

# ACADEMIC REGULATIONS

## Academic Code of Conduct

### Statement of Principles

The Peabody Conservatory of the Johns Hopkins University ("Peabody") is committed to academic honesty and ethical conduct. Each member of the Peabody community is entrusted with two essential responsibilities: to live honorably within the established codes of conduct, and to hold other members of the community to the same high standard of conduct.

In keeping with the educational mission of the Conservatory, acts of misconduct are viewed as an opportunity to teach students to recognize the impact of their behavior on others and the extent of their responsibilities for their actions through counseling, mediation, and/or educational efforts, noting that every act of academic misconduct has consequences and may result in one or more sanctions as described in this policy.

### 1. SCOPE

The policies and processes of this Peabody Academic Code of Conduct pertain to all students enrolled at the Peabody Institute, including double degree students and joint degree students.

#### Non-Academic Misconduct

All issues of non-academic student misconduct will be subject to the University-wide Student Conduct Code (<http://studentaffairs.jhu.edu/policies/student-code/>).

#### Research Misconduct

Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, reviewing or reporting research. 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](https://www.jhu.edu/assets/uploads/2017/08/university_research_integrity_policy.pdf)). The Policy applies to all University faculty, staff, trainees and students engaged in the proposing, performing, reviewing or reporting of research, regardless of funding source. Allegations of research misconduct regarding a student must be referred to the Research Integrity Officer for assessment under that Policy and must also be reported to the Associate Dean for Academic Affairs.

### 2. CROSS-DIVISIONAL ENROLLMENTS

Peabody Institute students may enroll in courses in one or more other University divisions or schools. Peabody students are subject to this policy not only when enrolled in Peabody courses, but also when enrolled in courses in other University divisions or schools. Academic misconduct in the context of those "outside" courses will be subject to and resolved under this policy.

Students from other divisions of the Johns Hopkins University enrolled in classes at the Peabody Institute will be held to the standards enumerated in this Peabody Academic Code of Conduct, noting that students from outside divisions must also comply with their home division or school academic ethics policy and will be subject to their home division or school procedures for resolution of academic ethics violations in Peabody courses.

### 3. POLICY VIOLATIONS

Academic misconduct is prohibited by this policy. 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.

Cheating. The following are nonexclusive examples of cheating:

- fraud, deceit, or dishonesty in an academic assignment, text or examination
- use or consultation of unauthorized materials (e.g., notes, books, 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.
- submission of an assignment, test or examination for a regrade 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.
- tampering with, disabling or damaging equipment for testing or evaluation.
- unauthorized submission of the same or substantially similar work, assignment, test or exam (e.g., a paper, etc.) to fulfill the requirements of more than one course or different requirements within the same course.

Plagiarism. The following are nonexclusive examples of plagiarism:

- use of material produced by another person without acknowledging its source.
- submission of the same or substantially similar work of another person (e.g., an author, a classmate, etc.).
- use of the results of another individual's work (e.g., another individual's paper, exam, homework, computer code, lab report, etc.) while representing it as your own.
- improper documentation or acknowledgment of quotations, words, ideas, or paraphrased passages taken from published or unpublished sources.
- wholesale copying of passages from works of others into your homework, essay, term paper, or dissertation without acknowledgment.

- paraphrasing of another person's characteristic or original phraseology, metaphor, or other literary device without acknowledgment.

Forgery/Falsification/Lying. The following are nonexclusive examples of forgery, falsification and lying:

- falsification or invention of data/information for an assignment, test or exam, or in an experiment.
- 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, transcripts, etc.).
- impersonating a faculty 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

Facilitating Academic Dishonesty. The following are nonexclusive examples of 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.).
- completing an assignment or taking a test or examination for another student.
- sharing paper mill/answer bank websites or information with other students.

Unfair Competition. The following are nonexclusive examples of unfair competition:

- intentionally damaging the academic efforts of another student.
- stealing another student's academic materials (e.g., books, notes, assignments, etc.)
- denying another student needed University resources (e.g., hiding library materials, stealing lab equipment, etc.).

## 4. FIRST-TIME OFFENSES

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 first contact the Associate Dean for Academic Affairs or another member of Academic Affairs to determine whether the offense is a first offense, or a second or subsequent offense. If a first offense, the

faculty member may settle the case directly with the student, i.e., the faculty member and student may reach an agreement on the resolution of the alleged misconduct. If such an agreement is reached, the faculty member must promptly provide the student with a letter outlining the resolution that includes the charges, a summary of the evidence, the findings, and the sanctions agreed upon, and must also simultaneously provide a copy of that letter to the Associate Dean for Academic Affairs.

If, however, the faculty member cannot reach an agreement with the student (e.g., the student denies cheating or does not agree with the proposed sanction, etc.), or the offense is a second or subsequent offense, or if in the case of a first offense, the sanction imposed would be greater than failure in the course, the faculty member must promptly notify the Associate Dean of Academic Affairs in writing of the alleged violations, evidence, including potential witnesses, and other pertinent details of the case. In such instances, the case will proceed to the next phase of resolution as outlined below.

## 5. HEARINGS

In the case of a first offense that is not resolved between the faculty member and student, or a second or subsequent offense, the Associate Dean for Academic Affairs, or another designee from Academic Affairs, will be assigned to the case and gather information regarding the alleged academic misconduct to determine the appropriate means of resolution. This gathering of information may include without limitation meetings with or requests for statements from the respondent and witnesses, and review of any related information. The Associate Dean for Academic Affairs 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 as explained below.

