

**CODE OF CONDUCT AND
PROCEDURES FOR THE HONOR CODE COMMITTEE
OF THE UNIVERSITY OF ARIZONA COLLEGE OF MEDICINE**

(July 1977; amended 5/80, 5/81)

As amended 4/01 and 1/10

Principle

Society entrusts the physician with vital responsibilities — maintenance of health and prevention, diagnosis and treatment of disease. In accepting this trust, the medical profession expects its members to act honorably in all endeavors. Practicing physicians, faculty members in academic medical centers, house officers and medical students must adhere to the highest standards of personal and professional conduct. This Code of Conduct (hereafter “Code”) is intended to promote an atmosphere of confidence and trust among students. The governing philosophy and premise of this Code is that students striving to enter the medical profession are capable of adhering to ethical standards.

Every medical student is expected to act with integrity in performing academic work. The guiding principle of academic integrity is that a student’s work must be the student’s own. This Code requires that all medical students at The University of Arizona College of Medicine act honorably and honestly in all phases of their academic work. This Code recognizes that students at the University of Arizona College of Medicine will be members of the medical profession and therefore should be governed by rules applicable to physicians. If a student or faculty member has reason to believe that another student has violated this Code, s/he has an obligation to report the incident to the Chairperson of the College of Medicine’s Honor Code Committee, as set forth below. This Code supplements the standards of conduct established in the University’s Student Codes of Conduct¹ and Academic Integrity², which are stated in the Arizona Board of Regents Policy Manual 5-308, *et seq.*; however, the procedures set forth in this Code of Conduct will be the exclusive means by which misconduct will be reported and considered, and sanctions will be imposed at the College of Medicine.

Prohibited Conduct

Conduct prohibited by this Code consists of all forms of academic dishonesty, including, but not limited to: cheating, fabrication, facilitating academic dishonesty, and plagiarism as defined in the University of Arizona Student Code of Conduct 5-308(F); modifying any academic work to obtain additional credit in the same class unless approved in advance by the faculty member; failure to observe rules of academic integrity established by a faculty member for a particular course; and attempting to commit an act prohibited by this Code or the University Student Code of Conduct. Any attempt to commit an act prohibited by these rules will be subject to sanctions to the same extent as completed acts. It also is a violation of this Code to

¹ <http://deanofstudents.arizona.edu/policiesandcodes/studentcodeofconduct>

² http://deanofstudents.arizona.edu/policiesandcodes/codeofacademicintegrity#prohibited_conduct,

intentionally falsely accuse a student of a Code violation, to fail to cooperate with an Honor Code investigation or Student Progress Committee proceeding or hearing, or to make any intentional misrepresentations in the Honor Code process.

Student Responsibility

Students engaging in academic dishonesty diminish their education and bring discredit to the academic community and to the medical profession. Students will observe this Code whether or not faculty members establish special rules of academic integrity or conduct for particular classes or whether or not faculty make special efforts to prevent cheating in their individual courses.

Faculty Responsibility

Faculty members will notify students of any special rules of academic integrity or conduct established for a particular course (*e.g.*, whether or not a faculty member permits collaboration, use of the same paper in more than one class, etc.), and will make every reasonable effort to encourage compliance with the Code.

Student Rights

When responding to charges of a Code violation, students have the right to see or hear the evidence against them; to a fair consideration of the charges; and to be assisted by an advisor or attorney of their choosing at their own expense at a formal meeting of the Honor Code Committee. Records of any proceedings before the Honor Code Committee are confidential to the extent required by law. Except as otherwise permitted by law or University policy, neither faculty nor other students participating in proceedings under this Code will disclose personally identifiable information regarding either the student charged with a violation of this Code or other students participating in the proceedings outlined below to anyone other than those individuals directly involved in the proceedings or who have a legitimate educational interest in the information. Under the provisions of the Family Education Rights and Privacy Act of 1974, neither students nor faculty who report misconduct under this Code are entitled to information related to the consideration or disposition of any matter pending before or decided by either the Honor Code Committee, the Student Progress Committee or the Student Appeals Committee, unless the student who is the subject of those proceedings agrees in writing to the release of such information.

PROCEDURES FOR ADMINISTERING THIS CODE

1. Honor Code Committee.

a. The College of Medicine will establish an Honor Code Committee, which will be responsible for investigating and making recommendations regarding alleged violations of this Code to the Student Progress Committee. The Honor Code Committee also will be responsible for conducting a periodic review of this Code and, when necessary, to recommend changes in it

to the faculty and the student body of the College of Medicine.

b. The Honor Code Committee will be composed of three medical student representatives from each class, and two members of the College of Medicine faculty, one from a basic science department and one from a clinical science department. An Associate Dean for Student Affairs may attend the Honor Code Committee's formal meeting as an advisor to the Committee if requested but does not vote. Each class will elect its student representatives. The College of Medicine faculty will elect the faculty representatives.

