

THE UNIVERSITY OF HOUSTON ACADEMIC HONESTY POLICY

- Office of the Senior Vice President for Academic Affairs and Provost -

Article 1. General Provisions

1.01 Rationale.

The university 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.

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 or other sources will be handled according to the University of Houston Ethical Conduct in Academic Research and Scholarship Policy (contact the Division of Research at (713) 743-9222 for a paper copy or at www.research.uh.edu on the World Wide Web).

1.03 College with Jurisdiction.

Specific jurisdiction in academic honesty matters rests in each school or college of the university. 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 Dean 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 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.

1.07 Faculty Responsibility.

Faculty have the responsibility of reporting incidents of alleged academic dishonesty through their department chair to their Dean.

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 it 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 accord 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 is open and classes are meeting (excluding Saturdays).

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 need to know the information.

1.11.03 Permanent Record.

Permanent record includes documents, forms, copies, reports, statements, tape 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 of 1974.

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 normally 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 chair.

1.11.06 Chair.

Chair refers either to the chair of the department responsible for the course in which an alleged violation of the academic honesty policy occurs or to his/her designated representative. If the college responsible for the course in question does not have individual departments, Chair as used below shall refer to the individual designated by the Dean of the college to act as hearing officer in academic honesty cases.

1.11.07 Dean.

Dean refers to either the Dean of the college containing the department offering the course in which the alleged violation of the academic honesty policy occurs or to his/her designated representative (Hearing Officer).

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 undergraduates, graduates, postbaccalaureates, professional school students and individuals auditing courses.

1.12 Notification.

All required written notices shall be addressed to the student at his/her local address as it appears on University of Houston records and deposited in the U.S. mail. A notice properly addressed and so deposited shall be presumed to have been received by the student. It is the responsibility of the student to inform the university of a change of address in a timely manner so that university records can be accurately maintained.

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, if room is available; and
- 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, 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;

- f. Requiring students to show a picture ID and sign major assignments and exams;
- g. 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 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 performed while the student is enrolled in the university.

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 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. A student’s failing to report to the instructor or department chair an incident which the student believes to be a violation of the academic honesty policy; and
- 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 wireless electronic devices capable of transmitting and/or receiving wireless signals in an exam room unless expressly permitted by the instructor. Students seen with such devices will be charged with academic dishonesty.
- 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 breaches 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 from the university, expulsion from the university, or a combination of these.

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 chair 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 report the incident in writing to the chair within **five class days**. In case waiver of a hearing is an option as provided in **Article 5.04**, the chair shall, within **five class days** of receiving the instructor's report, inform the accused in writing of the nature of the offense and recommended penalty, and ask the accused to select between the hearing and waiver options. If the chair has not received a response within **10 class days** of the notification of these options, the chair shall, within the **next five class days**, schedule a departmental hearing. In case waiver of a hearing is not an option, the chair shall, within **10 class days** of receiving the instructor's report, schedule a departmental hearing. To schedule a departmental hearing, the chair shall notify the instructor, the accused, and the accusing party, if other than the instructor, of the nature of the offense and the time and date of the hearing. Normally, the accused shall be notified by certified mail. Should any of the parties fail to appear, without good cause, at the departmental hearing, the chair may render a decision in their absence.

Both sides shall have an opportunity to present their cases during the above hearing. This may include the introduction of physical evidence as well as testimony from individuals who have knowledge of the circumstances. If either side intends to have individuals appear at the hearing for such testimony or as legal counsel, the chair must be notified at least **three class days** before the hearing. If either side 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.

The chair shall render a decision within **three class days** after the hearing and forward copies of the decision to the student, instructor, and Dean of the college responsible for the course in which the alleged offense occurred. Both the accused student and the instructor have equal right of appeal if the decision of the chair is not acceptable. If a written appeal is not received by the Dean of the college within **ten class days** of the decision at the departmental level, the action recommended by the chair shall be implemented. A departmentally recommended penalty 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.

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 chair, 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 defense to the chair separately. If requested by the presenting student, such a defense shall be presented outside the hearing of the other students.

