

**The Johns Hopkins University
Krieger School of Arts & Sciences/Whiting School of Engineering**

**PROCEDURES FOR HANDLING ALLEGATIONS OF MISCONDUCT
BY FULL-TIME & PART-TIME GRADUATE STUDENTS**

Established March 2006

The Krieger School of Arts and Sciences (“KSAS”) and the Whiting School of Engineering (“WSE”) full-time programs and Engineering for Professionals (“EP”) establish the following procedures to address instances of misconduct by all graduate students enrolled in full-time, part-time or non-degree (special student) Krieger School of Arts and Sciences and Whiting School of Engineering graduate programs. The procedures in this document do not apply to Krieger School Advanced Academic Program students. Their policy is contained in the Advanced Academic Programs Code of Conduct posted on the web at www.advanced.jhu.edu/ethics/index.html.

The goal of these procedures is twofold: (1) to ensure the highest level of professional conduct by graduate students, and (2) to provide a fair, deliberative, and efficient process for resolving allegations of misconduct by graduate students.

GRADUATE STUDENT MISCONDUCT

Graduate student misconduct covered by these procedures includes academic misconduct including, but not limited to the following: cheating or facilitating cheating; plagiarism; reuse of assignments; unauthorized collaboration; alteration of graded assignments; knowingly furnishing false information to any agent of the University for inclusion in academic records; unfair competition; lying; and falsification, forgery, alteration, destruction or misuse of official University documents or seal. Graduate student misconduct also includes the failure to comply with University or governmental rules, regulations, and laws, and the disregard of the norms of expected conduct, including nonacademic conduct that would adversely affect the integrity and reputation of the University as a whole or the Krieger and Whiting Schools. A non-exclusive list of examples appears in Appendix A. These procedures do not apply to research fraud, including the intentional falsification or fabrication of data or results, misconduct in the application of research procedures so as to bias results, and other deceptive research practices which are all addressed under the WSE and KSAS Procedures for Dealing with Issues of Research Misconduct.

POLICY

Misconduct by graduate students is unacceptable. It is the responsibility of all full-time, part-time or non-degree (special) graduate students to adhere to strict standards of integrity in their professional and scholarly activities, as well as to high standards of conduct in their nonacademic activities, and to report acts of misconduct when they are known or are suspected

to have occurred. It is the responsibility of the faculty and other supervisors of scholarly activities to monitor carefully the academic and other scholarly activities of graduate students under their supervision and to subject these activities to rigorous evaluation. KSAS and WSE have established these procedures to ensure an environment for graduate students that encourages, fosters, and maintains integrity in both academic and nonacademic activities, and that preserves the reputation for excellence that is the proud heritage of the Johns Hopkins University.

At least once a year, the chairs of academic departments, chairs of academic programs and the directors of degree-granting centers (from this point on referred to as “departments” and “department chairs”) at the Krieger and Whiting Schools are responsible for informing the graduate students in their departments about the WSE and KSAS Procedures for Dealing with Issues of Research Misconduct, the WSE and KSAS Policy on Conflict of Commitment and Conflict of Interest and this Policy on Graduate Student Misconduct, and for distributing these policies in their departments. (In the Engineering for Professionals (EP) division, the Associate Dean will hold this responsibility.) At this same time, they should advise their faculty, students, and staff of their personal and individual responsibilities for the integrity of the research and scholarly activities in which they participate – regardless of the level of participation.

PROCEDURES FOR ADDRESSING AND RESOLVING ALLEGATIONS OF MISCONDUCT BY GRADUATE STUDENTS

The Cognizant Dean (the Vice Dean for Education in the Whiting School, the Associate Dean of Engineering for Professionals, or the Vice Dean for Humanities, Social Sciences, and Graduate Programs in the Krieger School) shall be responsible for updating this Policy and these procedures, and may institute procedures different than those outlined herein, based on the specific nature of the matter at issue, but only with the consent of the Johns Hopkins University Office of the General Counsel (“General Counsel’s Office”).

