

**TILMAN J. FERTITTA FAMILY
COLLEGE OF MEDICINE**

SUBJECT: Code of Professional Conduct and Academic Honesty

Medical Student Honor Code

As a Tilman J. Fertitta Family College of Medicine medical student, I will uphold the dignity of the medical profession. I will, to the best of my ability, avoid actions which might result in harm to my patients. I will protect the dignity of my patients and the deceased and will protect their confidential information in accordance with the prevailing standards of medical practice. I will not lie, cheat, steal or be involved in any other unethical behavior in my capacity as a Tilman J. Fertitta Family College of Medicine medical student. I will enter into respectful, professional relationships with patients, colleagues, teachers, staff and other health care personnel reflective of the high standards and expectations of my profession. I will not violate this code nor tolerate violations by others and will report such violations to the appropriate authorities.

I. CHAPTER 1 - PURPOSE, SCOPE AND PRIMARY CORE VALUES

The purpose of the Code of Professional Conduct (Code), is to define academic, professional and personal misconduct, appropriate sanctions for confirmed misconduct cases, and to create hearing boards and define their procedures. Students at the TJFFCOM agree to abide by the honor code as stated above that forms the basis for the Code of Professional Conduct (Code). Medical students and TJFFCOM faculty (“faculty”) share responsibility for maintaining and enforcing the Code.

- A. Once admitted to the TJFFCOM, a medical student is required to obey federal, state and local statutes and ordinances as well as University of Houston policies both on and off campus, to uphold the dignity and honor of the profession, and to accept its ethical principles. The student shall not engage in any activity that will discredit the profession of medicine. The student shall expose, without fear or favor, illegal and unethical conduct in the profession.
- B. The full cooperation of medical students and faculty in reporting all violations of the Code is imperative in order to accomplish its purpose. Students are responsible for maintaining the highest of professional ethics and honesty within their ranks.
- C. Medical professionals and TJFFCOM students are expected, by patients and society at large, to abide by certain ethical principles that include, but are not limited to:
 1. **Altruism**, whereby they subordinate their own interests to take care of their patients.
 2. **High ethical and moral standards.**
 3. **Honesty, integrity, trustworthiness, caring, compassion, and respect** in their interactions with patients, colleagues and others.
 4. **Accountability**, not only for their own actions, but also for those of their colleagues, which is the basis for the autonomy of the profession.
 5. **Confidentiality** concerning the patient and the patient’s records.

II. CHAPTER 2 - PLEDGE

- A. As a condition of acceptance to the TJFFCOM, the applicant shall be required to sign a pledge that shall read as follows:
 1. This is to certify that I have read and understand the TJFFCOM Code of Professional Conduct and the Medical Student Honor Code, and further, I agree to uphold and abide by the provisions contained therein, effective immediately and until my enrollment in the TJFFCOM ends.
- B. The Dean will deny or revoke admission into the College of Medicine to any applicant who refuses to sign the pledge.
- C. The Office of the Assistant Dean for Student Affairs will maintain all records pertaining to the pledge.

