

Graduate Academic Misconduct Policy

The Johns Hopkins University
Krieger School of Arts and Sciences/Whiting School of Engineering
Effective October 11, 2017

I. SCOPE

The following policy applies to all graduate students enrolled in full-time, part-time, or non-degree (visiting/special) programs in the Krieger School of Arts and Sciences (“KSAS”) and the Whiting School of Engineering (“WSE”), including Engineering for Professionals (“EP”). This policy does not apply to students enrolled in the KSAS Advanced Academic Programs (“AAP”).

KSAS and WSE graduate students are subject to this policy not only when enrolled in KSAS/WSE courses or research, but also when enrolled in courses or conducting research in other University entities and/or divisions. Academic misconduct in the context of these non-primary division locations will be subject to and resolved under this policy.

II. STUDENT RESOURCES

All students have the right to a support person under this policy.

Emotional Support

- Homewood graduate students who need emotional support while going through a misconduct issue are encouraged to consult the Counseling Center: <https://studentaffairs.jhu.edu/counselingcenter/>;
- EP students may consult JHSAP: <http://jhsap.org/>.

Policy Guidance

- EP graduate students may contact their student services office <https://ep.jhu.edu/about-us/contact-us> for information and guidance in regards to this policy.
- The Homewood KSAS and WSE offices of graduate academic affairs may be consulted to help Homewood graduate students understand this policy and their rights and responsibilities. The services of the Homewood KSAS and WSE offices of graduate academic affairs are mostly confidential except when reporting is required by policy or law (for contact information and to review the *Confidentiality Policy for ASEN Graduate and Postdoctoral Affairs Advising*, please visit <http://homewoodgrad.jhu.edu>).

III. PREAMBLE

Academic misconduct by graduate students is unacceptable. It is the responsibility of all 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 students are encouraged to report known or suspected acts of misconduct. 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.

I. RESEARCH MISCONDUCT

Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. For a complete definition, refer to The Johns Hopkins University Research Integrity Policy

https://www.jhu.edu/assets/uploads/2017/08/university_research_integrity_policy.pdf

The Johns Hopkins University Research Integrity Policy applies to all members of the Johns Hopkins community, including students. Allegations regarding a student that may fall within the definition of research misconduct must be referred to the Research Integrity Officer for assessment under that Policy. Allegations that are determined by a Research Integrity Officer and/or an Academic Integrity Officer to fall within the definition of research misconduct on the part of a graduate student will be reviewed and adjudicated under the procedures outlined in the Johns Hopkins University Research Integrity Policy and not this policy.

II. ACADEMIC MISCONDUCT

Academic misconduct is any action or attempted action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other member or members of the academic community. This includes a wide variety of behaviors such as cheating, plagiarism, altering academic documents or transcripts, gaining access to materials before they are meant to be available, and helping another individual to gain an unfair academic advantage. Nonexclusive examples of academic misconduct are listed below.

The following are nonexclusive examples of cheating:

- Fraud, deceit, or dishonesty in an academic assignment, text or examination.
- Use or consultation of unauthorized or inappropriate materials (e.g., notes, books, internet sources, etc.) on assignments, tests, or examinations.
- Unauthorized discussion of a test or exam during its administration.
- Copying content on an assignment, test or examination from another individual.
- Obtaining a test or examination or the answers to a test or examination before administration of the test or examination.
- Studying from an old test or examination whose circulation is prohibited by the faculty member.
- Use or consultation of unauthorized electronic devices or software (e.g., calculators, cellular phones, computers, tablets, etc.) in connection with assignments, tests or examinations.
- Use of paper writing services or paper databases.
- Unauthorized collaboration with another individual on assignments, tests or examinations, unless specifically approved by the professor.
- Submission of an assignment, test or examination for a re-grade after modifying the original content submitted.
- Permitting another individual to contribute to or complete an assignment, or to contribute to or take a test or examination on the student's behalf.
- Unauthorized submission of the same or substantially similar assignment, test or exam (e.g., a paper, etc.) to fulfill the requirements of more than one course.

- Providing an assignment, paper, test, or exam to a colleague with knowledge that they will submit it all or part of it as his or her own work.
- Tampering with, disabling or damaging equipment for testing or evaluation.

The following are nonexclusive examples of misconduct by plagiarism:

1. Use of material produced by another person without acknowledging its source.
2. Submission of the same or substantially similar work of another person (e.g., an author, a classmate, etc.).
3. Use of the results of another individual's work (e.g., another individual's paper, exam, homework, computer code, lab report, internet sources, etc.) while representing it as your own.
4. Improper documentation/acknowledgement of quotations, words, ideas, views, or paraphrased passages taken from published or unpublished sources (including the internet).
5. Wholesale copying of passages from works of others into your homework, essay, term paper, or dissertation without acknowledgment.
6. Paraphrasing of another person's characteristic or original phraseology, metaphor, or other literary device without acknowledgment.

