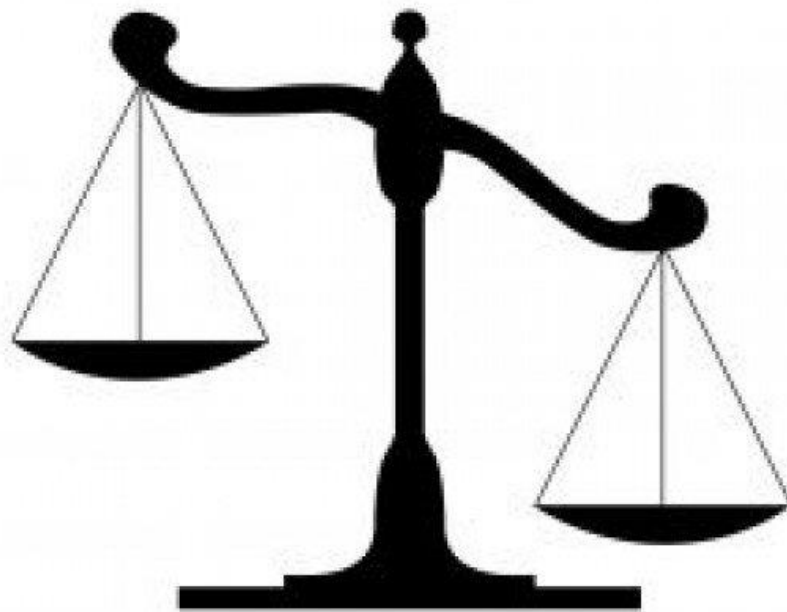


# **THE UAB SCHOOL OF OPTOMETRY HONOR SYSTEM**



*The essence of the Honor System and its Code of Ethics is that we will not engage in unethical behavior nor will we tolerate it in others.*

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**Definitions:**

- Honor System – This document describes the Honor System and includes the Code of Ethics as well as the processes for handling alleged violations.
- Code of Ethics – The code contained within the Honor System that delineates ethical behavior
- Honor Pledge – A pledge affirming that the signee has read, understands and agrees to adhere to the Honor System and its Code of Ethics.

**Section I. Preamble**

The UAB School of Optometry Honor System is based on the principle that all members of the academic community maintain the highest ethical and professional standards. Ethics and professional standards serve to maintain the integrity of the educational enterprise and of the profession and protect patients through ensuring conscientious patient care. The essence of the Honor System and its Code of Ethics is that we will not engage in unethical behavior nor will we tolerate it in others.

**Section II. Responsibilities of Students and Faculty**

Maintaining and articulating high standards of ethical behavior is a task that is shared by students, faculty, and staff. The faculty and administration are responsible for the integrity of the educational program, and shall support the Honor System in order to foster the highest standards of professional behavior.

Each person signing the Honor Pledge is bound to abide by the Code of Ethics and to follow the policies and procedures outlined in this document. Students are expected to comply with the Code of Ethics at all times.

Students, faculty, residents and staff are required to report breaches of the Code of Ethics when they are observed. Such responsibility is necessary to maintain the high standards of the School of Optometry. Examples of specific conduct either expected or prohibited are described below in the Code of Ethics but are not intended to limit the scope of what might be considered misconduct. The spirit of ethical behavior is the guiding principle. Failure to report misconduct is also a violation of the Code of Ethics.

Faculty members bear the responsibility for clearly expressing the rules governing assignments and examinations and for conducting examinations or other evaluative processes in a manner that discourages cheating. Faculty and designated exam proctors must be willing to participate in this process if this Code of Ethics is to be effective.

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**Section III. Code of Ethics**

While this Code of Ethics can in no way be exhaustive, it is intended as a guide to ethical behavior among students. The Honor System requires students to act honorably while enrolled at the UAB School of Optometry and includes coursework that is offered in online, blended or web-enhanced environments or as a homework assignment. Honorable conduct includes, but is not limited to, the following:

**Academic Integrity**

- a. Every student shall refrain from academic misconduct including irresponsible, willful or negligent behavior.
- b. Students will maintain high standards of personal honesty.
- c. Students will conduct classroom activities in a manner that is conducive to learning and not disruptive of the learning environment.
- d. Students will not cheat. Cheating is generally defined as appearing to have learned something when in fact learning has not occurred. This may include but is not limited to the unauthorized use of notes, cell phones, PDAs, or other sources of information during an academic exercise; copying the work of another; obtaining unauthorized assistance on take-home assignments or examinations; providing assistance or answers to others; compromising the integrity or grading of materials; or violating the requirements regarding administration of examinations.
- e. Students will not plagiarize. Plagiarism is the presentation of another's work as one's own original material. Students may appropriately attribute work with quotations, block text, or italics, including appropriate references, depending on the nature of the assignment.
- f. Students will not forge, falsify or destroy documents or records, including computer records of clinical activity.
- g. Students will not assist others in dishonest activities or those activities deemed unethical.
- h. Students will not misrepresent other's work as their own, bring unauthorized materials into graded exercises, nor violate simulated clinical conditions in practical exercises. Students may not represent laboratory or pre-clinical assignments as their own which they have not completed themselves.
- i. Students are responsible for maintaining possession of their audience response system "clicker." If students are registered as present for a class by the audience response system, or other attendance monitoring system, but are in fact not in class, or have left class without permission, this is a violation of the Code of Ethics. Students should therefore keep their audience response clicker secure; these devices should not be given to other students. Possession of devices registered to other students is considered a violation of the Code of Ethics.

**Conduct Affecting Property**

- a. Every student shall refrain from taking, damaging, or destroying property belonging to the university or to faculty, staff, students, or visitors.

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- b. Students will respect the supplies provided by the School and will prevent needless and reckless waste of resources.
- c. Students will make reasonable efforts to keep equipment and property in proper working order; students should report equipment problems appropriately.

**Conduct Affecting Patients**

- a. Students will act in a way that puts the well-being of patients as the highest priority and will refrain from irresponsible, willful or negligent behavior in the delivery of patient care.
- b. Every student shall refrain from falsifying patient records and from willfully violating established clinic policy. Every student is expected to comply with all clinic policies and procedures, including applicable university, federal, and state laws and regulations at all times. Students involved in research projects are likewise expected to maintain scientific integrity, and to comply with all university, federal, state, and school regulations, policies and laws.
- c. Students will respect the privacy of patients, and will not discuss protected information unless medically appropriate. Students will be compliant with HIPAA regulations.
- d. Students will treat patients with respect, compassion and understanding.
- e. Students will treat patients in a timely manner.
- f. Students will adhere to the clinical dress code and acceptable standards of personal care.
- g. Students will satisfy the requirements for infection control, and protect the safety of patients in the clinic.
- h. Students will not use any substance that could impair their abilities while engaged in patient care.
- i. Students will not treat patients outside of School approved settings or without the supervision of faculty or an officially appointed, licensed practitioner. The practice of optometry is defined in Title 34, Chapter 22 of the Code of Alabama. Students who see patients outside of School provisions may be guilty of a crime punishable by Alabama law.

**Conduct Affecting the School or University**

- a. Students will strive to uphold an atmosphere of academic purpose, including freedom of speech, the opportunity to explore ideas, and the chance to improve oneself through education.
- b. Students will be respectful to their classmates and faculty regarding attendance at lectures, timeliness, classroom demeanor, and being responsive to the requests of the lecturer.
- c. Students will participate in assigned activities and will attend all lectures and other assignments such as clinics and rotations as required by course syllabi. Students will adhere to all University policies and procedures. This includes appropriate use of the internet and Information Technology resources.

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**Conduct Affecting Persons**

- a. Students' speech and demeanor must be professional and conducive to productive communication. Students will not display undue amounts of anger or frustration or intimidate or threaten other persons.
- b. Students will not discriminate or tolerate discrimination on the basis of race, religion, ethnicity, gender, age, disability, disease, national origin, or socioeconomic status.
- c. Students will not make unwanted and/or persistent sexual advances toward other persons.

**Section IV. The Professional Program Academic and Honor Council**

The Council is charged with acting as a judicial body in formal ethics hearings. The Council shall be composed of seven faculty members, 1 staff member, and 2 students. The faculty members of the Professional Program Academic and Honor Council (PPAHC) are recommended to the Dean's Committee by the Co-Chairs. The Chair and Co-Chair are appointed by the Associate Dean for Academic Affairs in consultation with the Dean. The chair of the committee recommends 2 student members to the Dean's committee. The Dean may appoint an *ad hoc PPAHC* faculty member to replace any faculty representative who cannot serve for a given hearing.

A quorum of the PPAHC will be 6 members, at least 3 of which must be faculty members including the Chair. If the alleged incident is clinical in nature, at least two of the faculty present must have clinical assignments.

The duties of the Chair include convening the Council, presiding over hearings, and communicating with the administration of the School on behalf of the PPAHC.