I. Reporting Responsibilities

Any instructor who suspects a full-time, part-time or non-degree (special) graduate student has engaged in misconduct covered under this procedure shall report that suspicion to the instructor’s department chair, or the Cognizant Dean (defined as the Dean listed above which serves the school in which the student is enrolled). Any staff member or student who suspects a full-time, part-time or non-degree (special) graduate student has engaged in misconduct covered under this procedure shall report that suspicion to the instructor of the related course, if related to a course, or to the Cognizant Dean for suspected misconduct that is not related to a specific course. The person to whom the report is made shall advise the persons bringing or raising allegations of misconduct that there will be no retaliation or recriminations for allegations made in good faith. Any chair or director to whom a report has been made shall advise the Cognizant Dean of the report, preferably in writing.

II. Informal Resolution of Misconduct Not Related to a Specific Course

If a full-time, part-time or non-degree (special) graduate student is suspected of misconduct outside a course, the department chair or the chair's designee of the department in which the student is enrolled shall review the evidence and the facts of the case promptly with the graduate student. If, after speaking with the graduate student(s), the department believes that misconduct has occurred, the department may either (a) settle the case directly with the graduate student with appropriate notification to the Cognizant Dean or (b) promptly notify the Cognizant Dean in writing, setting forth the details of the case. If the student and the department cannot agree to a resolution within these parameters, or if the department believes the matter calls for a penalty that would affect a student's attendance in the program (e.g., suspension or expulsion), or if the alleged misconduct is a second or subsequent offense, the department must submit the matter to the Cognizant Dean for resolution, in accordance with Part IV below. If the department is uncomfortable making the initial investigation, the matter may be referred immediately to the Cognizant Dean as described above.

III. Informal Resolution of Academic Misconduct in a Specific Course

If a full-time, part-time or non-degree (special) graduate student is suspected of academic misconduct in a specific course, the faculty member responsible for the course in which the misconduct is alleged to have occurred shall review the evidence and the facts of the case promptly with the graduate student. If, after speaking with the graduate student(s), the faculty member believes that academic misconduct has occurred, the faculty member may either (a) settle the case directly with the graduate student with appropriate notification to the Cognizant Dean, or (b) promptly notify the Cognizant Dean in writing, setting forth the details of the case. (For EP, the faculty member will speak directly with the program chair.) In matters resolved directly between the faculty member and the graduate student, the penalty may not exceed failure in the course and may not include a notation on the permanent transcript. If the student and the faculty member cannot agree to a resolution within these parameters, or if the faculty member believes the matter calls for a more severe penalty, or if the alleged academic misconduct is a second or subsequent offense, the faculty member must submit the matter to the Cognizant Dean for resolution, in accordance with Part IV below.

IV. Responsibilities of the Cognizant Dean

The Cognizant Dean has the responsibility for ensuring the resolution of allegations of graduate student misconduct -- whether raised to the Cognizant Dean by a faculty member, student, or staff member or by any other source, within or outside the University. Such allegations may be resolved through inquiries and/or hearings.

In the event that the student is from the same department as the Cognizant Dean or if the Cognizant Dean believes that s/he is unable to exercise independent judgment for any reason, the responsibility for proceeding to a resolution of the allegation will be referred to another dean or senior faculty member.

V. Inquiry

The resolution of allegations of misconduct (except cases of academic misconduct that are resolved pursuant to section II above) includes two principal phases: (1) an inquiry and (2) a hearing. Persons who have personal interest in the resolution of an allegation of graduate student misconduct may not participate in any way in any proceedings undertaken to address the allegation, except as witnesses.

The inquiry is the initial step after an allegation of graduate student misconduct is made. Its purpose is dual: It is intended to determine whether the allegation warrants a full hearing, and, no less importantly, it is intended to identify and provide prompt termination of accusations of misconduct that are patently groundless, frivolous, or apparently malicious and for which no supporting evidence exists.