The following are nonexclusive examples of misconduct by forgery, falsification and lying:

- Falsification or fabricating of data or information for an assignment, experiment, test or examination.
- Citation of nonexistent sources or creation of false information in an assignment.
- Attributing to a source ideas or information that is not included in the source.
- Forgery of University or other official documents (e.g., letters, University seal, transcripts, etc.).
- Impersonating a faculty or staff member.
- Request for special consideration from faculty members or University officials based upon false information or deception.
- Fabrication of a reason (e.g., medical emergency, etc.) for needing an extension on or for missing an assignment, test or examination.
- Claiming falsely to have completed and/or turned in an assignment, test or examination.
- Falsely reporting an academic ethics violation by another student.
- Failing to identify yourself honestly in the context of an academic obligation.
- Providing false or misleading information to an instructor or any other University official.

The following are nonexclusive examples of misconduct by facilitating academic dishonesty:

- Intentionally or knowingly aiding another student to commit an academic ethics violation.
- Allowing another student to copy from one's own assignment, test, or examination.
- Making available copies of course materials whose circulation is prohibited (e.g., old assignments, texts or examinations, etc.).

- Sharing paper mill/answer bank website/blog material/links with other students.
- Completing an assignment or taking a test or examination for another student.

The following are nonexclusive examples of misconduct by unfair competition:

- Intentionally damaging the academic and/or research efforts of another student, faculty, postdoctoral fellow.
- Stealing another student's/faculty's/postdoctoral fellow's academic and/or research materials (e.g., books, notes, chemicals, supplies, assignments, etc.)
- Denying another colleague needed University resources (e.g., hiding library materials, stealing lab equipment, etc.).
- Omitting contributing colleagues in joint authorship on publications and/or presentations and/or on patent applications, etc. *(Note that in certain cases this scenario may fall under the jurisdiction of the Johns Hopkins University Research Integrity Policy.)*

III. RESOLUTION PROCEDURES

These procedures only apply to academic misconduct. Please see Section I for the handling of allegations or complaints of research misconduct.

If a student is suspected of academic misconduct, the faculty member responsible for the course in which the misconduct allegedly occurred must review the facts of the case promptly with the student. **If, after speaking with the student and any witnesses, the faculty member believes that academic misconduct has occurred, the faculty member must immediately contact their Academic Integrity Officer* ("AIO") or designee to (a) determine whether the offense is a first offense or a subsequent offense, and (b) review the options and procedures available under this policy.** Consideration may be given to students who self-report violations of the academic misconduct policy. The AIO will advise in these situations.

Teaching and Course Assistants may not conduct any such review directly with the student or make determinations on any violations or sanctions, but must provide the faculty member or other administrator/panel with relevant information, if any.

**The AIO for each program are listed in the Addendum.*

A. Informal Resolution *(no Hearing)*

If it is a **first** offense, and after consultation with the AIO, the faculty member and student may reach an informal resolution of the alleged misconduct provided that:

1. It is a first offense, **AND**
2. The imposed sanction would be no greater than failure in a course, **AND**
3. The student and faculty member agree to the terms of resolution of the alleged misconduct.
(Neither the faculty member nor the student are obligated to resolve a complaint informally.)

If such an agreement is reached, the faculty member and student must complete the 'Report of Informal Resolution Form' ("Report") and the faculty member must provide a copy of that Report to their AIO (or designee) to be filed in the Office of Academic Affairs' academic misconduct files. The Report is a part of the student's academic conduct record. Unless required by law, regulation or contract, KSAS and WSE will neither confirm nor deny the existence of any informal resolution reached under this Section and will not disclose the contents of any such resolution to third parties, but the information will be made available to any university panel in the adjudication of any future infractions.

B. Resolution with a Hearing

Initial Inquiry

In the case of a first offense that is not resolved between the faculty member and student (e.g., the student denies cheating or disagrees with the sanction), or a second or subsequent offence, (e.g., the student denies cheating or disagrees with the sanction), then the faculty member must promptly notify the AIO (or designee) in writing of the alleged violations, related evidence, including potential witnesses, and other pertinent details of the case.

The AIO (or designee) may gather further information regarding the alleged academic misconduct. This gathering of information may include without limitation meetings with or requests for statements from the respondent and witnesses, and review and collection of any related information. Upon review, the AIO (or designee) may dismiss a case for a lack of sufficient information or if the alleged conduct does not fall within conduct prohibited by this policy. Absent these circumstances, the case will be resolved pursuant by a Hearing Panel as explained below.

The AIO (or designee) will alert the Cognizant Dean* (or designee) of the need to assemble a Hearing Panel and will gather any additional information regarding the alleged academic misconduct and assemble an initial dossier for the Panel.

