

# **ARTICLE I. PREAMBLE AND PURPOSE**

The Honor Code of The University of Tennessee Health Science Center (UTHSC) is promulgated so that student academic affairs are conducted under the highest standards of individual responsibility. The Honor Code promotes personal honor and integrity, in the best traditions of the health science professions. The Honor Code promotes academic honesty and integrity in the classroom, laboratory, clinics and other academic endeavors. The Honor Code requires students to uphold its principles of fairness, professionalism, and ethical behavior; and it also provides procedures to adjudicate alleged violations. By their pledge to subscribe and uphold this Honor Code, UT Health Science Center students assume the responsibility for the effective application of the Honor Code, and their own academic and professional honesty and integrity. Students are required to sign the honor code pledge as a condition for enrollment at UT Health Science Center.

Faculty and staff also have a responsibility to participate in the application, enforcement, and procedures of the Honor Code.

# **ARTICLE II. PRINCIPLES OF THE HONOR CODE**

- A. All UT Health Science Center students are bound by this Honor Code and pledge to act in accordance with the highest principles of ethical and professional conduct. These principles condemn any act of dishonor relating to the academic, clinical, research, and professional programs at UT Health Science Center. The pledge states that any knowledge of a violation shall be reported in accordance with the provisions and procedures of the Honor Code.
- B. The principles of this Honor Code apply to all:
  - 1. Tests or examinations.
  - 2. Oral, written, or practical reports that are a part of a student's academic and research program.
  - 3. Clinical and laboratory experiences.
  - 4. Scientific research.
  - 5. Other student activities relating to the academic, clinical, and research programs of UTHSC.
- C. SCOPE: The Honor Code is not to be interpreted or administered to cover any aspect of the student's life other than those listed under Articles II and III.
- D. EXAMINATIONS: The date, time, place, duration, and conditions of examinations are established by university regulations or by individual faculty. Faculty presence during tests or examinations is determined by individual college policy, as determined by the Dean of the college.

- E. **ORIENTATION:** All entering students are given instructions and information regarding the Honor Code during student orientation. The orientation includes the purpose, pledge, rules, and procedures relating to the Honor Code.

Supplemental orientations with updated information is available to all enrolled students from the Office of the Vice Chancellor for University Relations.

Each college is responsible for administering an orientation program for its students. Additional information and materials relating to the Honor Code may be obtained from the Office of the Vice Chancellor for University Relations.

## **ARTICLE III. VIOLATIONS OF THE HONOR CODE**

- A. It is a violation of the Honor Code for a student to:
1. Use, give, or receive any unauthorized aid during any test or examinations, in the preparation of oral, written or practical reports, or in clinical or laboratory work that are a part of a student's academic program.
  2. Record or report fraudulent data relating to patient care, willfully neglect clinical responsibilities, or otherwise compromise patient treatment through lack of professional integrity.
  3. Plagiarize - present another person's work as one's own.
  4. Falsify data in scientific research and reports.
  5. Collaborate with others in assigned out of class activities, if directions or instructions, written or verbal, specify only individual application and effort is permitted.
  6. Falsify academic or clinical records.
  7. Maliciously and falsely accuse another student of an Honor Code violation.
  8. Assist another student in committing any of the specified violations.
  9. Failure to report a violation reasonably believed to have been committed.
  10. Discuss or reveal confidential information or materials relating to allegations, investigations, charges and Honor Court hearings.
  11. Engage in other similar acts of dishonesty.
- B. Students, faculty, staff and/or test administrators must report observed violations to a member of the college Honor Council, in accordance with Honor Code procedures.
1. Any alleged violation under Article III, Section A. 2. or A. 4. shall be immediately reported by the President of the Honor Council, or Faculty Advisor, to the principal clinician or investigator after the alleged violation is received.
- C. **Suspicious Activity:** If someone witnesses suspicious behavior, but is uncertain of a Honor Code violation, the person may informally report the behavior to a college Honor Council member. The Honor Council member will counsel with the suspected student and advise the student that such actions are suspicious and, if continued,

may lead to a formal complaint. A Honor Council member receiving a report of suspicious behavior must notify the Honor Council President before counseling the student.

