UAB School of Medicine Student Honor Code

Introduction

The role of the physician in our society transcends almost all conventional personal boundaries. The physician asks what no one else may ask and views what no one else may view. With this privilege comes great responsibility. Recognizing that dishonesty, academic misconduct or negligence poses a serious threat to the welfare of our future patients, the Students of the UAB School of Medicine have devised this Honor Code so that we may meet the responsibilities of the medical profession.

By this Honor Code we purpose to maintain the highest standards of ethical and professional conduct in all academic matters.

Article I - Basis for the Honor System

A. Scope

This Honor Code applies to all Students enrolled at the UAB School of Medicine ("UAB SOM"). It proscribes all acts of academic misconduct and tolerating such actions by another. Offenses that constitute violations of state or federal law, violations of University of Alabama at Birmingham ("University") policies and regulations, or violations of professional conduct, may be best handled by other appropriate authorities, and the Honor Council has the discretion to refer a case to University and/or UAB SOM administrators for review and potential referral to external agencies.

B. Definitions

Academic Misconduct: any act or failure to act that could impact an academic record, or is intended to impact an academic record to give an impression that is not accurately reflective of the academic effort or accomplishment of any Student. Examples include, but are not limited to:

- using unauthorized materials on an examination
- retaining examination materials (unless specifically permitted by the course /module director)
- providing materials or information to another Student with knowledge that use of those materials may constitute academic misconduct
- altering documents related to one’s academic records, such as transcripts or letters of recommendation
- collaborating on an academic assignment without proper authorization or acknowledgment
- using another’s words or ideas without proper acknowledgment and permission

Tolerance: includes willfully ignoring, withholding evidence of, or otherwise failing to take action after witnessing or learning of a possible breach of the Honor Code.

C. Pledge

Each Student shall sign the following pledge at orientation to UAB School of Medicine:

"On my honor as a Student of the medical profession, I will not tolerate or engage in academic misconduct."

No other affirmation of this pledge is required by the Honor Code. All Students will be presumed to have signed this pledge by the act of registration for classes and are expected to following the Honor Code throughout their medical school enrollment.
Article II - Organization and Selection of Honor Council

A. Composition

Third year student members shall include three (3) from the Birmingham campus, one (1) from the Tuscaloosa campus, one (1) from the Huntsville campus, and one (1) from the Montgomery campus.

Fourth year student members shall include three (3) from the Birmingham campus, one (1) from the Tuscaloosa campus, one (1) from the Huntsville campus and one (1) from the Montgomery campus.

First year members will be elected in the fall for terms that conclude in the spring of the following calendar year. Second and third year members will be elected in the spring. Third year members for each campus will serve a term concluding upon graduation. Students electing to take time off from pre-clinical courses or clinical rotations, such as for completion of doctoral programs, extramural research, or dual-degree programs, will not be eligible to serve on the Honor Council during those time periods.

Faculty members will be nominated by the Honor Council student members and approved by simple majority vote of the Honor Council student members. Faculty members will serve two (2) year terms and may not serve more than two (2) consecutive terms. Two (2) alternate faculty members shall be selected by the Honor Council student members and approved by simple majority vote of the student members.

Each class shall also have an elected student Alternate Member. Alternate Members will have no responsibilities unless called upon by the Chair to serve in the event of a temporary term, or completing an unexpired term, in the event of which the Alternate Member shall have all responsibilities of an Honor Council Member.

An Administrative Advisor will be appointed by the UAB School of Medicine Administration from the Office of Student Services to assist the Honor Council. The Advisor’s duties include, but are not limited to: remaining impartial as to the outcome of any incident; advising the members of the Honor Council as to procedure and precedents; keeping the Honor Council records in a place that is safe and inaccessible to students and faculty (other than those given permission by the Chair of the Honor Council or the Associate Dean for Students). The Administrative Advisor has no vote in any Honor Council proceedings. If the Administrative Advisor must be absent or recuses himself or herself from a case, the Chair or Vice-Chair may select an alternate administrative advisor.

B. Election of Members

Students interested in becoming a student Honor Council member must submit to the existing council an essay outlining their intentions and qualifications to be a member. The essays, including the names of applicants, will be made available to their respective classmates. Student members from each class will be elected by a simple majority vote of their class with those receiving the most votes in each class elected to serve as student Honor Council members. The candidate receiving the next highest vote total shall be designated as the Alternate Member.

