I. Purpose

The University of Baltimore School of Law prides itself on maintaining high standards of academic and professional responsibility. The Honor Code presumes that all students will embody the principles of honesty and personal responsibility during their legal education.

The Honor Code sets out specific guidelines that will govern student conduct with regard to academic integrity. The Honor Code creates and defines the administrative structure in which matters of academic dishonesty are addressed by the law school community, and it establishes an Honor Board that is charged with implementing the procedures.


All students are on notice of this Honor Code and its provisions by virtue of enrollment at the School of Law. Copies will be distributed at orientation, are placed on reserve in the Library, are available at the office of Academic Affairs, and are available online. All students should also be aware that a record of academic dishonesty is an extremely serious obstacle to a student's gaining admission to the practice of law.

III. Definitions

A. "The Dean" shall mean the Dean of the Law School or the Dean's designee, who maybe the Honor Board Advisor.

B. "Examination" shall include any graded test or assignment, or any work required or performed for academic credit.

C. “Investigator” shall mean a person(s) who is charged with being a neutral finder of facts of alleged violations.

D. "Presenter" shall mean the person responsible for presenting the case to the Hearing Committee on behalf of the Honor Board.

IV. Prohibited Conduct

An honor code violation demonstrates a lapse in professional judgment and may have a serious adverse effect on a student’s professional career. In this context, except as otherwise specified below, to be guilty of an honor code violation, a student must have engaged in the prohibited conduct with purpose, knowledge, recklessness or negligence as these terms are defined in the Model Penal Code section 2.02.

It shall be a violation of the Honor Code to engage in any of the following academic misconduct:

A. Plagiarism. Unauthorized use, copying, or close imitation of the language, structure, ideas, or thoughts of another, whether in draft or final form, without attribution to and citation of the source. There is no intent requirement.
B. **Cheating.** Cheating includes the actual giving or receiving of any unauthorized assistance or unfair advantage on any form of academic work. Examples may include, but are not limited to, talking with other students during the administration of an exam, the use of crib sheets or any other materials not expressly authorized by the professor during exams, unauthorized possession of exam materials prior to or after the administration of the exam, and copying from other students' exams, use of unauthorized resources on a research or other writing assignment or in a competition for academic credit when prohibited by the competition’s rule, and violating rules provided by a professor or proctor on an examination or assignment.

1. There shall be a conclusive presumption that any student who accesses potential resource materials, including, but not limited to, crib sheets, outlines, cellular phone, “smart phone”, ipad, mobile device, or any other technological device not specifically authorized by a professor for use during an examination has cheated.

C. **Misuse of Materials.**

1. Misuse of any law school library, writing center, or law career development office materials. Misuse includes marking, damaging, hiding, or destroying materials; removing materials without authorization; or depriving other students of materials meant to be for the use of all students, such as a refusal to reshelve or replace books, multimedia recordings, or other class or resource material.

2. Use of another student’s or professor’s books, class notes, or other study materials without that person’s consent.

3. Depriving another student, temporarily or permanently, of that student’s books, class notes, or other study materials.

4. Intentionally giving another student false or inaccurate information about class assignments, study materials, notes, or other class requirements.

D. **Communications regarding examinations.**

1. Knowingly discussing an examination that has been taken with another student who has yet to take the examination or with any person in any place where a reasonable person should realize that the conversation could be heard by another student who has not yet taken the examination. Any student who learns, intentionally or accidentally, of any question or answer to an exam not yet taken must report this information immediately to either the professor, administrator or staff member responsible for supervising the examination or to the Dean's Office.
2. Knowingly discussing an examination that has not been taken (but is scheduled to be taken) with another student who has already taken the examination.

E. Misrepresentation. Misrepresentation includes but is not limited to:

1. Misrepresenting one’s own or another’s class attendance or falsifying attendance records;

2. Misrepresentation of one’s own academic history or class standing on any application for any academic placement or honor or document submitted for employment, including, but not limited to, a resume, a job application, a cover letter, or a grade report; or

3. Material misrepresentation to any member of the Law School faculty or to any supervising attorney in the case of clinics or internships of any academic matter pertinent to satisfaction of course requirements, including, but not limited to, the number of hours worked.

F. Impeding the Honor Code Process. A student who engages in the following misconduct shall be considered to be impeding the Honor Code Process:

1. Failure to make a prompt report of a potential violation of this Code as required by Section V.(A).

2. Failure to reveal fully any knowledge or evidence concerning an alleged violation on proper request of: an Investigator; the Hearing Committee; or any accused student or his or her representative.

3. Intentionally misstating or misrepresenting a material fact in testimony or a written statement given during an investigation or a hearing of an alleged violation of this Code.