5.04 Waiver of Departmental Hearing.

When notifying the chair of the alleged infraction, the faculty member shall have the option of suggesting, to the chair, a sanction for the alleged violation of the Academic Honesty Policy that would, if acceptable to the student, instructor, and chair, 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 chair of the choice of: (1) acknowledging 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 Dean's office and the Provost's office, 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 or his/her permanent record. The waiver of a departmental hearing process must be agreed to by the instructor, the student and the department chair. 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 previous violations of the Academic Honesty Policy. A formal departmental hearing will be scheduled should a student fail to respond to written notifications concerning the alleged infraction 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 Dean of the college no later than **10 class days** after being notified of the departmental decision. The waiver form is issued from the Dean of Students Office 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 Dean 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 faculty responsible for the implementation of the Academic Honesty Policy (Deans, chairs, or designated representatives) are themselves party to a case, they shall in no way participate in the administration of the policy. 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 chair, he or she must file a written request for a hearing with the Dean of the college within **10 class days** of the department chair's decision. Within **10 class days** of receipt of such a request the Dean will set a time, date and place for the hearing.

6.02 Duties of the Dean.

It shall be the duty of the Dean to:

- a. Select a college academic honesty panel;
- b. Set and give notice of the time and place of the college hearing;

6.03 College Hearing Officer.

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

6.04 Duties of the College Hearing Officer.

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

- a. Conduct the hearing in an orderly manner so that both sides are given an opportunity to state their case;
- b. Rule on procedural matters;

- c. Leave the hearing room during the panel's deliberations but remain available to answer questions on procedural matters; and
- d. 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.

6.05 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 hearing officer.

6.06 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 resource person. This individual shall not have a vote at a college hearing or be present during the deliberations of the panel. This individual shall not have a voice at a college hearing unless so requested by the panel or hearing officer.

6.07 Hearing Procedure.

- a. The date of the hearing must be adhered to. Any delay must be approved by the hearing officer. Only documented, extenuating circumstances will be considered.
- b. All parties shall notify the hearing officer in writing of the name, address, and telephone number of their witness(es) and counsel, if any, at least **three class days** prior to the date of the hearing.
- c. The hearing shall be mechanically recorded. The parties involved may obtain a copy of the recording from the hearing officer at the expense of the requesting party.
- d. All parties shall be afforded the opportunity for reasonable oral arguments and for presentation of witnesses and pertinent documentary evidence.
- e. 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 argument with the parties present. The case presented to the panel must be made by the accusing individual and the accused student. The chair to whom the accusation of a violation of the academic honesty policy was presented normally will attend the hearing and may serve as a witness. The instructor or other individuals who reported the alleged misconduct shall present the relevant evidence, including testimony by witnesses. The accused student shall then present his/her case, including testimony by witnesses. Neither party shall ask questions of or solicit testimony directly from the other party or its witnesses. Where it appears that there are matters of disputed fact, the 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.
- f. The panel shall have the right to question any and all witnesses and to examine documentary evidence presented.
- g. At the conclusion of the hearing, the panel shall meet in a closed session. A finding of guilt is accomplished by a vote of four out of five of the panel, and punishment has to be agreed to by three or more. Upon reaching a decision, the panel shall inform separately through the hearing officer all parties of its judgment, including the Dean of the college and the Provost.
- h. The Dean shall notify the appropriate parties of the disposition of the case within **five class days** of receipt of the panel's judgment.

6.08 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, 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 defense to the panel separately. If requested by the presenting student, such a defense 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 **10 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. Since the case was heard by a peer group (**Article 6.05**), the intent of the Provost's review is not to modify the penalty 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, were not 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 penalty assessed in the college hearing is not commensurate with the offense, then he/she 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 procedural review is the final institutional step in matters of academic integrity.

Article 8. Records

8.01 Not Guilty.

If a student is found to be not guilty after the review process is completed, records concerning the matter shall not become a part of the student's permanent record.

8.02 Departmental Sanctions.

If a student is found guilty in a departmental hearing and if the matter is not heard before the college academic honesty panel (i.e., is neither appealed nor automatically reviewed because of the penalty), the record of the proceedings and penalty will be maintained by the university for internal use only and will not become a part of the student's permanent record.

8.03 College Sanctions.

If a student is found guilty by a college academic honesty panel or waives an automatic appeal, the disciplinary sanction becomes an irrevocable part of the student's permanent record. This record is not the same as the student's transcript (See **Article 8.05** below).

8.04 Records.

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

8.05 Notations on a Student's Transcript.

Action resulting in a student's suspension or probation for academic honesty policy violations will be entered on the student's transcript until the period of sanction has elapsed. When the sanction has elapsed, the student may petition the college placing the notation to remove the notation from the transcript. The request to remove the notation from the transcript is the student's responsibility.