An inquiry generally involves fewer people, and is less formal and time-consuming than a hearing. After the Cognizant Dean receives an allegation of misconduct by a graduate student, the Cognizant Dean shall review the allegation, including a review of available documents and interviews with the accuser, the accused graduate student and other witnesses.

If the inquiry finds an allegation to be without merit, the accused graduate student shall be informed -- within two weeks of the finding and in writing -- of the outcome of the inquiry.

If the inquiry finds an allegation to have a reasonable basis, the Cognizant Dean shall review the evidence and the facts of the case promptly with the accused graduate student. After speaking with the accused graduate student, the Cognizant Dean may either (a) settle the case directly with the graduate student with appropriate notification to the Dean, or (b) promptly convene a Hearing Panel to consider the matter. In matters resolved directly between Cognizant Dean and the accused graduate student, the penalty may not include expulsion. If the Cognizant Dean believes the matter calls for expulsion, he/she must convene a Hearing Panel.

VI. Hearing

A hearing will be conducted after an inquiry has concluded that sufficient grounds exist to warrant full consideration of the allegation(s) and possible disciplinary action, and the Cognizant Dean and the accused graduate student have not reached a settlement of the matter. The purpose of a hearing is to determine whether misconduct has occurred and/or the appropriate sanction for misconduct.

The Cognizant Dean shall convene a panel to consider the allegation(s) of misconduct, which shall comprise three members--two faculty members and one graduate student ("Hearing Panel"). (For EP only, this panel will consist of two faculty members and a senior level administrator.) The faculty members selected for the Hearing Panel must have their primary appointments in departments other than the department in which the graduate student is enrolled and must otherwise be able to exercise independent judgment in the matter. In cases of alleged academic misconduct related to a specific course, the primary appointments of the faculty

members on the Hearing Panel must be in departments other than that in which the faculty member bringing charges of academic misconduct has his/her primary appointment.

The Cognizant Dean will establish a date and time for the hearing, and shall notify the accused graduate student, the person bringing the charges and the members of the Hearing Panel in writing no less than five days prior to the date of the hearing. The accused graduate student and person bringing the charges will be responsible for notifying their respective witnesses of the date and time for the hearing.

The notification to the accused graduate student shall include a statement of the allegations in sufficient detail to inform the graduate student of the charges against him/her. The accused graduate student shall be informed promptly of any amendment(s) to the original allegation(s). The accused graduate student also shall be advised of the identities of the members of the Hearing Panel and may request the substitution of a member if the graduate student has reason to believe the member is unable to exercise independent judgment in the matter.

In advance of the hearing, the accused graduate student will have the opportunity to view all documents relating to the charges of misconduct that will be submitted to the Hearing Panel. The person bringing the charges will deliver all documents to the Cognizant Dean before notice of the hearing is sent out.

The unexcused failure or refusal of the accused graduate student and/or any witnesses to attend the hearing shall not prevent the hearing from proceeding or the Hearing Panel from making a decision based upon the information available to it.

The Hearing Panel shall consider all relevant information relating to the alleged misconduct, including documents and testimony of witnesses. The Hearing Panel shall conduct a careful review of the allegations, through appropriate procedures that shall afford a fair opportunity to the accuser and the accused graduate student to present pertinent information and views to the Hearing Panel. Throughout the hearing, the accused graduate student shall be afforded the opportunity to respond to questions related to his/her activities and conduct, and to provide whatever additional information he/she wishes the Hearing Panel to consider in reaching its decision in the matter.

The hearing shall be recorded. Deliberations of the Hearing Panel will not be recorded.