C. Officers

The Honor Council shall elect a Chair and two (2) Vice-Chairs from among the student members of the Honor Council, by a simple majority vote of all members for a term of one year beginning in the spring. The Chair will be responsible for ensuring the timely performance of all Honor Council responsibilities and for carrying out the duties stated within the Honor Code.

In each incident, one Vice-Chair shall be designated as scribe at the Preliminary Review and if needed, at the Honor Council Review. The other Vice-Chair shall serve as the Moderator at any Honor Council Review required. The Vice-Chairs shall fulfill the duties of the Chair, if needed. A student Honor Council
member may be designated to fulfill the duties of a Vice-Chair in the event that the Chair or a Vice-Chair must be absent or recuses themselves from the Preliminary Review and/or Honor Council Review.

D. Recusal, Removal and Replacement of Members

If any member of the Honor Council perceives a potential conflict of interest, they must temporarily step down from their official duties. Their duties will resume after the potential conflict has passed. A member shall be removed from the Honor Council upon a reasonable showing based on evidence of improper conduct. The request to remove of member must be submitted to the Chair in writing outlining the alleged misconduct with specificity. The Chair shall share the request for removal with the subject Honor Council member, who will be granted the opportunity to respond to the request in writing or allowed to resign his/her position on the Honor Council. A vote of two-thirds (2/3) majority of the existing Honor Council is needed to remove a member. In the event an Honor Council Member resigns, is removed, or withdraws from School, the Alternate Member from the same class shall replace the Member until such time as the Member returns or a new, regularly scheduled election is held.

E. Meetings

One regular meeting shall be held at the beginning of the school year following fall elections. At this meeting, the Chair and Administrative Advisor will explain the duties and procedures of the Honor Council to the members. The student members of the Honor Council will appoint and vote on faculty members.

Article III – Confidentiality

All persons aware of, or involved with, in any capacity, an Honor Code incident shall not discuss any information pertaining to the incident with any persons not directly involved with the incident, except under the provisions set forth in this code, or if directed to do so by the Chair or the Associate Dean for Students. Matters of alleged academic misconduct are to be treated with the utmost discretion. Breaches of confidentiality may be considered a violation of the Honor Code (since such violations could unfairly impact the academic appraisal of the Students involved). Anyone involved at any stage of any incident will be reminded of this confidentiality policy upon initiation and completion of his/her participation.

Article IV - Incident Report and Fact Finding

A. Reporting of a Violation

Students are responsible for reporting all violations of the Honor System to an Honor Council Member. Faculty are encouraged to report allegations of academic misconduct to the Honor Council for resolution, but are not under an affirmative obligation to report academic misconduct to the Honor Council. Faculty may address academic dishonesty and misconduct occurring in their classes through their own classroom policies. The individual reporting a possible Honor Code violation shall be referred to as the Reporter. The initial report should include ONLY the name of the Reporter, and the class(es) of the Student(s) in question. NO OTHER DETAILS SHOULD BE GIVEN.

An Honor Council Member receiving a report must notify the Chair of the Honor Council as soon as possible.

B. Preliminary Fact-Finding

Once notified of a possible Honor Code violation, known herein as an Honor Code incident, the Chair shall appoint a preliminary Fact-Finder. The Fact-Finder shall be a student member of the Honor Council and shall not be a classmate of the Student(s) in question. Neither the Chair nor a Vice-Chair may serve as the Fact-Finder.
Once appointed, the Fact-Finder shall retain that role throughout the entire process (unless he/she must recuse himself/herself due to a conflict of interest).

The Fact-Finder shall be given only the Reporter’s name. The Fact-Finder will contact the Reporter for an interview. At this interview, the Reporter will reveal the name(s) of the Student(s) in question, the details of the incident, the names of any witnesses, and any other pertinent information.

The Fact-Finder will interview all persons involved with the incident, including the Student(s) in question and any witnesses. Tangible evidence pertinent to the allegations should be gathered. When doing so, the Fact-Finder will inform all persons interviewed of their duty to maintain absolute confidentiality regarding incident. The Student(s) named by the Reporter as having possibly violated the Honor Code shall be advised that they may confide in family, legal counsel or School administrators with respect to the allegations made against them.

The Fact-Finder shall inquire if another authoritative body is investigating the Student(s) in question for the same alleged conduct by discussing the general allegations with the Administrative Advisor, providing the minimum amount of information necessary for consultation.

The Fact-Finder will compile a written report to be presented at the Preliminary Review. This report shall include all statements, facts, and information obtained, but MUST NOT include the name of any individuals.