III. CHAPTER 3 - VIOLATIONS

- A. Violations of the Code pertaining to academic honesty include but are not limited to:
1. Cheating during an exam, quiz or on an assignment.
 2. The receipt, possession or use of any aid or material prohibited by the instructor while an examination or quiz is in progress.
 3. Lending, giving, selling or otherwise furnishing to another any material or information not authorized by the instructor which can be shown to contain questions or answers to any examination, quiz, paper, report, or assignment.
 4. Securing another person to take an examination or quiz, or to complete an assignment.
 5. Taking an exam, quiz or submitting any assignment for another student.
 6. Altering a graded assignment, examination, or quiz of their own or of another student.
 7. Altering or attempting to alter an assigned grade on any official TJFFCOM or University of Houston record.
 8. Giving or receiving assistance not authorized by the instructor to another in the preparation of examinations, quizzes, papers, reports, assignments, or laboratory data and products.
 9. The receipt, possession or use of any material or assistance specifically not authorized by the instructor in the preparation of papers, reports, examinations, laboratory data and products, or any assignment to be submitted for credit as a part of a course or to be submitted to fulfill TJFFCOM requirements.
 10. Not complying with the instructions given by the person(s) administering an examination or quiz.
 11. The submission of papers, reports, projects, assignments, or similar course requirements, or parts thereof that is not the work of the student submitting them.
 12. The submission of papers, reports, projects, assignments, or similar course requirements, or parts thereof that was previously submitted by the student for credit in another course.
 13. The use of direct quotations or ideas of another in materials to be submitted for credit without appropriate acknowledgment (identified by quotation marks and footnotes or other appropriate written explanation).
 14. Signing one's name to a team report without making a meaningful contribution to the preparation of the report.
 15. Any other conduct which a reasonable person in the same or similar circumstances would recognize as dishonest or improper in an academic setting.
- B. Violations of the Code pertaining to professional conduct include but are not limited to:
1. Purposely falsifying applications, forms or records in connection with seeking admission to the College of Medicine, or while enrolled in the TJFFCOM .
 2. Misrepresenting facts about oneself or another concerning matters of health, personal, financial, or academic considerations to the faculty or administrative staff of the College for the purpose of obtaining an unfair academic or financial benefit.
 3. Knowingly publishing or circulating false information against, producing false evidence against, or providing false statements against any member of the University faculty, student body, staff or community.
 4. Knowingly publishing or circulating a communication, including on an Official University Social Media Site, that is discriminatory or harassing or any unlawful, defamatory, or obscene (as defined by Texas and federal law) activity or posting. The University of Houston is committed to fostering an educational environment that allows for freedoms of speech and expression in accordance with the First Amendment to the U.S. Constitution while upholding professional standards of medical students and ensuring an academic and working community that is free from discrimination and harassment. The University also reserves the right to refer social media activity to the applicable social media platform for appropriate action.
 5. Contributing to, or engaging in, any activity which disrupts or obstructs the teaching, research or programs of the TJFFCOM or the University of Houston, either on the campus or at affiliated training sites.

6. Threatening or intentionally or knowingly committing mental or bodily harm against any member of the University of Houston faculty, student body, staff, or community.
7. Misusing or misrepresenting one's status as a medical student for the right to use any university property and facilities.
8. Misrepresenting attendance or the attendance of others in a course or TJFFCOM event.
9. Stealing, damaging, defacing, or unauthorized use of any property of the TJFFCOM or University of Houston.
10. Diversion of any TJFFCOM or University of Houston property for one's own use.
11. Revealing the names of the charging party, the accused student, witnesses or the facts involved in an alleged violation except in accordance with the provisions of this Code or revealing the confidential proceedings of a Student Conduct Board hearing except as authorized by law.
12. Failing to report known violations of the Code.
13. Failing to appear when requested by the Assistant Dean for Student Affairs (ADSA) or designee to give testimony before the Student Conduct Board.
14. Intentionally or knowingly misrepresenting material facts before the Student Conduct Board, the Dean, the ADSA or designee, or to anyone to whom the case may be appealed.
15. Unauthorized accessing of information about faculty, staff, medical students, or patients that is private or confidential. Unauthorized revealing of information about faculty, staff, medical students, or patients that is private or confidential.
16. Retaliating against person(s) who reports alleged violation of any UH policy.