After the conclusion of the hearing, the Hearing Panel will evaluate the information presented at the hearing and determine whether the graduate student is responsible for the alleged misconduct, and if so, the appropriate sanction to be imposed. The Hearing Panel will notify the accused graduate student and the Cognizant Dean of the decision, and the Cognizant Dean will notify the accuser. The Hearing Panel shall produce a written report of its decision that should include a statement of the allegation(s), a summary of the testimony and documents considered, the substance and analysis of the evidence, the Hearing Panel's conclusion, and the sanction imposed. The Hearing Panel's final report shall be presented to the Cognizant Dean for notification.

VII. Confidentiality

All materials and information related to an inquiry and/or a hearing into an allegation of graduate student misconduct shall be kept confidential to the maximum extent possible -- to protect both the accuser and the accused. Therefore, as few individuals as feasible shall be involved in resolving allegations of graduate student misconduct. In addition, all records of allegations, evidence, and proceedings shall be maintained in sequestered and/or confidential files. Persons serving on Hearing Panels must be mindful of their obligation to maintain confidentiality before, during and after a hearing.

VIII. Notifications

A. To the Accused Graduate Student Regarding an Inquiry: Within two weeks after the initiation of an inquiry, at a time deemed appropriate by the Cognizant Dean, the Cognizant Dean shall notify the accused graduate student of the commencement of an inquiry. The notification to the accused graduate student shall include a recitation of the allegations. The accused graduate student shall be informed promptly of any amendment(s) to the original allegations.

If the inquiry finds an allegation to be without merit, the accused graduate student shall be informed -- within two weeks of the finding and in writing -- of this outcome.

B. Regarding the Outcome of a Hearing: At the conclusion of the deliberations, the Hearing Panel shall notify the accused graduate student and the Cognizant Dean for Academic Affairs informally of its decision. The Hearing Panel shall prepare a written report of its conclusions. A copy will be placed in the student's file and a copy will be provided to the student upon request.

C. Notifications to Other Interested Parties: The Cognizant Dean shall keep the Dean and the General Counsel's Office apprised of the progress of all inquiries and hearings pertaining to graduate student misconduct. After the conclusion of the hearing, the Cognizant Dean will notify the accuser of the decision of the Hearing Panel.

IX. Appeals

If there is no response from the accused graduate student within two weeks of the date of the decision of the Hearing Panel, it will be presumed that the findings of misconduct have been accepted by the accused graduate student. If the accused graduate student contests the Hearing Panel's decision, he/she may do so, on procedural grounds only. The appeal must be in writing, must set forth the grounds for the appeal, and must be received by the Dean of the school in which the accused graduate student is enrolled within two weeks of the date of the decision of the hearing panel. The decision of the Dean shall be final.

X. Role of Legal Representatives

Legal counsel are not permitted to be present during any pre-hearing inquiry, the hearing itself or meetings of a hearing panel constituted under these procedures. Any person accused of misconduct may, if s/he chooses and at her/his expense, consult with legal counsel before and after institutional proceedings.

The General Counsel's Office will not act as the prosecutor or defender of the accused, but will act as an impartial legal advisor to the academic and administrative offices of KSAS or WSE and the University to ensure adherence to the established University policies and procedures, including this procedure, and to ensure procedural fairness to the accused, the accuser, and the witnesses.

XI. Exclusivity of Procedure

This Policy and the procedures set forth herein shall be the exclusive mechanism in and at KSAS and WSE for resolving allegations of graduate student misconduct other than research misconduct handled under the School's Procedures for Handling Allegations of Research Misconduct. A person sanctioned under this Policy and/or through these procedures may not invoke any other procedure or bring the matter before any other body of the University in an effort to gain a re-adjudication of the allegations.

XII. No Creation of Rights

Nothing in this Policy or these procedures is intended to or does in fact create any rights or process not otherwise recognized at law or by the University, and the Policy and procedures shall not be construed as creating any such rights.

APPENDIX A

EXAMPLES OF ACADEMIC MISCONDUCT

Academic misconduct is the act of stealing ideas, thoughts, and words. Any act that violates the spirit of authorship or gives undue advantage is a violation. Although no list can be entirely comprehensive, the following non-exclusive examples are the most common types of academic misconduct.