## **ARTICLE IV. ADMINISTRATION OF THE HONOR CODE**

### **A. PARTICIPANTS**

1. **STUDENTS:** The Honor Code pledge is signed by all students enrolled at UT Health Science Center. This signed pledge is a student's pledge of honesty and integrity. The pledge obligates the student to support the ethics and provisions of the UT Health Science Center Honor Code and to participate in its procedures and actions.
2. **FACULTY AND STAFF:** The faculty and staff participate in the Honor Code by endorsing and supporting the principles of the Code and by applying its rules and procedures.
3. **ADMINISTRATION:** Offices relating to student affairs are responsible for providing advice to students regarding Honor Code procedures.
  - a. Faculty advisors to college Honor Councils support the Honor Code by providing advice and counsel to Honor Council members regarding rules, procedures and the appropriate methods of administering the rules and procedures.
  - b. The Office of Vice Chancellor for University Relations provides advice and orientation to College Honor Council members, faculty advisors, and other students.
  - c. The UT Health Science Center Registrar (1) makes available to each new student a printed copy of the Honor Code prior to matriculation, (2) insures that the Honor Code pledge is signed by each new student, and (3) retains the signed Honor Code pledge as a part of each student's official file.
4. **HONOR COUNCILS OF THE COLLEGES:** Each college has an Honor Council that functions under the rules delineated in this Honor Code. Alleged violations of the Honor Code are processed by the Honor Council of the college in which the alleged violation occurred.

## **ARTICLE V. PROCEDURE FOR REPORTING ALLEGED VIOLATIONS**

- A. A complaint against any student may be filed by a student, faculty or staff member observing a suspected violation. Each complaint must be written and signed by the accuser and presented to any member of the appropriate Honor Council.
- B. Signed complaints are given or forwarded to the college Honor Council president and shall not be discussed with other students.

- C. The signed complaint of one individual is sufficient to initiate an investigation of charge(s) against a student.
- D. The president of the Honor Council appoints a council member to investigate an alleged violation of the Honor Code. The investigator investigates the facts of the alleged violation(s). If the investigator finds probable cause to believe that a violation has been committed, the investigator recommends issuing a Notice of Charge. The president, upon the recommendation of the investigator, issues a Notice of Charge to the accused. The Notice of Charge is sent to the accused via certified mail. If the investigator determines there is no violation, the allegation is dismissed.
- E. The identity of the person(s) who reported the allegation is confidential throughout the initial investigation. In the event that a Notice of Charge is issued, the accused is notified of the name(s) of the accuser(s) upon request.
- F. Allegations, investigations, charges and Honor Court hearings are confidential.
- G. Role of the Investigator:
  - 1. Upon receipt of a signed complaint, the college Honor Council president appoints an investigator who is charged with investigating the allegation.
  - 2. The investigator makes a recommendation to the college Honor Council president within seven (7) University working days after the investigator receives the assignment to investigate the allegation. The investigator's report, either oral or written, recommends whether a formal charge of violation should be issued by the Honor Council president.  
The investigation period is advisory and not mandatory due to administrative closings, holidays and class schedules.
  - 3. The investigator is responsible for presenting charge(s) before the College or University Honor Court if the accused requests a Honor Court hearing. A council member does not vote in any proceedings for which the member served as the investigator.

## **ARTICLE VI.**

### **RIGHTS AND PROCEDURES FOR THE ACCUSED**

- A. Notice of Charge. A student charged with a violation of the Honor Code receives written notice of charge(s) stating the following:
  - 1. The substance of the charge(s).
  - 2. The possible penalties.
  - 3. The right to a hearing if the student contests the charge(s) or action.
  - 4. The name and address of the person to whom a request for a hearing should be directed.
  - 5. A statement indicating that a request for a hearing must be made within five (5)

University working days of receipt of this notice.

B. Procedure for the Accused.

1. On receipt of the Notice of Charge, the accused student, within five (5) University working days, must respond to the college Honor Council president indicating either:
  - a. An intent to plead guilty to the violation and willingness to accept the penalty assigned by the Dean;
  - b. A denial of the charge and indicating a desire to make an appeal of the charge under one of the following hearing options:
    - 1) Uniform Administrative Procedures Act (UAPA),
    - 2) College Honor Court
    - 3) University Honor Court
2. The student who does not respond in writing within five (5) University work days, waives the option of having the case heard in a College or University Honor Court, and the charge will be adjudicated under the provisions of the UAPA.

C. Rights for the Accused.

1. The student has a right to a hearing in accordance with the contested case provisions of the Uniform Administrative Procedures Act (UAPA), T.C.A. 4-5-301-325. The hearing will be held under the provisions of the UAPA in the absence of a voluntary written waiver of this right.