**The Cognizant Deans for each program are listed in the Addendum.*

Hearing Panel

The Hearing Panel comprises an ad hoc committee of one (1) graduate student and two (2) faculty members selected by the Cognizant Dean*. The members can come from across the university and do not need to be from the student's home division but cannot be from the student's own program. Training materials will be provided as appropriate to panel members. The accused student will be contacted promptly (but no later than three (3) university business days in advance of the scheduled hearing) with the list of Hearing Panel members, and will have one (1) university business day to report in writing any conflict of interest concerns with any of the Hearing Panel members.

Hearing Panel Charge

The Hearing Panel is charged with determining, based on a preponderance of the evidence, whether a student's actions constitute a violation of this policy and, if so, determining (an) appropriate sanction(s). The panel shall make its determination of responsibility and sanctions by majority vote, except that unanimity is required for a sanction of expulsion.

Evidentiary Standard

A "preponderance of the evidence" standard will be used to determine responsibility for alleged violations of this policy. A "preponderance of the evidence" standard is an evidentiary standard that means "more likely than not." This standard is met if the proposition is more likely to be true than not true.

Panel Hearing Procedures

In general, hearings will proceed as follows, although the panel has discretion to alter the order or manner in which it hears or receives evidence, and to impose time limits on any stage of the process:

- introductions
- opening statement from the reporter, if applicable
- opening statement from the student
- questioning of the reporter by the panel, if applicable
- questioning of the student by the panel
- questioning of the witnesses, if any, by the panel
- closing statement from the reporter, if applicable
- closing statement from student

The hearing is a closed proceeding, meaning that only the panel members and necessary University personnel may be present, with the reporter/student/witness and any approved support persons before them. The AIO (or designee) will be present to provide policy and procedural guidance.

- **Witnesses**

The AIO (or designee) and/or panel may request the presence of any witness with relevant information about the alleged misconduct. The student may bring relevant witnesses to speak on their own behalf. Absent exceptional circumstances, the student should inform the AIO (or designee) in writing at least three (3) university business days in advance of any meeting or hearing of the names of the witnesses and to what they will attest. The AIO (or designee) or panel may determine whether and the extent to which witnesses will be permitted to participate or questioned in any meeting or hearing, including whether their testimony is relevant.

- **Support Person**

The student may be assisted and advised by a supporter of their choice, at any point in the process (either informal or formal), including a family member, friend or legal guardian, throughout the investigative and resolution process (including hearing, sanctioning and appeals). This supporter may accompany the party to any meeting or hearing held pursuant to this Policy. During any meeting or proceeding under these Procedures, a supporter may advise and provide support to the party but may not speak on the party's behalf or otherwise participate, or address or question the investigator, resolution panel, or other parties or witnesses. The supporter may make written submission on the party's behalf. Legal counsel is not permitted to be present at any point in the process (throughout the investigative and resolution process (including hearing, sanctioning and appeals). University personnel employed in the offices responsible for the disciplinary proceedings described in these Procedures, along with those in the chain of command above them, personnel employed by the Office of the General Counsel, and others whose participation could create a conflict of interest and/or reasonably call into question the impartiality of the University's process are not eligible to serve as supporters.

- **Recording**

Hearings shall be recorded for reference by the hearing panel during its deliberations. A copy of the recording will be kept with the applicable case file. Deliberations of the Hearing Panel will not be recorded.

C. *General Procedures*

In connection with the resolution of alleged policy violations, an accused student shall:

- Receive an initial notice that there has been an allegation of academic misconduct (*after the faculty inquiry phase and consultation with the AIO*), and be provided with the link/a copy of this policy for reference.
- Be notified in writing of any official charges if made, date, time and location of any meeting or Panel Hearing, and the identity of the panel members in advance of the hearing;
- Have the opportunity to review in advance of any meeting or hearing any information to be considered by any faculty member, administrator or panel consistent with the Family Educational Rights and Privacy Act of 1974, as amended ("FERPA") and to protect other confidential information;
- Be notified in writing of the outcome of any hearing, namely the findings, determination of responsibility, and any sanctions; and
- Be notified in writing of the outcome of any appeal.

A student may raise the potential conflict of any University personnel or student participating in the resolution process. A student may also decline to participate in the resolution process. The University may however continue the process without the student's participation.

Communications under this policy will primarily be conducted with students through their official University email address, and students are expected check their official University email on a regular basis.

IV. SANCTIONS

A. General

Hearing Panels may impose one or more sanctions (which may include one or more corrective and educational measures (for example, a requirement to retake an academic ethics course or complete other relevant training)) that the panel deems appropriate and commensurate with the policy violation; in doing so, the panel may consider:

- the specific academic misconduct at issue;
- the student’s academic misconduct history; and
- other appropriate factors
 - for example: self-reported infractions, self-disclosed relevant life circumstances

This section lists some of the sanctions that may be imposed upon students for violations of this policy. The Krieger School of Arts and Sciences and the Whiting School of Engineering reserve the right, in their discretion, to impose more stringent or different sanctions than those listed herein depending on the facts and circumstances of a particular case. Sanctions for academic misconduct infractions under this policy are generally cumulative in nature.

