

The University of Michigan  
School of Music  
Ann Arbor, MI 48109-2085

SCHOOL OF MUSIC  
MANUAL OF PROCEDURES FOR DEALING WITH INFRACTIONS  
OF THE CODE OF ACADEMIC CONDUCT

All undergraduate and graduate students enrolled in courses offered through the School of Music are subject to the provisions of the Code of Academic Conduct of the School of Music. All faculty, staff, and administrative personnel are subject to the provisions of The University of Michigan Interim Policy Statement on the Integrity of Scholarship.

The School of Music shall seek to ensure fair treatment for all persons involved in proceedings arising from complaints filed under the Code of Academic Conduct of the School of Music.

Complaints

A listing and examples of the activities that constitute academic misconduct are contained in the Code of Academic Conduct of the School of Music. Complaints alleging violations of the Code of Academic Conduct may be filed by faculty, students, and members of the administrative staff of the University. All such complaints shall be handled according to the procedures described in this Manual of Procedures.

Because of the fundamental importance of academic integrity to the entire University community, any person who has knowledge of likely academic misconduct has a responsibility to bring the facts to the attention of appropriate authorities. Any suspected offense may be discussed in confidence with the Associate Dean prior to filing a complaint, and there is no obligation to proceed to file a complaint.

Jurisdiction

The School of Music has jurisdiction over all complaints against students enrolled in the School of Music at the time of the alleged offense. Although students in other units of the University should normally be charged under the procedures prevailing in those units, the School of Music procedures may be utilized for any alleged offense involving a School of Music course.

Rights of the Accused

The accused shall receive notice of complaints, prompt and impartial hearings, and written notification of decisions rendered. The accused shall be able to represent his or her own positions as well as to respond to all statements made during the proceedings. Students may decline to speak against their own interests.

Students who are subject to hearings shall be presumed innocent until guilt has been established. A student has the right to request a hearing regarding an alleged offense even though the faculty member or administrator involved refuses to file a complaint or to attend the hearing.

### Filing Procedures

A complaint shall be submitted in writing to the Associate Dean for Undergraduate Studies or the Associate Dean for Graduate Studies as soon as possible after the discovery of the alleged misconduct. The complaint shall contain a full statement of the facts as perceived by the complainant. All available evidence shall be submitted at the time the complaint is filed.

### Scheduling Procedures

The Office of the Associate Dean shall provide the accused with a copy of the complaint, a copy of the available evidence, a copy of the Code of Academic Conduct, and a copy of this Manual of Procedures, and shall arrange a time for a hearing by a Hearing Board. If for any reason the case has not been heard by a Hearing Board within sixty days after the complaint is filed, the Executive Committee of the School of Music shall assume jurisdiction and shall arrange for a hearing by a Hearing Board. The guidelines provided in this Manual of Procedures shall apply regardless of the origin of the Hearing Board. Failure to comply with an order of a Hearing Board shall be considered misconduct and subject to disciplinary action by the School of Music.

### Hearing Board Membership

A Hearing Board shall be composed of three faculty members appointed by the Council of Departmental Representatives (CDR) if the student accused is an undergraduate or by the Faculty Council on Graduate Studies (FCGS) if the student accused is a graduate student.

A student against whom a complaint has been filed may request that students be included on the Hearing Board. This request must be filed with the appropriate associate dean within ten (10) days after the student is notified of the complaint. If the accused requests that students be included on the Hearing Board, the Board shall consist of two faculty members and two students rather than three faculty members.

The faculty members shall be appointed to the Hearing Board by the CDR if the student accused is an undergraduate or by the FCGS if the student accused is a graduate student. The student members shall be appointed by the Student Government of the School of Music. If there is no Student Government active at the time the complaint is filed, the students shall be appointed by the CDR or FCGS.

Any person appointed to serve on a Hearing Board may disqualify himself or herself or may be disqualified for cause by the complainant or by the accused if there is substantial reason to believe that the member could not be impartial. A member shall be disqualified on the request of either party unless the Board votes to reinstate him or her. A member is not permitted to vote on his or her own reinstatement but may make a statement on his or her own behalf. A vote to reinstate shall require a simple majority to pass. If a member is disqualified another member shall be appointed in the same manner that the disqualified member was appointed.

Each Hearing Board shall select one of its members to serve as chair. The chair shall retain the right to vote in all matters but may not then vote again to break a tie.

### The Hearing

The Hearing Board shall consider the facts and circumstances of the case, the guilt or innocence of the accused, and the penalties, if any, to be imposed. At the hearing all parties to the complaint shall have a full opportunity to present evidence concerning the case and to call and question witnesses.

The hearing shall be closed. The accused may be accompanied by advisors who may be attorneys. Except for advising their clients, the advisors may not participate in the hearing. Witnesses shall be present at the hearing only while testifying. Exceptions to this policy may be made at the discretion of the Hearing Board. If the accused refuses to participate, the hearing may proceed without him or her.

