of Departmental Hearing.

Upon notifying the departmental hearing officer of the alleged violation, the faculty member shall have the option of suggesting to the departmental hearing officer a sanction for the alleged violation of the Academic Honesty Policy that would, if acceptable to the student, instructor, and departmental hearing officer, preclude a departmental hearing. Such sanctions would normally include reduced or zero credit for a test assignment, a grade of "F" in a course, or other such agreed upon sanctions. Sanctions involving disciplinary probation or sanctions requiring a college level hearing cannot be used. In cases for which the instructor suggests a sanction so as to preclude the departmental hearing, the accused shall be notified, in writing, by the departmental hearing officer of the choice of: (1) admitting the alleged academic honesty violation, waiving the formal departmental hearing, and accepting the associated sanction; or (2) proceeding to a formal departmental hearing. Upon electing the waiver of a departmental hearing, the student's name will be placed on a list that is maintained, by the department, the office of the dean of the college, and the Office of the Provost, until graduation. Following graduation, the student can request that his/her name be removed from these lists. An agreement to settle an academic honesty infraction via a waiver of the formal departmental hearing will not result in any record being kept that is reflected on the student's transcript. The waiver of a departmental hearing process must be agreed to by the instructor, the student, and the departmental hearing officer. In the event that all three cannot agree to a waiver, the case must be moved to a formal departmental hearing. A student is eligible for a waiver only if he/she has no prior waiver and no previous findings of violation of the Academic Honesty Policy. A formal departmental hearing will be scheduled should a student fail to respond to written notifications concerning the alleged violation of the academic honesty policy.

#### 5.05 Waiver of Automatic College Hearing.

If a student wishes to accept a departmentally recommended sanction of suspension or expulsion, he or she may submit a written waiver form to the college hearing officer no later than 10 class days after being notified of the departmental decision. The waiver form is issued from the Office of the Dean of Students only after the student has met with the dean of students (or his/her designated representative), who will ensure that

the student is aware of his/her rights in the appeal process. The college hearing officer shall then implement the departmental decision and notify the appropriate parties of the disposition of the case within five class days of receipt of the waiver request. The sanction is considered a college level decision.

#### 5.06 Conflict of Interest.

When departmental or college hearing officers are themselves party to a case, they shall in no way participate in the administration of the policy in that case. Such responsibilities shall pass to faculty and administrators not directly involved in the case.

### Article 6. College Hearing

#### 6.01 College Hearing.

If either the student or the instructor wishes to appeal the decision of the departmental hearing officer, he or she must file a written request for a hearing with the college hearing officer within 10 class days of the departmental hearing officer's decision. Within 10 class days of receipt of such a request, the college hearing officer will set a time, date and place for the hearing. The college hearing is a *de novo* hearing in which the Panel must consider all the evidence on all the issues presented in the appeal as though no previous action had been taken.

#### 6.02 College Hearing Officer.

The college hearing officer shall be appointed by the dean. Typically the college hearing officer will be appointed for a full academic year. Correspondence with the college hearing officer should be addressed to the office of the dean of the college.

#### 6.03 Duties of the College Hearing Officer.

It shall be the duty of the college hearing officer to:

- a. Select a college academic honesty panel;
- b. Set and give notice of the time and place of the college hearing;
- c. Conduct the hearing in an orderly manner so that both sides are given an opportunity to state their case;
- d. Rule on procedural matters;
- e. Leave the hearing room during the panel's deliberations but remain available to answer questions on procedural matters; and

f. Prepare and submit one copy of the decision to the dean and one copy to the provost. The college hearing officer shall not take part in the vote or otherwise participate in the deliberations of the panel.

#### 6.04 Academic Honesty Panel.

The college academic honesty panel shall consist of two faculty members and three students. The panel will be selected by the college hearing officer from faculty and currently enrolled students of the college. The chair of the panel shall be a student appointed by the college hearing officer.

#### 6.05 The Dean of Students.

The dean of students, or his or her designee, shall be required to attend all college hearings to serve as a University of Houston resource person. This individual shall not have a vote at a college hearing or be present during the deliberations of the panel.