Should the incident proceed to an Honor Council Review (See Article VI A), the Fact-Finder shall make himself/herself available before and during the Honor Council Review.

Article V - Preliminary Review

A. Preliminary Review Committee

The Honor Council Chair will coordinate the Preliminary Review. His/her duties include:

- appointing four (4) members of the Honor Council to comprise the voting members
- appoint one of the Vice-Chairs to serve as Scribe
- scheduling the Preliminary Hearing
- overseeing the Preliminary Hearing

Once appointed, the Preliminary Review will consist of:

- one (1) Vice-Chair who will serve as the Scribe and does NOT have a vote in the outcome
- the Administrative Advisor who does NOT have a vote in the outcome
- the Fact-Finder who does NOT have a vote in the outcome
- the Chair, who does have a vote in the outcome
- Three (3) student Honor Council members who do have a vote in the outcome
- One (1) faculty Honor Council member who does have a vote in the outcome

If possible, the Preliminary Review Committee should include at least one voting member from the campus where the incident occurred, and voting student members from different classes.

The Preliminary Review will be a closed proceeding attended only by the eight (8) persons identified above.
B. Procedures of the Preliminary Review

The Fact-Finder shall give a full, written presentation to the Preliminary Review Committee. Those in attendance shall discuss the facts and issues of the incident. If requested, the Administrative Advisor shall advise regarding past Honor Council actions and correct procedure. After discussion, by a simple majority (3 of 5 voting members), the Preliminary Review Committee may choose to:

- request a more thorough investigation to be presented at a later date
- dismiss the allegations
- proceed to a full Honor Council Review
- refer to another University authority

In the event the Preliminary Review Committee votes to proceed to an Honor Council Review based on the evidence presented, the Preliminary Review Committee may offer the Student(s) in question an appropriate sanction, determined in consultation with the Associate Dean of Students, that the Student(s) in Question may accept in lieu of proceeding to an Honor Council Review. The recommended sanction is at the discretion of the Preliminary Review Committee, to be implemented only with the approval of the Associate Dean of Students, and the following is only a guide as to the type of sanction(s) that may be recommended, alone or in combination:

- Recommendation to seek assistance from appropriate professionals for any underlying issues that the Student may have
- Requirement to perform a determined number of community service hours
- The placement of a note of professional concern in the file of the Student (such note may or may not be included in the content of the Medical Student Performance Evaluation)
- Recommendation to the module/clerkship/course director to fail the Student
- Recommendation to the Associate Dean for Students to make mention of the offense in the MSPE of the Student
- Recommendation of suspension from the SOM for a determined time period
- Recommendation of expulsion from the SOM

If the Preliminary Review Committee chooses to proceed to an Honor Council Review and does not wish to provide a recommended sanction(s), the case will automatically proceed to an Honor Council Review without providing the student in question with the option to forgo his or her right to an Honor Council Review.

In the event multiple reports result from a single incident, or multiple Students are implicated in a single incident; such cases will preferably be handled by a single Fact-Finder and Preliminary Review Committee, with separate decisions for each of the Student(s) in question. The Chair reserves the right, however, to appoint separate Fact Finders and hold separate Preliminary Reviews for multiple students involved in the same or same type incident.

C. New Information Presented After the Conclusion of the Preliminary Review

If after the Preliminary Review has concluded, the Reporter or any other witness discovers or discloses new evidence they feel may change the outcome of the original Preliminary Review, he/she should contact the original Fact-Finder, or, if the original Fact-Finder is no longer a member of the Honor Council, the current Chair. If the Chair agrees that such new evidence may lead to a change in the findings of the Preliminary Review, a new Fact-Finder may be appointed and a new Preliminary Hearing Committee may be convened to review the new evidence.

D. Notice of Preliminary Review Findings

The Honor Council Chair shall report the decision of the Preliminary Review Committee in letter format to the Reporter(s) and the Student(s) accused of violating the Honor Code.
1. If the Preliminary Review Committee votes to proceed to an Honor Council Review, the Honor Council Chair shall give reasonable and timely notification to the Student(s) in Question, to include:

- A summary of the allegations of the incident in question
- A Notice of Findings of the Preliminary Review Committee
- The proposed date and time of the Honor Council Review, which may be subject to change based on the availability of the Student(s) in Question, Reporter, potential witnesses and Honor Council members
- The name and contact information of the Honor Council Chair to whom response must be made
- A copy of the Honor Code.