4. Intentionally filing a false complaint of this Code.

5. Intentional failure or refusal to comply with any order of an Investigator or the Hearing Committee.

V. Proceedings

Every stage of the proceedings shall be conducted without unnecessary delay. All parties shall act as expeditiously as possible, consistent with the purposes of the Honor Code. Persons who are aware of possible violations of the Honor Code should report such violations as soon as they become aware of them.

A. Complaint

1. Complaints may be made by students, faculty, administrators, staff members or the Dean and shall be reported in writing to the Honor Board
Chairperson (hereinafter the Chairperson), or to the Honor Board Advisor (hereinafter the Advisor).

2. The complaint shall describe the incident, shall state the date(s), time(s), place(s), person(s) involved and potential witnesses, and shall be signed and dated by the complainant.

3. The Chairperson and the Advisor, in their discretion and acting jointly, may dismiss immediately a complaint that does not allege academic misconduct or fall within the purview of the Honor Code. They shall send notice of the dismissal to the accused student.

4. If not dismissed, the Chairperson or Advisor shall send, within ten (10) business days of the filing of a complaint, notice of the complaint to the accused student.

5. Notice of the complaint shall be sent via official University Communication means (University email) and shall include the following:
   a. A description of the alleged conduct that constituted the charged Honor Code violation;
   b. Identification of specific Honor Code sections alleged to have been violated;
   c. Names of the student investigators and members of the Preliminary Review Panel;
   d. That the accused student is entitled to be represented by counsel or other representative;
   e. That the accused student is under no obligation to admit or deny the charges or to make any other statement;
   f. That any statement the accused student makes may be used against him/her;
   g. That the accused student may take responsibility for the violation and waive his/her right to a Hearing on the Merits (and proceed with a hearing on sanctions only).

6. Upon notice of the complaint, the accused student may request that one or more of the students selected to be either the investigators or members of the Preliminary Review Panel, be replaced with other student members of the Honor Board.

7. Complaints against graduates:
   a. Except for § V(A)(7)(b), no complaint may be filed against a student more than six months after that student leaves the University of Baltimore School of Law.
b. If a student leaves the University of Baltimore School of Law and either returns or attempts to transfer this law school's credit to another law school, complaints may be filed until six months after that student graduates from law school.

B. Investigation

1. Within seven (7) business days of the filing of the complaint, the Chairperson or Advisor shall select two members of the Honor Board to serve as investigators for the matter and present a report to the Preliminary Review Panel, and shall select five (5) students to serve as the Preliminary Review Panel.

2. Any Honor Board member who could potentially be called as a witness in the matter, or who has a professional or personal relationship with the accused that would create, or give the appearance of creating, an unfair bias, must be recused from all proceedings relating to the matter.

3. The investigators shall complete the investigation within fourteen (14) business days of their appointment, unless an extension for good cause is granted by the Chairperson. The accused student shall be notified of any extension of time.

4. The Investigators shall contact all relevant witnesses, the accused student, and any witnesses then proffered by the accused. The investigation report shall consist of a written, signed and dated statement from each witness, and any other relevant information the investigators collect.

5. During the investigation, the accused student shall not have the right to be informed of the name of the complainant. All witnesses contacted by the Investigators shall be informed of the confidentiality requirement imposed by Section V.(D).

6. The Investigators shall strive to be neutral fact finders and presenters of facts to the Preliminary Review Panel. They do not participate in the panel’s deliberations.

C. Preliminary Review Panel

1. Upon completion of the investigation, the Preliminary Review Panel (hereafter the Panel) shall meet to determine, based on a preponderance of the evidence, whether there are reasonable grounds to believe a violation has occurred. The Investigators shall present to the Panel the following materials for its review:

a. The complaint;

b. The investigation report, including signed and dated witness statements; and
c. A written statement submitted by the accused student, if the student chooses to submit a statement.

2. The Advisor shall attend the Panel proceedings for purposes of clarifying procedural matters, but shall not vote in the Panel’s deliberations.

3. **Reasonable Grounds.** If a majority of the Panel finds reasonable grounds that the accused student has violated the Honor Code, the Panel will prepare and send a letter to the Dean outlining the allegation, the investigation, the evidence considered and the Panel’s findings. The matter shall proceed to a Hearing. The Dean shall send, via official university communications, a letter to the accused student enclosing the Panel’s letter, and shall set a date for a hearing. The letter shall include:
   a. Name of the complainant;
   b. Names of the six Hearing Committee members;
   c. Date, time, and place of the hearing;
   d. A description of the alleged conduct that constituted the charged Honor Code violation;
   e. Identification of the specific Honor Code sections alleged to have been violated;
   f. That the accused student is entitled to be represented by counsel or other representative;
   g. That copies of all documentary evidence susceptible to photocopying are available and that the accused student and counsel shall have a reasonable time to examine any evidence not susceptible to photocopying;
   h. The names and available contact information of all persons that may be called as witnesses;
   i. That the accused student is under no obligation to admit or deny the charges or to make any other statement;
   j. That any statement the accused student makes may be used against him or her; and
   k. That the accused student may admit to the conduct at issue and waive the right to a hearing on the merits at any time, in which case the Hearing Committee will hear evidence relating to sanctions.