Possible sanctions against students include without limitation one or more of the following:

| Allowable under Informal or Formal Resolution? | Type of Sanction |
|--|---|
| Informal and Formal | Warning Letter |
| Informal and Formal | Assignment/Exam/Project Grade Lowered (includes 0 or F) |
| Informal and Formal | Course Grade Lowered (includes 0 or F) |
| Formal Only | Any of the above and a transcript notation of academic misconduct |
| Formal Only | Suspension (with or without transcript notation of suspension) |
| Formal Only | Expulsion |

B. Sanction Definitions

The following is a non-exhaustive list of possible sanctions and what these sanctions typically mean. The specific conditions imposed under each sanction (e.g., the terms of a suspension, etc.) will depend on the specific facts and circumstances of each case.

Warning Letter

The student is notified in writing that his or her actions constituted a violation of this policy that was deemed as minor and not subject to a more severe sanction.

Transcript Notation of Academic Misconduct

Non-exhaustive examples of transcript notations include:

Grade in EN.xxx.xxx given as a result of academic misconduct

Dismissed from the University as a result of academic misconduct

Suspension (for a defined period of time as determined by the Hearing Panel)*

Student is parted from the university for the balance of the semester and up to a full academic year. Reentry can only be at the start of a semester or summer term. No refunds will be given for any tuition or fees paid in a semester of suspension.

*Expulsion**

Expulsion means the permanent removal of the student from the University. Expulsion includes a forfeiture of all rights and degrees not actually conferred at the time of the expulsion, permanent notation of the expulsion on the student's University records and academic transcript, withdrawal from all courses according to applicable divisional policies, and the forfeiture of any tuition and fees paid. Any student expelled from the University is prohibited future reapplication to the University.

**Note that suspensions and expulsions may have an affect on visa status.*

C. Prohibition of Course Changes

A student found responsible for a violation of academic ethics in a course forfeits the right to withdraw from the course or to change that graded course to pass/fail, and any withdrawal from that course or change effected prior to the finding of responsibility after an allegation of misconduct has been raised shall be voided.

Notifications

At the conclusion of its deliberations, the Hearing Panel shall prepare a written report of its conclusions and its sanction decision (when applicable). A copy will be sent to the cognizant dean (or designee), AIO (or designee), student's department chair, faculty reporter, and the student. If this is a first offense with a non-transcript sanction, a copy will be placed only in the student's file in the Office of Academic Affairs and not in the student's departmental file or SIS record.

V. APPEALS

Except in the case of an informal resolution for first time offenses with a faculty member, the student may appeal a panel's finding of responsibility and/or sanction(s). A student must file their appeal within ten (10) university business days of the date of the notice of outcome on one or more of the following grounds:

- procedural error that could have materially affected the determination of responsibility or sanction(s);
- new information that was not available at the time of the hearing and that could reasonably have affected the determination of responsibility or sanction(s); and
- excessiveness of the sanction(s).

Any appeal must be filed in writing with the AIO (or designee), who will review and send to the Cognizant Dean for a decision. An appeal will involve a review of the file by the Cognizant Dean; the appeal does not involve another hearing. On review of the appeal, the Cognizant Dean may seek additional information or clarification from the AIO, Hearing Panel, any relevant faculty member, the accused student, or any other relevant University or non-university personnel. On review of the appeal, the Cognizant Dean or designee may:

- enter a revised determination of responsibility and/or revise sanction(s); or
- remand the matter to the original panel to reconsider the determination of responsibility and/or sanction(s); or
- convene a new panel to consider the case.

If the Cognizant Dean (or designee) has made a final determination with no panel remand/re-hearing, a final appeal determination will simultaneously be sent to the AIO, department chair, the faculty reporter, and the student. No further appeals are permitted.

VI. CONFIDENTIALITY AND RECORDS

This policy and associated procedures is subject to university compliance with FERPA (<https://studentaffairs.jhu.edu/registrar/students/student-privacy-ferpa/>)

A student's academic misconduct file will be retained for the duration of the student's enrollment at the University plus seven (7) years from date that the student graduates or otherwise leaves the University.

VII. EXCLUSIVITY OF POLICY

A student sanctioned under this policy may not invoke any other policy/procedure or bring the matter before any other body of the University in an effort to gain a re-adjudication or appeal of the matter.

VIII. INTERIM STATUS

Students/students engaged in the adjudication process will maintain their current student and payroll status (as applicable) through the duration of the process.