All persons participating in PPAHC proceedings in any capacity shall refrain from discussing information pertaining to a case with anyone not directly involved with the case, unless necessary for the investigation or if instructed by the Chair of the PPAHC.

If members of the PPAHC are witnesses to an event, or have brought charges against a student, they may not serve on the Council for that case. Council members should recuse themselves from any case if they feel there may be any conflicts of interest or lack of impartiality. An accused student may also petition the Director of Student Affairs to have an PPAHC member dismissed from the proceedings if a perceived conflict of interest exists.

The PPAHC shall have the discretion of recommending an amendment of its codes and procedures. Approval by the Director of Student Affairs, the Faculty Advisory Committee, the Executive Committee and the Dean is required. The proposed procedural modifications must not conflict with School of Optometry or University policies and must not be prohibited by law.

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**Section V. General Procedures for Suspected Violations**

Any student, faculty, or staff member suspecting a Code of Ethics violation shall report it in writing to the faculty member in charge of the course (coursemaster) in which the suspected violation occurred or directly to the Director of Student Affairs within seven working days of the discovery of the alleged incident. A coursemaster having allegations of a Code of Ethics violation reported to them must report such allegations in writing to the Director of Student Affairs within seven working days of learning of the incident, who must in turn inform the accused within seven working days. In an extended absence of the Director of Student Affairs, the suspected violation shall be reported to the Associate Dean for Academic Affairs or to the Associate Dean for Clinical Affairs for violations related to clinical care who must in turn inform the accused within seven working days and copy the Director of Student Affairs. Copies of all allegations and subsequent documentation are to be provided to the Chair of the PPAHC.

Individual faculty may attempt to informally resolve an incident that occurs in or related to their course; however, every alleged violation of the Code of Ethics must be reported in writing to the Director of Student Affairs. Generally, a hearing before the PPAHC will not be required if the faculty member and the student(s) involved reach an appropriate, informal resolution. The Director of Student Affairs may assist the faculty member and student reach an informal resolution. Requisite to resolving the violation at the primary level is that the student admits guilt. The faculty member in charge will then recommend sanctions appropriate to the case at hand (Section VII). The Director of Student Affairs must approve any informal resolution before it is official and reserves the right to pursue the matter through the PPAHC, superseding the recommendation of an individual faculty member.

If an informal resolution is not reached between the faculty member and the alleged violator, the Director of Student Affairs will refer the allegation(s) in writing to the Chair of the PPAHC for investigation. If a suspected violation is referred to the PPAHC, the Chair will appoint an *ad hoc* Investigative Team consisting of one student and one faculty member. Neither member of the Investigative Team shall simultaneously be a member of the Council. The investigative team will conduct interviews as required and review materials pertinent to the allegation. Such materials generally include a statement from the accuser, supporting evidence, and statements from witnesses and the accused. The investigative team, once convened, has ten working days to conduct its investigation. If more time is needed, the team may request an extension from the Chair of the PPAHC.

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The written report of the investigative team shall include: (1) a statement of the allegation(s) against the accused student; (2) a description of the evidence and supporting documents (if available); and (3) the names of witnesses interviewed, including the accused, and a summary of their respective statements. The investigative team shall conduct its investigation impartially, in confidence, and shall be available to assist the PPAHC throughout any subsequent hearing. The written report shall be hand-delivered, in confidence, to the Chair of the PPAHC or his/her designee.

Upon receipt of the investigative report, the PPAHC shall convene to formalize a statement of the charge or to issue a statement dismissing the allegation(s) if insufficient substantiating evidence exists. The PPAHC shall provide notice of the specific charge or of the dismissal of the alleged violation to the accused student by certified mail or by hand-delivery, and to the Director of Student Affairs. The statement of the charge shall include a brief summary of the alleged violation and the evidence presented in support of the charge, in sufficient detail to allow the accused the opportunity to rebut the charge, and shall provide notification to the accused student of their right to a hearing. The accused student must respond to the charge in writing within five working days, unless granted an extension by the Chair of the Council. In this written response to the PPAHC, the accused student must either: (1) admit the charge and formally request their right to a hearing before the PPAHC; (2) admit the charge and waive their right to a hearing; (3) deny the charge and formally request their right to a hearing before the PPAHC or (4) deny the charge but waive their right to a hearing.

A student, by refusing a hearing, agrees to abide by all decisions made by the PPAHC. The Council will consider the evidence available, deliberate, determine whether the student is guilty or innocent, and determine penalties if found guilty.