When there is no further relevant testimony to be presented, the Hearing Board shall enter into closed session to determine whether the accused is guilty or innocent. Each member of the Hearing Board shall vote on the question of guilt or innocence. A majority vote shall be required for a finding of guilty. In the event that Hearing Board cannot reach a verdict because of a tie vote the case shall be dismissed.

If a Hearing Board votes that the student is guilty, it shall next determine whether the infraction was major or minor, and finally it shall determine the penalties. A motion to impose a particular penalty shall require a simple majority to pass. In the event of a tie vote on a particular penalty, the Board shall continue to deliberate until some penalty is approved by a majority vote.

A tape recording shall be made of each hearing during the time the evidence is presented and the witnesses are providing testimony. There shall be no recording of the deliberations of the Hearing Board during the time it is in closed session. The tape recording shall be kept on file until one year after the accused graduates from the School of Music or until five years after the last registration. The Associate Dean shall arrange for a secretary to take notes of the proceedings at the hearing, including the closed sessions. These notes shall include a record of the results of all votes taken.

After the hearing one of the members of the Hearing Board shall meet with the accused to respond to questions and to convey any special concerns of the Hearing Board. Within ten days after the hearing the Hearing Board shall provide the accused with a written statement containing the decision rendered and the relevant reasons.

All charges, evidence, tape recordings, and other materials submitted to or developed by the Hearing Board shall remain confidential, but anonymous summaries may be made public at the discretion of the Hearing Board or the appropriate associate dean.

#### Waiver to Right to a Hearing

A student who acknowledges the accuracy of the complaint may waive the right to a hearing by submitting a written statement that both admits guilt and waives the right to a hearing. In such a case, the punishment will be determined by a panel consisting of two faculty members appointed by the CDR or the FCGS, which shall function in lieu of a Hearing Board. If, in the statement admitting guilt and waiving a hearing, the accused requests that a student be included on the panel determining the punishment, the panel shall consist of one faculty member and one student rather than two faculty members. Members of a panel to determine punishment shall be selected in the same manner that members of a Hearing Board are selected.

#### Appropriate Actions

If the student is found not guilty of the alleged misconduct, no punitive action can be taken by any University office or individual.

If the student is found guilty of academic misconduct the Hearing Board shall determine whether the infraction was major or minor. The following are examples of major infractions:

Plagiarism: Qualitatively, an essential or significant part of the work or, quantitatively, a major part of the work was plagiarized.

Cheating: Premeditated cheating or repeated cheating on an examination.

Aiding and Abetting Dishonesty: Qualitatively, an essential or significant part of the data or, quantitatively, a major part of the data were fabricated or were analyzed or presented in such a way as deliberately to mislead or misrepresent.

Falsification of Records of Official Documents: Forgery of (A) a petition that affects the student's grade, (B) a transcript, (C) a grade report, or (D) a late drop slip that results in a recording of "W" rather than the correct course grade.

Unauthorized or Malicious Interference or Tampering with Computer Property: A significant computer file or data base was stolen, destroyed, or copied without authorization, or a damaging virus was introduced into the computer files of one or more other persons.

Penalties assigned for major infractions may include but are not limited to:

1. Suspension from the School of Music for a specified number of terms.
2. Permanent expulsion from the School of Music.
3. Recommendation to the president for permanent expulsion from the University.
4. Revocation of a degree.

Conviction for a major infraction shall result in automatic suspension for at least one fall or winter term. A suspension or expulsion shall begin with the fall or winter term following the term in which the Hearing Board rendered its decision. When the infraction occurs in the accused's last term or half-term before graduation the suspension shall be effective during the next term. Graduation will be deferred until the next degree period. Additional penalties may be imposed.

Infractions judged to be of lesser magnitude than the example cited shall be considered minor infractions. Penalties assigned for minor infractions may include but are not limited to:

1. Disciplinary probation for a specified period. A notation will be placed on the transcript. At the end of the probationary period the student may file a petition with the associate dean to have the notation expunged from the permanent record.
2. Imposition of additional hours of credit beyond what would otherwise be required for graduation. Specific course or types of courses may be required.
3. A letter of reprimand placed in the permanent record of the accused.

The penalty for conviction for a minor infraction may not be more severe than suspension for one term. Conviction for two separate offenses, either minor or major, shall result in automatic expulsion from the School of Music.

The control of the grade in the course rests with the instructor. The assigning of a failing grade to a paper which has been plagiarized does not constitute punitive grading. If it is found that a faculty member has levied a penalty in addition to that prescribed by the Hearing Board, the Board reserves the right to reconvene and to rescind or modify its original penalties.

## Appeals

If a student believes that the Hearing Board has not followed this Manual of Procedures, a written appeal may be filed with the CDR or FCGS through the appropriate associate dean. The appeal must be filed within two weeks of notification of the judgment of the Hearing Board.

A student punished by expulsion may appeal for clemency to the Dean of the School of Music. The appeal must be filed within two weeks of notification of the judgment of the Hearing Board.

Approved by the Governing Faculty  
April 26, 1990