2. If the Preliminary Hearing Committee votes to proceed to an Honor Council Review, but chooses to offer the Student(s) in Question a recommended sanction as described in V.B. above, the Notice of Findings shall give reasonable and timely notification to the Student(s) in Question, to include:

- A summary of the allegations of the incident in question
- A Notice of Findings of the Preliminary Review Committee
- The proposed date and time of the Honor Council Review, which may be subject to change based on the availability of the Student(s) in Question, Reporter, potential witnesses and Honor Council members
- The proposed offer of a recommended sanction in lieu of proceeding to Honor Council Review, which the Student in Question may accept or reject in writing within ten (10) days of the date of the Notice of Findings
- The name and contact information of the Honor Council Chair to whom response must be made
- A copy of the Honor Code

If the Student(s) in Question fails to respond within the ten (10) day deadline to the offer of recommended sanction, the Chair will assume the Student wishes to proceed to the Honor Council Review. During the 10 day period, the Student(s) in Question may request information and assistance from an Honor Council member, the Administrative Advisor, or the Associate Dean for Students regarding the proposed recommended sanction.

3. If the allegations are dismissed by the Preliminary Review Committee, the Honor Council Chair shall issue a Notice of Findings of the Preliminary Review Committee to the Student(s) in Question with a copy to the Reporter(s). All documentation is to be secured by the Administrative Advisor to be kept for future reference. Documentation from past cases can only be released at the request of the Chair or the Associate Dean for Students.

Article VI - Honor Council Review

A. Participants in the Honor Council Review

The Honor Council Review shall consist of all student Honor Council members and two (2) faculty Honor Council members who did not participate in the Preliminary Review and who can attend. A quorum of seven (7) voting Honor Council members must be in attendance, with at least one from each class. The Vice-Chair of the Honor Council who did not participate in the Preliminary Review as Scribe shall act as Moderator. The Vice Chair Moderator is a non-voting member of the Honor Council Review panel and the duties of the Moderator include advising the Honor Council on procedural questions, and directing the Honor Council Review in an unbiased fashion.

The Scribe is the Vice-Chair of the Honor Council who served in that position during the Preliminary Review. He/she is responsible for ensuring that the Honor Council Review is recorded.
The Reporter is expected to be available for the Honor Council Review as a witness.

The Student(s) in Question is expected, but not required, to attend the entire Honor Council Review. The Student(s) in Question may appear before the Honor Council and speak on his/her own behalf, but is not required to testify before the Honor Council Review. The Student(s) in Question may only be questioned by Honor Council members if he/she has given his/her permission to be questioned.

The Chair and the Administrative Advisor shall attend the Honor Council Review and serve as advisors to any party or witness, if requested. They shall not address the Honor Council during a full Review unless requested to do so by the Moderator.

If the Student(s) in Question, Reporter, or any witness chooses to hire or consult legal counsel, all questions, inquiries or statements by said legal counsel concerning the Honor Council Review must be directed to the UAB Office of Counsel. The Honor Council Review is not a legal proceeding and legal counsel is not allowed to attend any Honor Council Review.

B. Convening the Honor Council Review

The Honor Council Review will convene at the date and time assigned by the Chair in the Notice of Findings, subject to change with reasonable notice, based on the availability of all participants.

C. Procedures of the Honor Council Review

The format of the Honor Council Review shall be determined by the Moderator. The order of proceeding may include:

1. Call to order
2. Reading of Pertinent sections of the Honor Code, including obligation of confidentiality
3. Opportunity for Honor Council members to recuse themselves from the proceedings based on a conflict of interest or relationship with a Student in Question, Reporter, or witness which causes the member to believe they cannot be objective in ruling on the incident
4. Statement of alleged Honor Code violation
5. Presentation of Fact-Finder’s Written Report
6. Statements by the Student(s) in Question and Reporter
7. Presentation of evidence
   Witness questioning: Honor Council members may ask questions to the Student(s) in Question, Reporter, witnesses, and Fact Finder, subject to the Moderator’s discretion to screen the questions.

The Honor Council Review is a peer and educational review, not a legal proceeding. Therefore, no formal evidentiary rules apply. The Moderator has the right to preview any and all proposed witnesses and documentary evidence prior to their presentation. The Moderator will determine whether the evidence or testimony may be presented in the Honor Council Review. Since the good character of all participants, including the Student(s) in Question is presumed, witnesses offered for the primary purpose of testifying to a participant’s character as opposed to facts related to the incident at issue will generally not be allowed to testify. Student(s) in Question may chose, however, to have character witnesses write letters to the Honor Council.