Once notice of the specific charge has been provided to the accused student and to the Director of Student Affairs, the PPAHC shall set a date for the hearing, any preliminary deadline(s) for the submission of supporting documents and the names of proposed witnesses, and a statement describing briefly the subject of each witness' testimony. Rescheduling the hearing at the request of the accused or the School is within the discretion of the PPAHC, and shall not be unreasonably denied. The Council shall review documentary evidence in advance of the hearing.

If an optometry student is involved in non-academic misconduct occurring outside the School of Optometry, the School may elect to refer the case to the UAB Vice President for Student Affairs for adjudication. General information regarding non-academic student conduct and related university policies and procedures is published in The UAB Student Handbook, Directions, can be accessed at the UAB web page <http://www.uab.edu/students/sarc/student-conduct>.



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**Section VI. Hearings**

Although the specific procedure may vary, the process shall generally include the following: (1) call to order by the Chair; (2) introduction of those present; (3) statement of the charge and possible penalties if the charge is proven; (4) presentation of the evidence and testimony in support of the charge, and questioning of witnesses; (5) presentation of evidence and testimony in opposition to the charge (rebuttal), and questioning of witnesses; (6) closing statement(s). All questioning of witnesses shall be by the PPAHC Chair unless the Council decides otherwise. The accused may question witnesses through written questions submitted to the Chair of the PPAHC who may edit or screen them for appropriateness.

A hearing before the PPAHC shall not be bound by formal rules of evidence or judicial rules of procedure. The Council may hear any testimony or receive any supporting evidence that it deems pertinent to the charge. The accused may be accompanied at the hearing by an advisor of their choosing; however, the advisor may not participate in the hearing. The advisor must sit in a position that is remote to the proceedings (not at the table with the witnesses and the accused). The advisor may not disrupt the proceedings with talk, gestures, or other distracting tactics. Between each segment of the hearing the Chair of the PPAHC may allow a short pause in proceedings so the accused may consult with their advisor. In addition, the advisor may pass a written note to the accused up to three times during the proceedings. The Chair is responsible for the smooth conduct of the meeting and, after one warning, may insist that the advisor leave.

The accused student shall be afforded a reasonable opportunity to be heard, to question witnesses through questions submitted to the Chair of the Council, to rebut adverse evidence, and to make a brief closing statement. Members of the PPAHC may ask any questions at any time during the hearing and may elect to disallow or curtail testimony that is deemed to be unnecessarily redundant or not relevant to the issue(s) being heard. Throughout the hearing, all persons present shall conduct themselves in an orderly manner. The Chair shall be responsible for maintaining order during the hearing.

If more than one accused is involved in the case, each accused student must be given the opportunity to address the Council individually. At the discretion of the Council, more than one accused student may be present when witnesses are called to testify if multiple accused are involved with a single incident.

The PPAHC shall be responsible for the conduct of the hearing at all times and shall keep a record of the proceedings in a format it chooses. Hearings before the PPAHC are confidential, and only those persons determined by the Council to have a need to be present shall be included. Except for the accused, an advisor, if invited by the accused and, all other witnesses shall be excluded from the hearing room, except when testifying. No more than one witness shall be called to testify at a time. The School or the PPAHC may request that UAB security be present at a hearing.

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As soon as possible following the conclusion of the hearing, the PPAHC shall meet in private session to consider all of the evidence presented, and shall decide on one of two outcomes. The possible outcomes are that the charge is either (1) proven by a preponderance of the evidence or (2) not proven by a preponderance of the evidence. A majority vote of a quorum of the members of the PPAHC shall be required for either outcome. The Chair of the PPAHC will generally not vote, unless the vote of the other Council members results in a tie. Following the vote, the Chair shall record the results and provide a brief narrative statement explaining the rationale for the Council's finding(s). The written decision and rationale of the PPAHC shall be transmitted to the Director of Student Affairs upon the conclusion of the Council's deliberations. The PPAHC shall notify the accused by certified mail or by hand-delivery of the outcome and, if a guilty outcome, the recommended penalties will also be delineated. A decision of the PPAHC in favor of the accused student shall conclude the case. A decision against the accused shall result in penalties as described in Section VII.

All proceedings of the PPAHC are confidential, and all members of the Council are bound to maintain the confidentiality of all information presented to the Council. A breach of confidentiality is itself an ethical violation and is subject to disciplinary action. A PPAHC hearing is a proceeding of the utmost seriousness and shall be treated as such by all members of the academic community. Students have broad rights under FERPA regarding matters of academic records, and these must be enforced.