IV. CHAPTER 4 - PROCEDURES FOR FILING CHARGES

- A. Any faculty, staff, or student may file a Complaint(s) against a student(s) for violation(s) of the Code of Conduct. A preliminary investigation/discussion with a supervisor (program director, chair, etc.) should be done prior to filing a Complaint. If sufficient basis for the Complaint exists, it shall be submitted in writing to the Assistant Dean for Student Affairs (ADSA) or designee. A Complaint shall be submitted no later than ten (10) business days from the date of the event or when the individual becomes aware of the event. Complaints filed more than ten business days after the event shall include a justification for the delay and will be accepted on a "case by case" basis as determined by the ADSA or designee.
- B. The complaint should describe the facts of the alleged misconduct and the code that was violated.
- C. Complaints may be referred to the UH Dean of Students office in accordance with the UH Student Code of Conduct and conversely, UH Dean of Students may refer complaints to the College of Medicine to be handled under this Code of Professional Conduct.
- D. The Complainant may be the person who submits the complaint or alternatively the faculty member, staff member or administrator designated to serve as the Complainant.
- E. When a Complaint is filed, the ADSA or designee will provide the Accused Student with a copy of the Complaint of Misconduct filed by the Complainant and will notify the Accused Student in writing that he or she shall appear before the ADSA or designee to discuss the Complaint within five (5) business days from the date of the letter. The Accused Student shall meet with the ADSA or designee.
- F. The ADSA or designee will advise the student of their rights (see V) during that meeting.
- G. The ADSA or designee may conduct an informal meeting to determine if the complaint may be disposed prior to a formal hearing. Any informal disposition must be in writing and agreed to by all of the parties. Such disposition shall be final and there shall be no subsequent proceedings. The ADSA or designee will send a written notification of the resolution to parties with an educational need to know of the disposition.
- H. If the Complaint is not disposed of administratively under IV.D., the ADSA or designee may proceed with the Student Conduct Board Hearing described below.

- I. Student Conduct Board Hearing shall be scheduled in a timely manner not to exceed 20 business days after the Accused Student has met with the ADSA or designee. In cases in which an examination period intervenes between the time of the notice to the Accused Student and the Student Conduct Board Hearing date, such Hearing will be held during the first week in which classes are again in session. In the case of inclement weather or other unforeseen or extraordinary circumstances, the chair of the Student Conduct Board will notify all parties of any cancellations or schedule changes.

V. CHAPTER 5 - RIGHTS OF THE ACCUSED PARTY

- A. A student has the right to a hearing for any charge of violation of the Code. If the student desires a hearing, he/she must file a written request with the Assistant Dean for Student Affairs (ADSA) or designee within five (5) business days after meeting with ADSA as described in Chapter 4. The right of a student to be heard will be waived if such a request is not filed within the time required unless good cause is shown for the delay.
- B. The student accused of a violation of the Code of Conduct has the following rights:
 1. The right to be informed in writing of the specific charge or charges made against him/her.
 2. The right to be informed in writing of the right of hearing, procedures involved in the hearing and the names of known witnesses.
 3. The right to receive written notice of the date, time and place of the hearing regarding the charge or charges if a hearing is requested by the student.
 4. The right to be accompanied by an advisor who may be a member of the faculty, the student body of the institution or a non-affiliated advisor, including outside counsel. Such advisors may consult with their advisees but may neither speak for them nor participate in the proceedings directly.
 5. The right to present witnesses and evidence and to be present throughout the presentation of all witnesses and evidence at the hearing, if a hearing is requested by the student.
 6. The right to have sanctions deferred until completion of the process described herein, including appeals to the Dean, unless there is justification for interim action.

VI. CHAPTER 6 - THE STUDENT CONDUCT BOARD

- A. The Student Conduct Board shall consist of three full time faculty of TJFFCOM and two medical students chosen by the ADSA or designee.
- B. The Student Conduct Board will elect one of the faculty members as the chair.
- C. This will be an ad hoc committee formed at the time of the complaint.
- D. The student facing the Student Conduct Board may challenge a faculty or student member who they believe has a conflict of interest. (See 7.C. below)

VII. CHAPTER 7 - PROCESS FOR STUDENT CONDUCT BOARD HEARINGS

- A. Closed Hearing. A Student Conduct Board Hearing will be conducted in closed session. Any request for an exception must be submitted in writing to the Chair of the Student Conduct Board, who shall render a final written decision.
- B. Hearing Notice. At least 10 business days prior to the Student Conduct Board Hearing, the Chair of the Student Conduct Board will provide written notice to the parties of the following:
 1. Date, time, and place for the hearing,
 2. Name of the members of the Student Conduct Board,
 3. Summary statement of the charge(s), or a copy of the complaint and
 4. Request in writing that at least five (5) business days prior to the Student Conduct Board Hearing, the Accused Student and the Complainant submit the information outlined herein below in paragraph VII.D.