c. Each class also will elect one of its members as an alternate member of the Honor Code Committee and the College of Medicine faculty will elect one member from a basic science department and one member from a clinical department to serve as alternate members of the Committee. An alternate may participate in Committee deliberations but will sit as a voting member of the Committee only when a regular Committee member from his/her class or faculty category is unable to be present or is disqualified from participation. A quorum of two-thirds of the voting membership of the Committee, including at least one faculty member, is required to conduct any meeting prescribed by this Code.

d. Terms for both student members and faculty members will be two academic years, except for seniors, whose term shall not extend beyond graduation. Each entering class will elect its members and alternate within thirty days after it begins its academic year.

e. The Honor Code Committee will select a Chairperson and a Secretary from among its members. Each will serve for a term of two years, except for seniors, whose term will not extend beyond graduation. The Chairperson will preside at formal Committee meetings. The Secretary will take minutes of formal Committee proceedings and be responsible for maintaining Committee records. The Secretary will tape record formal Committee meetings, which will be maintained in the Office of an Associate Dean for Student Affairs at the conclusion of all such proceedings under this Code.

f. No student who has been found guilty of a violation of this Code will serve on the Honor Code Committee.

g. No member of the Honor Code Committee who is involved as a witness in a case pending before the Committee will participate in the proceedings or deliberations on that case.

2. Preliminary Meeting.

a. If a student or faculty member has reason to believe that a student's behavior constitutes a violation of this Code, s/he will prepare a written statement and deliver it to the Chairperson of the Honor Code Committee expeditiously. The Chairperson will meet with one faculty member on the Committee and the Associate Dean for Student Affairs no later than five (5) working days after receipt of the written statement, unless those individuals are unavailable, in which case, the meeting will occur on the next available work day thereafter when all parties are able to meet. The Chairperson, faculty member and Associate Dean for Student Affairs will

evaluate the written statement and determine whether the allegation, if true, would constitute prohibited conduct under this Code.

b. If the consensus of the Chairperson, the faculty member and the Associate Dean for Student Affairs is that the allegation, if true, would constitute prohibited conduct under this Code, then the matter will be referred to the Honor Code Committee for a formal meeting, as set forth in paragraph 3 below.

c. If the consensus of the Chairperson, the faculty member and the Associate Dean for Student Affairs is that the allegation, as presented, would not constitute prohibited conduct under this Code, then the matter will not proceed further, and all documents, including the written statement, will be destroyed. The Chairperson of the Committee will notify the accused student and the person providing the written statement that the matter is closed and will not proceed further.

3. Formal Meeting.

a. If the matter is referred for a formal meeting, then the Chairperson of the Honor Code Committee will notify the accused student and the individual who submitted the written statement of the date and time of a formal meeting, which shall be set no later than ten (10) days from the date on which the matter was forwarded for formal proceedings, unless the Honor Code Committee is unable to establish a quorum of its members within that time. In that case, the matter will be heard on the next business day on which a quorum may be gathered.

b. The Honor Code Committee will receive evidence supporting and/or rebutting the allegation of misconduct, to make a determination whether, based upon a preponderance of evidence, there is reason to believe the accused student violated this Code, and to formulate recommendations related to discipline or remediation to the Student Progress Committee. If the Honor Code Committee determines that the conduct described constitutes misconduct that was not specifically alleged in the original written statement, it shall advise the student of the additional allegations of misconduct and permit the student to address those allegations at the meeting described below. Any allegation of misconduct must be proven by a preponderance of evidence, which means that it is more likely than not that the student violated this Code.

c. The student may be assisted throughout the proceedings by an advisor or may be represented by an attorney, who must be licensed in the State of Arizona, at the student's own expense. If the student is represented by an attorney, then the individual making the written statement alleging that the student violated this Code may also be represented by an attorney selected by the University's Office of the General Counsel, who will be paid by the College of Medicine.

d. The accused is presumed innocent of misconduct until proven guilty by a preponderance of the evidence.

e. Formal meetings will be closed to all individuals except the Honor Code

Committee, including alternates, the person making the allegations, the accused, witnesses to the alleged offense, and counsel for the parties. The Committee, upon request of the accused student, will preclude witnesses from attending the formal meeting in whole or in part, except when such witnesses are testifying before the Committee. The Secretary of the Honor Code Committee will tape record the proceedings, but not the deliberations of the Honor Code Committee. The Honor Code Committee may be assisted by University counsel, both during a formal meeting and in writing its recommendations to the Student Progress Committee.

f. If, after receiving all the evidence and hearing testimony from all parties and witnesses and arguments of the accused student and the person making the complaint, two-thirds of the members of the Honor Code Committee find the accused student guilty of a violation of this Code by a preponderance of the evidence, then the Honor Code Committee will, within five (5) working days following the meeting, prepare written findings of fact and conclusions and make a recommendation for appropriate remedial or disciplinary action to the Student Progress Committee. The Secretary will forward the recommendation, along with all records of the proceedings, including the tape recording of the testimony taken at the meeting and the Minutes of the formal meeting, to the Chair of the Student Progress Committee.