**Section VII. Penalties for Violation of the Code of Ethics**

Generally, violations resolved at the primary level are those that are less severe and with correspondingly less severe penalties. Similarly, violations that are referred to the PPAHC are more severe with concomitantly more severe penalties. In the interest of protecting patients, serious clinical infractions will be dealt with in an immediate and definitive manner. The Associate Dean for Clinical Affairs may immediately suspend all clinic privileges in suspected cases until the matter is heard by the PPAHC. Favorable letters of recommendation will not knowingly be furnished while sanctions are in effect. No student may graduate from the UAB School of Optometry or participate in the Externship Program until pending allegations of a Code of Ethics violation have been resolved and any recommended sanctions fulfilled.

**Violations Resolved at the Primary Level**

Generally, a first violation of the Code of Ethics shall result in the assignment of a failing grade in the exam, assignment, or course in which the violation occurred, at the discretion of the instructor. A notation on the student's permanent academic record may also be made to indicate that a reduced or failing grade was assigned because of a Code of Ethics violation, on the judgment of the Director of Student Affairs. Other sanctions designed to prevent future occurrences or to facilitate the learning process regarding ethics and honor that may be imposed include, but are not limited to, the following:

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1. Reprimand - The student will be reprimanded in writing by the Director of Student Affairs, with a copy for the student's file, of the nature of the Code of Ethics violation and warned that repetition of the wrongful conduct may cause more severe action.
2. Failing grade – A failing grade may be given for the course, exam or evaluative process.
3. Restitution – Restitution for lost, damaged, or destroyed property may be required.
4. Additional work - Papers, additional work, counseling, etc. may be required.
5. Removal from official School positions – Students may be removed from official School positions, such as class president or may not have the privilege to represent the School in an official capacity.

Admission of guilt does not remove the student's right to a formal hearing if sanctions recommended by the involved faculty member(s), and approved by the Director of Student Affairs are not acceptable to the student. In this case, although the student has pleaded guilty to the charge, the PPAHC will be tasked with holding a hearing and recommending sanctions.

**Violations Decided by Honor Council Hearing**

Generally, a first violation of the Code of Ethics shall result in the assignment of a failing grade in the exam, assignment, or course in which the violation occurred. A notation on the student's permanent academic record may also be made to indicate that a reduced or failing grade was assigned because of a Code of ethics violation, on the judgment of the PPAHC. The Council may also specify sanctions in addition to, or in lieu of, a failing grade designed to prevent future occurrences or to facilitate the learning process regarding ethics and honor. These sanctions include but are not limited to the following,

1. Suspension of clinic privileges – Privileges may be suspended in whole or in part which may result in extended enrollment at the School.
2. Probation - The student will be notified in writing, with a copy for the student's file, of the nature of the Code of Ethics violation and the term of the probationary period.
3. Probation with restrictions - A student on probation may also have certain privileges removed, such as clinic privileges in a specialty clinic, or the privilege of attending a specific class. Probation with restrictions typically extend the enrollment period required to satisfy School, graduation and accreditation requirements.
4. Suspension - The student will be excluded from classes and other privileges of the
5. School and University for a specified period of time.
6. Enrollment extension - A student may be required to extend their education at the School past the traditional four-year curriculum. This allows the faculty additional time to help the student develop personal ethical and professional standards. Extensions may be for a period of months or years.
7. Expulsion - The student will be permanently expelled from the School of Optometry.
8. Official written notice will be provided to the student with a copy for the student's file. No student expelled from the School because of a Code of Ethics violation shall be eligible for readmission.

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Other sanctions that may be imposed following resolution at the primary level or following a hearing by the PPAHC include: requirement to attend educational or counseling programs; requirement to complete a variety of behavioral modification programs including formal courses and/or informal assignments, such as an anger management course, etc.; requirement to make restitution to offended parties, such as replacing damaged items, paying for stolen property, or writing an apology.

A second violation of the Code of Ethics, as determined by a PPAHC hearing, shall result in expulsion from the School of Optometry.

Actions may occur which carry additional civil and criminal penalties in addition to the ones outlined in this document. Such actions may be violations of University policy, or local and federal laws. The commencement of civil or criminal action shall not prevent the School from pursuing actions as outlined in this document.