### Types of Conduct Proceedings

There are two types of conduct proceedings – an administrative hearing and a panel hearing. The Associate Dean for Academic Affairs (or designee) will, after the initial inquiry, decide whether a case will be resolved through an administrative hearing or a panel hearing. In making this decision, the Associate Dean for Academic Affairs (or designee) will consider the nature of the alleged misconduct and potential sanctions, the complexity of the facts, the prior academic misconduct history of the respondent, and other relevant information and factors.

**Administrative Hearing** | An administrative hearing involves a meeting between the Associate Dean for Academic Affairs (or designee) and the respondent. The Associate Dean for Academic Affairs (or designee) may also meet with witnesses and others involved and obtain and review relevant evidence. The Associate Dean for Academic Affairs (or designee) will review the allegations and evidence with the respondent and give the respondent an opportunity to respond. The Associate Dean for Academic Affairs (or designee) will determine based on preponderance of the evidence whether the respondent is responsible for the alleged policy violation(s), and, if so, issue (an) appropriate sanction(s).

**Panel Hearings** | The panel is comprised of trained University students, faculty and staff appointed for annual terms by the Associate Dean of Academic Affairs to hear alleged violations of this policy. The panel, comprised of 3 student members and 3 members of the faculty and/or staff is charged with determining based on a preponderance of the evidence whether a respondent'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. The hearing is a closed proceeding, meaning that no one other than the panel

members and necessary University personnel, may be present. The respondent and witnesses called to the hearing will be present in the hearing room only when making a statement or being questioned by the panel.

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 respondent
- questioning of the reporter by the panel, if applicable
- questioning of the respondent by the panel
- questioning of the witnesses, if any, by the panel
- closing statement from the reporter, if applicable
- closing statement from respondent

#### Witnesses

The Director of Advising or panel may request the presence of any witness with relevant information about a case. The respondent may request that relevant witnesses be heard the respondent's behalf. Absent exceptional circumstances, the respondent should inform the Director of Advising in writing at least three (3) days in advance of any meeting or hearing of the names of the witnesses and to what they will attest. The Director of Advising 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.

## 6. APPLICABLE PROCEDURES

In connection with the resolution of alleged policy violations, a respondent shall:

- be notified in writing of the allegations in advance of any meeting or hearing;
- be notified in writing of the charges, and the date, time and location of the hearing, and identity of the hearing administrator or 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 respondent may raise the potential conflict of any University personnel participating in the resolution process. A respondent may also decline to participate in the resolution process. The University may however continue the process without the respondent'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.

## 7. 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.

## 8. APPEALS

Except in the case of a resolution for first time offenses with a faculty member, the respondent may appeal an administrator or panel's finding of responsibility and/or sanction(s). A respondent must file any appeal within five (5) days of the date of the notice of outcome solely 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 Associate Dean for Academic Affairs. An appeal will involve a review of the file and as determined necessary, gathering of information from relevant university personnel or panelists; the appeal does not involve another hearing. On review of the appeal, the Dean or designee may:

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

The Associate Dean of Academic Affairs will simultaneously send the appeal determination, with the reasons therefore, to the administrator or panel, as appropriate, and to the respondent. The decision of the Associate Dean is final. No further appeals are permitted.

## 9. SANCTIONS

The following factors may be considered in the sanctioning process:

- the specific academic misconduct at issue;
- the respondent's academic misconduct history; and
- other appropriate factors.

This section lists some of the sanctions that may be imposed upon students for violations of this policy. Peabody reserves the right, in its discretion, to impose more stringent or different sanctions depending on the facts and circumstances of a particular case. Sanctions for academic misconduct under policy are generally cumulative in nature.

When a student is found responsible for academic misconduct, the sanction(s) that may be imposed include without limitation one or more of the following:

- Formal warning.
- Retake of the examination, paper or exercise involved.
- Score of zero on the examination, paper or exercise involved.
- Lowering of the course grade.
- Loss of Peabody scholarship for a specific duration or permanently.
- Failure in the course without a notation on the student's transcript that the grade was for violation of academic integrity.
- Failure in the course with a notation on the student's transcript that the grade was for violation of academic integrity.
- Probation.

- Suspension from the Conservatory for a specified period of time without a notation on the student's transcript that the suspension was for violation of academic integrity.
- Suspension from the Conservatory for a specified period of time with a notation on the student's transcript that the suspension was for violation of academic integrity.
- Expulsion.
- Revocation of a degree.
- Other appropriate sanctions or corrective measures.

#### Definitions

**Formal Warning** | The student is notified in writing that their actions constitute a violation of this policy, and may be subject to other actions (e.g., re-taking an exam or failure in a course).

**Probation** | The student is notified that further violations of this policy within the stated period of time will result in the student being considered for immediate suspension or other appropriate disciplinary action. If at the end of the specified time period no further violations have occurred, the student is removed from probationary status.

**Suspension** | The student is notified that the student is separated from the University for a specified period of time. The student must leave campus and vacate campus residence halls, if applicable, within the time prescribed and is prohibited from University property and events. The conferring of an academic degree may be deferred for the duration of the suspension. A student must receive written permission from the University prior to re-enrollment or re-application. Academic work completed at another institution while on suspension will not be recognized for credit transfer.

**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 divisional policies, and the forfeiture of tuition and fees. Any student expelled from the University is prohibited from University property and events and future reapplication to the University.

## 10. RECORDS

If the student is found responsible of academic misconduct, the statement of findings will include any sanctions imposed. A copy of the findings will be copied to the Associate Dean of Academic Affairs. A case file concerning a student will be retained for seven (7) years from date that the student graduates or otherwise leaves the university.