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- C. Challenge. An Accused Student and/or Complainant may challenge in writing the impartiality of any member of the Student Conduct Board up to three (3) business days after receiving the Hearing Notice by submitting their reasons for the challenge to the ADSA or designee. Any member of the Student Conduct Board whose participation is challenged shall be required to establish to the ADSA or designee that the member can serve with fairness and objectivity. If the member cannot establish his or her fairness and objectivity to the satisfaction of the ADSA or designee, the member in question shall be removed and a substitute will be appointed by the ADSA or designee. If such member is removed the ADSA or designee, may choose to reschedule the hearing.
- D. Evidence Submission. At least 5 business days prior to the date scheduled for the Student Conduct Board Hearing, the Complainant and the Accused Student must submit to the Chair of the Student Conduct Board the following information, if applicable.
 - 1. If necessary, requests for extensions to file information with the Student Conduct Board.
 - 2. All pertinent records and exhibits.
 - 3. Written statements,
 - 4. A list of all witnesses, if any, for the Accused Student and Complainant; and
 - 5. The name of the advisor, if any, who may be present in an advisory capacity at the hearing.
- E. Evidence Exchange. At least three (3) business days prior to the hearing, the Chair will provide each party with the information, if any, submitted by the other party.
- F. Separate or Joint Hearings. A Student Conduct Board Hearing involving two or more accused students, may be conducted separately or jointly as determined by the ADSA or designee. An accused student may request in writing to the ADSA or designee a separate hearing up to three (3) business days after receiving the notice of hearing. The ADSA or designee shall notify the student within three (3) business days the determination of the request.
- G. Recordings. The University shall record all Student Conduct Board Hearings until such time that the Student Conduct Board begins discussion and deliberation and prepares its Findings and Recommendations. Deliberations shall not be recorded. The recording is University property. Both parties may request a copy of the recording. The accused student will be allowed to review, but not to copy, the hearing recording. Neither the Complainant, the Accused Student nor any witnesses are permitted to make any independent recording of the proceedings.
- H. Hearing Attendance. The Complainant, Accused Student and their respective advisor, if any, shall be allowed to attend the entire Student Conduct Board Hearing, excluding deliberations.
- I. Advisors. The advisor may be a faculty, staff, or student of TJFFCOM or an unaffiliated advisor, including an attorney at his or her own expense, to participate only in the same manner as any other advisor. If an advisor for the Accused Student is an attorney, an attorney from the Office of General Counsel will attend the Student Conduct Board Hearing on behalf of the University. The University may provide legal counsel for the Student Conduct Board as the Student Conduct Board Chair deems it necessary. The Complainant and/or the Accused Student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly or indirectly in any Student Conduct Board Hearing before a Student Conduct Board. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Conduct Board Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Chair upon written request five (5) business days in advance of the date scheduled for the Student Conduct Board Hearing.
- J. Witnesses. Members of the Student Conduct Board may question all witnesses. The Complainant and the Accused Student may question all witnesses. Questioning by the Complainant and the Accused Student may be limited in the discretion of the Chair of the Student Conduct Board to preserve the civility of the hearing, avoid redundant and irrelevant questioning, and/or providing for the efficient administration of the Hearing. Witnesses are permitted to attend the Student Conduct Board Hearing only during the time they are

providing testimony, they are being questioned by the complainant, the accused or the committee unless the Student Conduct Board Chair, in his/her sole discretion determines otherwise.