#### 6.06 Hearing Procedure.

a. The date of the hearing must be adhered to. Any delay must be approved by the college hearing officer. Only documented, extenuating circumstances will be considered.

b. Three class days prior to the hearing, all parties shall notify the college hearing officer in writing of the names of their witnesses, if any, and the subject of their testimonies. At that time, the parties will also submit a copy of the documents they intend to present during the hearing. Upon request, the college hearing officer will make available to the parties the information and documents referenced in this section.

c. The hearing shall have an audio recording. The parties involved may obtain a copy of the recording from the college hearing officer at the expense of the requesting party.

d. The hearing shall be held in two phases. The first phase is the determination of violation followed, if necessary, by the sanction phase.

e. All parties shall be afforded the opportunity to present statements, pertinent documentation and witnesses and have an opportunity to examine the documents pertaining to the alleged violations during the hearing.

f. All parties shall have the right to advice of counsel of choice. This individual may attend the hearing but shall not directly participate in the hearing or enter into discussion with the parties present. The case presented to the panel must be made by the accusing individual and the accused student. The instructor or other individuals who reported the alleged misconduct shall present the relevant information, including statements by witnesses. The accused student shall then present his/her statement and

relevant information, including statements by witnesses. Neither party shall ask questions of or solicit answers directly from the other party or its witnesses. Where it appears that there are matters of disputed fact, the college hearing officer shall request the panel to ask appropriate questions of either or both parties and/or their respective witnesses so as to clarify the points in dispute.

g. The panel shall have the right to question any and all witnesses and to examine documentation presented.

h. At the conclusion of each phase of the hearing, the panel shall meet in a closed session to render a decision. A student is found in violation of the academic honesty policy by a vote of four out of five of the panel, and the sanction has to be agreed to by three or more. Upon reaching a decision in either phase, the panel shall reconvene with all parties present and inform all parties of its judgment.

i. The college hearing officer shall notify in writing all parties, including the dean of the college and the provost, of the disposition of the case within five class days of receipt of the panel's judgment.

#### 6.07 Group Violations of the Academic Honesty Policy.

In instances where two or more students are alleged to be involved in the same infraction of the academic honesty policy, at the discretion of the college hearing officer, the case against the whole group will be heard by a single academic honesty panel. The facts common to all cases will be presented with all students allegedly involved in attendance. Each student shall be allowed to present his/her case and/or statements to the panel separately. If requested by the presenting student, such statements shall be presented outside the hearing of the other students.

### Article 7. Senior Vice President for Academic Affairs and Provost Appeal

#### 7.01 Appeal of the Panel's Decision.

Within five class days of the panel's decision, either party may file an appeal for review with the provost or that officer designated by the provost. The appeal shall be in writing and shall specifically address the issues to be reviewed.

#### 7.02 Senior Vice President for Academic Affairs and Provost Procedural Review.

The provost shall review the appeal within 15 class days of the receipt of the appeal. If either party has requested an appearance or is requested to appear by the provost, then both parties must be informed. Because the case was heard by a peer group, the intent of the provost's review is not to modify the sanction nor to substitute the judgment

of the provost for that of the peer panel which heard the case, or hear new or additional facts on the case. The intent of this review is to ensure that the college hearing and judgment were not arbitrary, capricious, or discriminatory, did not violate the due process of the accused, and did not violate the concepts of fair play to both parties. The provost shall notify all parties of the decision within three class days of the completion of the review.

#### 7.03 Actions Which the Senior Vice President for Academic Affairs and Provost May Take.

- a. The provost may conclude that one or more of the basic concepts involved in a fair hearing at the college level were violated and return the case to the college for another hearing with a different panel in accordance with Article 6 and resubmission for provost procedural review; or
- b. If, in a rare case, the provost feels that another hearing in the same college would not result in a fair hearing, the provost may send the case to another college with the disciplinary expertise to hold a fair hearing, for a new hearing there in accordance with Article 6 and resubmission for provost procedural review; or
- c. If, in a rare case, the provost independently feels that the sanction assessed in the college hearing is not commensurate with the violation, then the provost may send the case back to the college as described above; or
- d. The provost may approve the actions and conclusions of the college academic honesty panel and see that the judgment is enforced. The provost's procedural review is the final institutional step in matters of academic integrity.

### Article 8. Records

#### 8.01 Records of Academic Honesty Proceedings.

Records of proceedings under this Policy are considered a student's education records in accordance with the University of Houston's Student Records: Family Educational Rights and Privacy Act Policy. Records relating to departmental proceedings under this policy, including waivers, will be maintained by the department. Records relating to college proceedings under this policy, including waivers, will be maintained by the college.

#### 8.02 Provost's Office.

The Office of the Provost shall maintain a record of those students found in violation of the policy at any level, including those students who have elected a waiver of the departmental hearing (See Article 5.04).

### 8.03 Notations on a Student's Transcript.

A sanction of probation, suspension or expulsion under this policy may be expressly noted as such on the student's transcript, if specified as part of the sanction. When the specified period of time for a sanction of probation or suspension has elapsed, the student may petition the college placing the notation of academic honesty violation to request that the Office of the Registrar remove the notation from the transcript. It is the student's responsibility to initiate any petition to remove the notation from the transcript. Notations of expulsion because of academic dishonesty are a permanent part of the student's transcript.