4. **No Reasonable Grounds.** If a majority of the Panel does not find reasonable grounds that the accused student violated the Honor Code, the Panel shall send a letter to the Dean outlining the allegation, the investigation, the evidence considered and the Panel’s findings, and the
matter shall be dismissed. Notice of the dismissal shall be sent to the accused student, and shall not be reported to the Board of Bar Examiners.

5. If thirty (30) business days pass, without an extension for good cause, from the selection of an investigator without a finding by the Panel or admission by the student to the conduct alleged, the complaint shall be dismissed. Notice of the dismissal shall be sent to the accused student, and shall not be reported to the Board of Bar Examiners.

6. Should exonerating evidence or information appear at any point after the Panel has found reasonable grounds of a violation but before the hearing has occurred, such evidence shall be provided to the accused student and introduced at the Hearing by the Presenter of Facts.

D. Hearing

1. Composition of the Hearing Committee. The Hearing Committee shall be composed of four Honor Board student members and two faculty members selected from the Faculty Honor Board Committee. A Faculty member may be excused from a Hearing Committee by the Dean for hardship or cause. Any Hearing Committee member who may be called as a witness or who has a professional or personal relationship that would create, or has the appearance of creating, an unfair bias shall be recused by the Dean. In cases of related actions, the Dean shall have the discretion to decide whether to consolidate the hearings of several students or of several complaints or to consider them separately. The Hearing Committee shall immediately select a Chair from the student members.

2. Rights of Accused Students

   a. An accused student may represent him/herself or use outside counsel. Current members of the full-time or part-time faculty may not represent students before the Hearing Committee.

   b. An accused student need not testify, but an adverse inference may be drawn from a student’s refusal to answer questions if, under the circumstances, it would be reasonable to draw that inference.

   c. The accused student may request the recusal of any Hearing Committee member on the grounds of potential bias. Such requests are to be addressed to the Dean who shall have final, non-reviewable authority to determine whether to grant the request. If the request is granted, a new Hearing Committee member will be selected pursuant to the procedures of §V.(D)(1), above.
If an accused student admits to the alleged conduct, it shall be considered a violation of the Honor Code. If the accused student takes responsibility for the conduct that resulted in the allegation and informs the Chairperson or the Hearing Committee of this responsibility, the Hearing Committee shall not hear evidence about the allegation, but shall hear evidence relating to and deliberate only about appropriate sanctions, including the factors outlined in Section V.(E)(2).

3. **Procedures for Hearings.**

1. Hearings shall be informal, confidential and shall be closed to all except official participants. For all proceedings relating to a complaint, the accused student may be accompanied by counsel. If the Hearing Committee Chair and accused student agree, others may be permitted to attend a Hearing.

2. An audio recording shall be made of any Hearings, excluding private deliberations of the Committee members.

3. All of the materials reviewed by the Preliminary Review Panel, the Panel’s letter to the Dean and any new evidence, if any, shall be made available to Hearing Committee members at least one business day prior to the hearing.

4. The accused student and all witnesses will be requested to be present during the hearing, although witnesses shall not be in the hearing room except during their own testimony.

5. The Presenter of Facts, selected by the Preliminary Review Panel from among its members, shall present all relevant information to the Hearing Committee. The Presenter of Facts will present the written investigation report, Panel findings, any other evidence and call witnesses.

6. The Hearing Committee shall have the right to participate in the questioning of any witness, including the accused student.

7. The accused student shall present any witnesses, evidence, and statements in the student’s favor.

4. **Deliberations.** After all evidence and testimony has been presented the Committee shall meet privately to deliberate and make findings. The standard for establishing a violation shall be a preponderance of the evidence that a violation has been committed. The Hearing Committee may only find an Honor Code violation if at least 5 members so vote.

a. **No violation.** If the Hearing Committee finds that the accused student did not violate the Honor Code, it shall announce its
finding to the accused student right away, dismiss the complaint and prepare its decision, which shall include findings of facts. The Hearing Committee’s decision shall be provided to the accused student within ten (10) business days of the hearing. The matter shall be reported to the Bar Examiners as dismissed after a Hearing.

b. **Violation.** If the Hearing Committee finds that the accused student violated the Honor Code, or if the student has admitted to the misconduct at issue, the Hearing Committee shall meet privately and vote on an appropriate sanction(s) pursuant to Section V.E. of this Code. The Hearing Committee shall then prepare its decision, outlining the basis for the finding of the violation and the sanctions. The Hearing Committee’s decision shall be provided to the accused student within ten (10) calendar days of the hearing.