g. When recommending remedial action or discipline, the Honor Code Committee may consider the seriousness of the violation, the student's state of mind, the harm done to the University and to other students, and whether the student has previously been found guilty of engaging in conduct prohibited by the Code. In addition, the Honor Code Committee will consider mitigating and aggravating factors in accordance with the provisions of Arizona Board of Regents Policy 5-308(H)³. Recommended discipline or remediation may include, but is not limited to: a warning; a grade of "fail" on a particular examination or assignment; a grade of "fail" in a course (block) or clerkship; suspension from the College of Medicine for a specified period; or dismissal from the College of Medicine.

h. If the Honor Code Committee determines that the student did not violate the Code, then all records of the formal meeting will be destroyed.

i. All testimony and evidence will be confidential and the results of the proceedings will be revealed to no one, including any witnesses who may have appeared before the Honor Code Committee, whatever the ultimate disposition of the matter may be. At the request of the accused student, the finding of "not guilty" will be reported to such persons and places as the accused may designate.

j. Any matter referred for formal proceedings may be resolved either by stipulation or agreement that the accused student violated this Code, which the Secretary of the Honor Code Committee will forward to the Student Progress Committee for further action.

4. Action by the Student Progress Committee.

³ http://www.abor.asu.edu/1_the_regents/policymanual/chap5/chapter_v.htm#5-308

Upon receipt of a recommendation for disciplinary or remedial action from the Honor Code Committee, or upon a stipulation or agreement by the accused student that s/he violated this Code, the Student Progress Committee will schedule a meeting with the accused student and individual providing the written statement. The Student Progress Committee may adopt, reject or modify the recommendation of the Honor Code Committee, based on the evidence presented to the Honor Code Committee or based upon the agreement or stipulation of the accused student, unless it determines that the evidence provided is insufficient to make such a determination of appropriate action or believes that the Honor Code Committee's recommendation is not supported by the evidence. In that event, the Student Progress Committee may conduct a hearing in accordance with the procedures established in the College of Medicine's *Policy and Procedures for Student Progress and Student Appeals Committees, Grade Appeals, and Access to Student Records at The University of Arizona College of Medicine*. The Student Progress Committee will issue a written decision of its findings of fact and conclusions to the accused student within five (5) working days after the date of its review or hearing and provide copies of its decision to the Dean of the College of Medicine and the Associate Dean for Student Affairs.

5. Appeal to Student Appeals Committee.

If the Student Progress Committee imposes disciplinary or remedial action as a result of a finding that the accused student violated this Code, then the student may appeal that decision and action to the Student Appeals Committee, in accordance with the procedures set forth in the in accordance with the College of Medicine's *Policy and Procedures for Student Progress and Student Appeals Committees, Grade Appeals, and Access to Student Records at The University of Arizona College of Medicine*, but only on the following grounds:

- a. The meeting was not conducted in a manner substantially consistent with the procedures set forth in this Code;
- b. The finding that the student violated this Code is not supported by a preponderance of the evidence as disclosed by the record;
- c. The student's conduct does not constitute a violation of this Code;
- d. The process for making a determination that the student violated this Code violated the student's constitutional rights;
- e. The sanction imposed by the Student Progress Committee is arbitrary or capricious.

If the Student Appeals Committee determines that the student has raised an appealable issue, then it will request a copy of the entire record from the Chair of the Student Progress Committee and review that record, but will not conduct further hearings. It may either affirm the decision of the Student Progress Committee, reverse the decision, either in whole or in part, or remand the matter to the Student Progress Committee for further proceedings. The Student Appeals Committee will issue a written decision within five (5) working days of its review, and its decision will be final and not subject to further appeal in the College of Medicine. The Chair of the Student Appeals Committee will provide a copy of its final decision to the Dean of the College of Medicine, the Associate Dean for Student Affairs, the Chair of the Student Progress

Committee, and the accused student.

6. Records.

The records of any formal meetings under this Code will remain confidential, except to members of the Honor Code Committee who participated in the meetings, the accused student, the Student Progress Committee, the Student Appeals Committee if the accused student appeals a determination of the Student Progress Committee, a Dean or Associate Dean for Student Affairs of the College of Medicine, and legal counsel to the College of Medicine.

7. Dissemination of this Code and Procedures of the Honor Code Committee.

This Code of Conduct and Procedures of the Honor Code Committee will be published in the College of Medicine catalog and will be sent to all accepted applicants to the College of Medicine. Each accepted applicant will, prior to matriculation, be required to sign a statement that s/he has read this Code and agrees to abide by it. Each year, either a member of the Honor Code Committee or designee from the College of Medicine will, within the first two (2) weeks of the start of classes, read and explain this Code to entering medical students. Copies of this Code will be provided to new College of Medicine faculty members at the time of hire.

8. Amendments.

a. All amendments or revisions of this Code and its procedures must be approved by a majority of students casting ballots and a majority of the voting faculty of the College of Medicine present at a duly constituted faculty meeting. Upon adoption, this Code will supersede all previous versions of this Code.

b. Abolition of this Code may be done unilaterally by a majority vote of either students or faculty of the College of Medicine. Notwithstanding the abolition of this Code, any matters pending at the time of such vote must be completed by the Honor Code Committee, Student Progress Committee and/or Student Appeals Committee.

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