- K. Parties Witnesses. The Complainant and the Accused Student may arrange for witnesses to present pertinent information to the Student Conduct Board. The Complainant and the Accused Student are responsible for arranging for the voluntary attendance of his or her own witnesses.
- L. Board Witnesses. In its sole discretion, the Student Conduct Board may call other witnesses not identified by the Accused Student or the Complainant. If prior to the hearing the Student Conduct Board anticipates calling additional witnesses, the Board shall notify the Chair of the Student Conduct Board. The Chair of the Student Conduct Board will then arrange for the voluntary attendance of the witnesses identified by the Student Conduct Board. The Chair of the Student Conduct Board shall notify the Accused Student and the Complainant of the additional witnesses. If any witness called by the Student Conduct Board intends to present written information to the Board, the Chair of the Student Conduct Board is responsible for forwarding such information to the Complainant, the Accused Student and the Student Conduct Board prior to the Hearing. No other Board members shall have communication with any witnesses, except in the Hearing with the Accused Student and Complainant present.
- M. Procedural Questions. All procedural questions are subject to the final decision of the Chair of the Student Conduct Board. If a Student Conduct Board has not been appointed, the ADSA or designee will issue a final decision in response to procedural questions.
- N. Deliberations. When the Student Conduct Board concludes that all reasonably pertinent information has been received, the Student Conduct Board shall adjourn the Hearing to discuss, deliberate and prepare Findings and Recommendations. The Student Conduct Board will determine by a simple majority (more than half of the votes cast) of members present at a duly called meeting vote whether the Accused Student has violated any section of the Student Code which the student is charged with violating.
- O. If the Student Conduct Board finds a violation(s) of the Student Code, the Student Conduct Board may hear further information/testimony to inform the recommendation for sanctions prior to determining such sanctions.
- P. Failure to Appear. The Accused Student is expected to attend and participate in the Student Conduct Board Hearing. If the Accused Student or the Complainant elects not to attend a hearing after appropriate written notice Section II.F.4.b above, the charges will be reviewed as scheduled on the basis of the information available, and a recommendation will be made by the Student Conduct Board. Although no inference may be drawn against an Accused Student for failing to attend a hearing or remaining silent, the hearing will proceed, and the conclusion will be based on the evidence presented. No decision shall be based on the failure of the Accused Student to attend the hearing or answer the charges.
- Q. Findings and Recommendations. The Chair is responsible for preparing the Student Conduct Board's Findings and Recommendations in writing. If the Findings and Recommendations are not unanimous, opinion(s) may be written by those who differ with the Majority's Findings and Recommendations. The Chair will forward the Findings and Recommendations, including differing opinion(s), within 5 business days of the hearing to the, the ADSA or designee.

VIII. CHAPTER 8 – ACTIONS IN RESPONSE TO STUDENT CONDUCT BOARD'S FINDINGS

- A. If it is found that the accused student violated the Code, the ADSA or designee will provide written notice of the findings and recommendations within 5 business days to:
 - 1. The accused student
 - 2. The complainant (if complainant is a person with an educational need to know)
 - 3. The TJFFCOM Student Performance and Advancement Committee (SPAC)
 - 4. The TJFFCOM Dean

- B. If it is found that the accused student did not violate the Code, the ADSA will send a letter notifying of the disposition of the matter to:
 - 1. The accused student
 - 2. The complainant (if complainant is a person with an educational need to know)
 - 3. The TJFFCOM Dean

IX. CHAPTER 9 – APPEAL TO DEAN

- A. Upon notification of findings and recommendation, the student may appeal to the Office of the Dean as stipulated below:
 - 1. The appeal must be filed in writing no more than five (5) business days after receipt of notification of the action.
 - 2. The appeal must be a written letter or memorandum addressed to the Dean or designee of the TJFFCOM. The appeal must be signed and dated by the student making the appeal.
 - 3. The appeal should clearly state the specific action(s) or recommendation(s) that are being appealed (e.g., the hearing procedures were not followed, the findings of the Student Conduct Board are not supported by the great weight of the evidence or the sanction(s) are disproportionate to the violation) and/or provide any new evidence that has been secured with a statement as to why the evidence was not previously provided.
 - 4. The letter should clearly present specific reasons, grounds or justifications to support the appeal.
- B. The Dean or designee may return the case to the Student Conduct Board if additional evidence is brought to his/her attention that was not presented during the hearing and which could affect his/her decision regarding the case. In this event, the Student Conduct Board will consider the additional evidence and report its findings and recommendations to the Dean.
- C. The Dean will conduct a plenary review. As part of the plenary review, the Dean may request to meet with the student or involved parties.
- D. The Office of the Dean or designee shall notify all parties (with an educational need to know) of his/her decision(s) regarding the appeal within ten (10) business days of the date of the appeal.
- E. The ADSA or designee shall notify the Registrar in writing when the notation is to be placed on a transcript and/or when suspension or expulsion is assigned. Such notification shall not be given for five (5) business days after the initial notification of findings and sanctions or until after completion of all appeals, whichever is later.
- F. A student may not graduate while a disciplinary matter is pending, including during the appeal process.