E. **Sanctions**

1. Upon a finding of an Honor Code violation or upon an admission by the accused student to the misconduct at issue, the Hearing Committee shall, by vote of at least 5 members, select one or more of the following sanctions
   
a. Written reprimand, to be made part of the student’s official record;
   
b. Loss of credit for the particular academic endeavor involved;
   
c. Loss of credit for the course for which the academic work involved was prepared;
   
d. Suspension for a stated period;
   
e. Expulsion (or revocation of degree if finding of violation follows the awarding of the Degree);
   
f. Probation for a stated period;
   
g. Reduction of course grade, including failure with Honor Board citation;
   
h. Monetary restitution;
   
i. Prohibition from use of the services of Law Career Development Office permanently or for a specified period of time; or
   
j. Any other sanction the Hearing Committee deems appropriate.

2. If no sanction receives the support of five (5) members of the hearing Committee, the Hearing Committee shall forward a split recommendation to the Dean, who shall select an appropriate sanction.
After the hearing the Chair of the Hearing Committee shall write a decision, detailing the Committee’s findings and reasons for them.

3. In addition to the evidence presented to the Hearing Committee, the Hearing Committee may consider any or all of the following factors when imposing sanctions:
   a. whether the student cooperated with the Honor Board’s investigation;
   b. the nature of the violation;
   c. the degree of premeditation; and/or
   d. whether the student admitted to the conduct.

F. Appeals
   1. An accused student may appeal either a finding of violation or the imposition of a particular penalty.
   2. Requests for appeals must be made in writing to the University's vice president for student and academic services within ten calendar days of the mailing of the Hearing Committee's decision to the accused student. Requests for appeals will then be promptly transmitted to either the Provost or the Provost's designee, who will be responsible for deciding the appeal.
   3. The accused student, the Presenter of Facts, the Chair of the Hearing Committee and the Dean shall have the opportunity to submit materials for consideration on appeal.
   4. The violation or penalty may be reviewed based on whether:
      a. The findings of a violation are unsupported by substantial evidence in the view of the entire record;
      b. There was substantial departure from the required procedures which materially affected the fairness or reliability of the decision-making process;
      c. There is previously unavailable evidence which, if proven accurate, would substantially alter the finding of violation or the appropriateness of the penalty; or
      d. The sanction imposed is disproportionate to the gravity of the conduct.
   5. The accused student, Dean and Chair of the Hearing Committee shall be notified in writing of the result of the appeal.

VI. Reports to Bar Examiners
A. The School of Law Office of Academic Affairs retains records of all charges of academic misconduct issued in accordance with this Honor Code as well as the disposition of all such charges.

B. The Office of Academic Affairs shall report Honor Code Complaints to the Bar Examiners as indicated in this Code. Students are responsible for reporting Honor Code violations and/or dismissals on their applications for the Bar Examination.

VII. Members of the Student Honor Board

A. Selection of Honor Board members. Honor Board membership is open to all University of Baltimore Law Students in academic good standing. Members of the Honor Board shall be selected by an application and interview process. The selection committee shall include: current Honor Board Chair and the Honor Board Advisor.

B. Composition of the Honor Board. The Honor Board shall be composed of a minimum of 15 students, including the Chairperson. Term of service for new members begins when the applicant is selected to serve on the Honor Board and continues until graduation unless the Honor Board Member resigns or is removed. An Honor Board Member shall be removed by the Chair or Honor Board Advisor for good cause.

C. Honor Board Chairperson. The Honor Board Chairperson shall be selected by majority vote of the Honor Board members, the Honor Board Advisor and the Associate Dean. The Honor Board Chairperson shall not serve on the Student Bar Association Board. The Honor Board Chairperson shall:
   1. Schedule and preside over monthly Honor Board meetings;
   2. Facilitate Honor Code procedures in conjunction with the Honor Board Advisor;
   3. Keep and disseminate meeting minutes to members;
   4. Report Honor Board general business to the student body and faculty as necessary;
   5. Any other responsibilities conferred by the Honor Board.

VIII. Miscellaneous Provisions

A. This Honor Code shall be publicized to the student body as often as is necessary to ensure student awareness of its provisions.

B. If any provision of this Code is determined to be invalid, all remaining provisions shall continue in effect.

C. This Code shall become effective on the first day of the semester following its publication for student review and comment, adoption by the Faculty Council, and its approval for legal sufficiency by the Office of the Attorney General.
Adopted: _____ Date