CHEATING ON EXAMINATIONS

- Use of unauthorized materials (e.g., notes, books) during an in-class or take-home examination
- Consultation of unauthorized materials while being excused (e.g., on a restroom break) from an examination room
- Discussion of an exam's contents during its administration
- Copying answers from another student
- Obtaining an examination or answers to an examination prior to its administration
- Studying from an old exam whose circulation was prohibited by the instructor

PLAGIARISM

- Submission of the same or substantially similar work of another person, such as an author or classmate
- Use of the results of another student's work (e.g., exam, homework, computer code, lab report) while representing it as your own
- Improper documentation of quotations, words, ideas, or paraphrased passages taken from published or unpublished sources

REUSE OF ASSIGNMENTS

- Submission of the same or substantially similar assignment to fulfill the requirements of more than one course

IMPROPER USE OF THE INTERNET

- Plagiarism from a published or unpublished Internet source
- Improper documentation of an Internet source
- Use of paper writing services or paper databases on the Internet

IMPROPER USE OF ELECTRONIC DEVICES

- Consultation of unauthorized electronic devices (e.g., calculators, cellular phones, computers, PDAs) during examinations
- Use of electronic devices to communicate within or outside an examination room (i.e., use of cellular phones is not permitted during an exam)
- Storage of test answers, class notes, and other references in electronic devices for use during examinations

UNAUTHORIZED COLLABORATION

- Collaboration when solving homework problems or writing lab reports, computer programs, or papers unless explicitly approved by the professor

ALTERATION OF GRADED ASSIGNMENTS

- Submission of an examination or assignment for a regrade after making changes to the original answers or text

FORGERY AND FALSIFICATION

- Falsification or invention of data in a laboratory experiment
- Citation of nonexistent sources or creation of false information in a written assignment
- Attributing to a source ideas or information that is not included in the source
- Forgery of university documents, such as letters and transcripts
- Impersonating a faculty member

LYING

- Request for special consideration from professors or university officials based upon false information or deception
- Fabrication of a medical or emergency excuse as a reason for needing an extension on an assignment or for missing an examination
- Claiming falsely to have completed and/or turned in an assignment
- Falsely reporting an ethics violation by another student

FACILITATING ACADEMIC DISHONESTY

- Intentionally or knowingly aiding another student to commit a violation of academic conduct
- Allowing another student to copy from one's own examination paper during its administration
- Providing copies of course materials whose circulation was prohibited (such as exams or assignments) to students enrolled in or planning to take that course
- Taking an examination or completing an assignment for another student, or permitting another student to do so on one's behalf

UNFAIR COMPETITION

- Willfully damaging the academic efforts of other students
- Stealing another student's academic materials (e.g., books, notes, assignments)
- Denying another student needed resources, such as hiding library materials or stealing lab equipment

EXCEPTIONS

In some cases, exceptions to the above examples may apply. For example, some instructors assign problem sets or laboratory projects with the intention that students will work together or form study groups. In these cases, all collaborating partners should be noted on a submitted assignment.

Some instructors may accept assignments completed for another course. Students must secure written permission from the instructor to do so. Other instructors expect or encourage students to consult old exams and write new exams accordingly. Instructors should be certain that access to these exams is universal by placing them on reserve at the MSE Library.

To know what constitutes cheating for a particular course, students must ask the professor of the course for clarification. The general policy should be set forth during the first class of each semester and should be explained in the course syllabus. Students are expected to ask for clarification of unexplained or ambiguous areas. Ignorance of policies is not a valid excuse for cheating.

In general, it is important to remember the distinction between copying and collaborating. It is cheating to copy another's work and turn it in as your own. Professors, however, often encourage students to compare solutions or class notes with each other, to analyze differences in outcomes, to discuss methods, and to ask for explanations. Cheating requires no engagement or understanding, while collaboration promotes interactive learning.