**Section VIII. Appeal**

Within ten working days of receipt of the decision of the PPAHC that the charge(s) have been proven, the student may submit a written appeal to the Dean of the School of Optometry. If no appeal is made within ten working days, the student agrees to adhere to the sanctions from the PPAHC. The Director of Student Affairs will communicate with the student in writing within ten working days regarding the details of the penalties.

The written notice of appeal must include a brief statement of the reason for the appeal and may be accompanied by any new evidence that the student wishes to call to the attention of the Dean. The Dean shall review the appeal statement, any new evidence presented, and any evidence presented to the PPAHC that is deemed by the Dean to be relevant to the consideration of the appeal. The appellant is reminded that an appeal to the Dean is not intended to provide a forum in which to reiterate the same facts or arguments previously considered by the PPAHC. The appeal is an opportunity to present either a challenge to the procedures followed by the PPAHC or to offer newly discovered evidence that could affect the outcome.

As soon as practicable and within 30 days after receiving the notice of appeal and any supporting documentation, the Dean shall consider the appeal. After completing the review, the Dean shall issue a written decision which shall: (1) affirm the decision of the PPAHC; (2) affirm the decision but reduce the penalty in consideration of mitigating facts; (3) vacate the decision of the PPAHC on the ground that procedural errors may have prejudiced the outcome, and resubmit the charge for rehearing by the PPAHC or an *ad hoc* committee at the Dean's discretion; or (4) vacate the decision and, if deemed necessary, resubmit the charge for reconsideration on the ground that newly discovered evidence might alter the outcome. If the Dean elects to vacate the decision of the Council, the Dean shall provide a concise written statement to the accused and the PPAHC explaining the basis for such action. If the Dean affirms the decision of the PPAHC, or affirms the

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decision with a reduced penalty, the decision becomes final and the appropriate penalty shall be imposed. The Dean's decision shall be transmitted to the Director of Student Affairs and the PPAHC and notice to the appellant shall be provided by certified mail or hand delivery.

**Section IX. Residents, Graduate and Post-Doctoral Students**

Policies involving post-doctoral students are more complex due to the variety of positions and appointments which exist within the UAB School of Optometry. The in-house residents are employees of UAB and are covered under UAB employee guidelines. Students who register for a Graduate degree are enrolled in the Graduate School, and Graduate School policies will apply to them. If neither situation exists, then students are covered by this Honor System and Code of Ethics, but an ad hoc Hearing Committee will be appointed by the Dean, consisting of two post-doctoral peers and two post-doctoral faculty members. When such allegations occur, the Dean will inform students which policy applies to them based on their specific status.

**Section X. Documentation and Activity Report**

Following the resolution of a Code of Ethics violation and any appeal process, all records of disciplinary action taken pursuant to this violation shall be maintained in the Student Affairs Office for a period of five years or until the student leaves the university, whichever is longer. These files are considered confidential and are not publicly accessible.

The Chair of the PPAHC will keep a written record of its activity each academic year. The activity report will include the number of allegations reported, allegations dismissed, cases plead guilty, and hearings conducted.

The Director of Student Affairs shall keep a record of all alleged violations of the Code of Ethics and a summary of the disposition of the charge.

During the school year, the Chair of the PPAHC will provide an annual report to faculty and students detailing Code of Ethics actions of the previous year. The report will include the number and nature of alleged violations, the number of violations referred to the PPAHC for hearing, and a statement of the range of penalties imposed, without reference to personally identifiable information. This reporting function is to support an institutional culture that promotes the use of the Honor System.

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**Section XI. Implementation**

The Honor System shall be presented to each entering class during orientation. Revisions to the Honor System may occur frequently. The official version is available from the Office of Student Affairs, and is maintained on the School web site (<https://uabweb.ad.uab.edu/so/SODocs>). Infractions that occur will be governed by the official version of the Code of Ethics that is in effect at the time the infraction is reported. Each student will be responsible for reading the current Honor System document and signing the Honor Pledge. Each student will be given an opportunity to ask questions before signing the Honor Pledge. The signed pledge becomes part of the student's permanent file.

**Section XII. Other Resources**

Students, including post-graduate and professional, are referred to official University documents (<http://www.uab.edu/policies/Pages/default.aspx>) for additional information on topics of process and ethics.

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**The UAB School of Optometry Honor Pledge**

By my signature on this Pledge, I profess my intention to maintain high standards of academic, clinical, and personal conduct, commensurate with my standing as a student and future member of the noble profession of optometry.

I have read, understand and agree to be bound by the University of Alabama at Birmingham School of Optometry Honor System and will conduct myself at all times according to its standards and Code of Ethics.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date