X. CHAPTER 10 – APPEAL TO THE UNIVERSITY OF HOUSTON PROVOST

- A. **Appeal to the Office of the Provost.** Within five business days of the Dean’s decision, either party may file an appeal for review with the Office of the Provost, when the allegations concern academic honesty or when the sanction assessed is suspension or expulsion from the College of Medicine. The appeal shall be in writing and shall specifically address the issues to be reviewed.
- B. **Provost Review.** The Provost, or designee, shall review the appeal within 15 business days of the receipt of the appeal. The intent of the Provost’s review is not to modify the sanction nor to substitute the judgment of the Provost for that of the College of Medicine, or hear new or additional facts on the case. The intent of this review is to ensure that the college hearing, judgment and appeal were not arbitrary or capricious, did not violate the due process of the accused, and did not violate the concepts of fair play to both parties. The Provost shall notify all parties of the decision within three business days of the completion of the review.
- C. **Determination by the Provost.** Review shall be for the purpose of determining: (i) Whether the appealing party was given a reasonable opportunity to be heard at the college level and (ii) whether the college’s decision was reasonably reached. Procedural violations which would not affect the substantive result or are not substantially prejudicial to either party are not grounds for appeal. The decision of the Provost is the final step in the institutional process.

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D. Actions Which the Senior Vice President for Academic Affairs and Provost May Take.

1. Return the case to the Student Conduct Board for another hearing and resubmission for the Dean’s plenary review; or
2. If the Provost deems that another hearing with the same Student Conduct Board would not result in a fair hearing, the provost may send the case to back to be heard by a different Student Conduct Board and resubmission for the Dean’s plenary review; or
3. Return the case to the Dean for reconsideration of the findings or conclusions; or
4. If, in a rare case, the Provost independently deems that the sanction assessed in the college hearing is not commensurate with the violation, then the Provost may send the case back to the Dean for reconsideration; or
5. The provost may approve and affirm the Dean’s decision.

XI. CHAPTER 11 - SANCTIONS, RECORDS AND TRANSCRIPTS.

The following sanctions, alone or in combination, may be imposed for violation of the Code by the Student Conduct Board or the Dean of the TJFFCOM (“Dean”) or designee:

1. Failing Grade. Failing grade for an examination or assignment or for a course.
2. Restitution. Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
3. Discretionary Sanctions. Assignments may be made at the discretion of the Student Conduct Board, such as work assignments, essays, training, service to the University, temporary dismissal from a class or rotation site, an unexcused absence, a letter of unprofessional behavior in the student’s disciplinary file or any other sanction(s) which may be appropriate under the particular circumstances of the violation.
4. Suspension. Separation of the student from COM and/or the University for a defined (or specific) period of time, after which the student is eligible to return. Conditions for readmission must be specified.
5. Expulsion. Dismissal of the student from COM. The student’s transcript will reflect the nature of the dismissal.
6. Revocation of Admission and/or Initiation of Degree Revocation procedures. Admission to the COM may be revoked for fraud, misrepresentation or other violations of COM standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
7. Withholding Degree. The University may withhold awarding a degree otherwise earned until the completion of the conduct hearings, appeals and all sanctions set forth in this policy.

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