D. Honor Council Review - Private Discussion by Honor Council

When the Honor Council is ready to retire for discussion, the Moderator shall instruct the Honor Council voting members that they should discuss the case amongst themselves and review for them the potential outcomes. The private discussions of the Honor Council Review voting members are not recorded by the Scribe. During the Honor Council’s private discussion, all participants are expected to remain available to the Honor Council, unless notified otherwise by the Moderator, in case the Honor Council determines it would like more information.
The Student(s) in Question is presumed not to have violated the Honor Code. In order to find a Student in Question in violation of the Honor Code, the Honor Council must determine based on a preponderance of the evidence presented, i.e. whether it is more likely than not that the Student(s) in Question violated the Honor Code. To find a Student in Question in violation of the Honor Code, a majority plus one vote is required.

The voting members of the Honor Council Review may also decide to make a statement on the record regarding the allegations and/or outcome of the review.

E. The Decision

A spokesperson for the Honor Council shall notify the Moderator when a decision(s) is made. The Moderator will notify the Scribe, the Reporter, and the Student(s) in Question and reconvene the Honor Council. The spokesperson for the Honor Council shall read the decisions of the Honor Council into the record of the Honor Council Review. If the Honor Council finds a violation of the Honor Code occurred, it shall disclose the vote totals of the Honor Council in support of the violation.

F. Sanctions

If the Student(s) is found to be in violation of the Honor Code, the Honor Council shall be given access to any sanctions previously recommended by the Preliminary Review Committee. They shall have 48 hours to determine sanctions for recommendation, via majority vote, and with the supervision of the Moderator. Once agreed upon, the penalty will be read, on record, by the Moderator. The sanctions will follow the same guidelines used during the Preliminary Review Committee, but need not be the same as the suggested penalty from the Preliminary Review. The Moderator shall be responsible to notify the Student(s) in Question of the sanctions that will be recommended to the Associate Dean for Students who then has the final decision on the sanctions to be enacted.

G. Conclusion of the Honor Council Review

A public notice, with names omitted, will be posted on public bulletin boards describing the Honor Code violation in general terms and the sanctions.

The Administrative Advisor will keep the recording of the Honor Council Review in a secure place.

H. Appeal

Any student or faculty member(s) involved in an Honor Council Review has the right to appeal a decision of the Honor Council to the Administrative Appeals Committee. Members of the Administrative Appeals Committee include the Associate Dean for Undergraduate Medical Education, the Associate Dean for Students, and a senior faculty member from the campus at which the Student(s) is based.

The Administrative Appeals Committee shall have full access to the written findings of the Preliminary Review and the complete recording of the Honor Council Review.

Article VII – Miscellaneous

A. Amendments

1. Proposal

An amendment to the Honor Code may be proposed by either a two-thirds (2/3) affirmative vote of the Honor Council, or a petition signed by fifty (50) members of the UAB School of Medicine Student Body, which shall be presented to the Honor Council. If either of these requirements is met, a referendum election will be held.
Prior to the referendum election, any proposed amendment shall be made public by distribution to the Student Body at least four (4) weeks in advance.

2. Adoption

Proposed amendment(s) to the Honor Code must receive a simple majority affirmative vote from at least fifty (50%) percent of the Student body by ballot and are subject to approval by the Dean.

B. Honor Code Review Committee

A meeting by the Honor Council to re-evaluate and review the Honor Code may be convened at a minimum of once every four years.

C. Emergency Procedure

If an emergency situation occurs, the Honor Council may agree by a majority vote to modify procedural rules and guidelines without compromising the intent of the Honor System. One-half of the actively enrolled members of the Honor Council must be present for such a vote. Any such modifications shall be considered temporary on a case by case basis.

D. Annual Notice

A summary table consisting of the following results shall be posted at the end of each academic year, in a public area at UASOM:

- Number of Incidents reviewed by Honor Council
- Number of Incidents dismissed by Honor Council
- Number of Incidents referred to other body
- Number of Incidents in which the Student was found to be in violation
- Number of Incidents in which the Student agreed that a violation occurred

E. Education

An annual education period shall be given once a year to all four classes at the UASOM. It shall convey the importance of academic integrity, the purpose of the Student Honor Code, as well as procedures and responsibilities of the Students. All education pertaining to the Student Honor Code shall be the responsibility of the Honor Council.