If the student waives the right to a hearing under UAPA, the hearing will be held in accordance with the UT Health Science Center Honor Code Hearing procedures listed under Article VII, Hearing Court Options 2 and 3.
2. For UAPA Hearings, students may be represented by Legal Counsel. The option to obtain Legal Counsel is at student's expense. If representation by Legal Counsel is desired, the student must provide notice of intent to be represented by Counsel concurrent with the request for the UAPA hearing.

In College and University Honor Court hearings, use of Legal Counsel by students or the University is not allowed.
3. In College Honor Court and University Honor Court hearings, the College Honor Council President or the Vice Chancellor for University Relations will make available to an accused student, an advisor (student, faculty, or staff) knowledgeable of the Honor Code and hearing procedures. The advisor will be available to the accused prior to, and during the hearing.

## ARTICLE VII. HEARING COURT OPTIONS

- A. An accused student who wishes to have a hearing on a charge has a choice of hearing options.
  1. **Uniform Administrative Procedures Act (UAPA).** This act provides students a hearing under the State of Tennessee mandatory hearing option. A hearing under this law is held by a hearing officer appointed by the Chancellor of UT

Health Science Center. The Office of General Counsel will prosecute the charge in UAPA hearings, even if the accused student is not represented by legal counsel. This hearing procedure is used in the absence of a voluntary written waiver of this right.

2. **College Honor Court.** Each UT Health Science Center college has a Honor Court. Rules of membership, assembly, quorum, and voting are defined in each college's addendum.

All proceedings of the college Honor Court hearing follow the procedures described in the Honor Code and in the respective college addendum. The college Honor Council president is responsible for administering the hearing, including selecting the date, appointing the Hearing Court panel, notifying all parties, and recording and maintaining records of the college Honor Court hearings.

The selection and service of the college Honor Court members shall follow the guidelines and procedures stated in the respective college Honor Council addendum. Members of the panel shall be impartial, and members who believe they cannot be impartial shall recuse themselves from serving on the panel. The accused student may request the removal of any panel member he/she thinks might not be impartial. Decisions for such removal will be made by the college Honor Court president.

3. **University Honor Court.** The panel shall be composed of students from all colleges at UT Health Science Center. Each college nominates two Honor Council members to the University Honor Court pool. The Vice Chancellor for University Relations will appoint seven (7) hearing panel members, from a pool of nominees, with at least two (2) panel members from the college of the accused. A chairperson will be selected from the panel and will be responsible for conducting the hearing. Members of the panel shall be impartial and members who believe they cannot be impartial shall recuse themselves from serving on the panel. The accused student may request the removal of any panel member he/she thinks might not be impartial. Decisions for such removal will be made by the Chairperson of the Hearing Court or by the Vice Chancellor for University Relations.

The Vice Chancellor for University Relations, or designee, will be responsible for making the appropriate arrangements and notifying all parties of the time, date and place of the hearing. The Vice Chancellor, or designee, shall also be responsible for tape recording the hearings and maintaining the records of the University Court hearings.

#### B. Guidelines for Honor Court Hearings.

The following guidelines shall apply to College and University Honor Court hearings:

1. The hearing is held as soon as possible following receipt of the accused request for a hearing under the Honor Code system.
2. The accused has the right to be present at all times during the hearing, except during the deliberation of the Honor Court, and is afforded a full and fair opportunity to present all evidence, including witnesses, reasonably relating to the charge or action at issue. Evidence that is irrelevant, immaterial, repetitious,

or cumulative may be limited. Judicial rules of evidence and procedure do not apply.

3. The accused, the investigator and Honor Court members have the right to question all witnesses.
4. An appropriate record is made of the hearing procedures. However, defects in the record do not invalidate the proceedings. (A tape recording system is available and should be used).
5. The investigator has the responsibility of proving, by a preponderance of the evidence, the truth of the charge(s) at issue.
6. Following the conclusion of the hearing, the hearing panel considers the evidence and presents written findings, conclusions, and recommendations to the dean of the college in which the violation occurred.
7. A majority vote of the panel is required for any decision.
8. A faculty member will be notified of the outcome of any Honor Code investigation or hearing if they were an accuser or witness in the matter.

## **ARTICLE VIII. PENALTIES**

- A. Penalties for violating the UT Health Science Center Honor Code are assigned by the respective college Dean. Penalties may be probation, suspension, dismissal, or any other action deemed appropriate by the dean of the college in which the violation occurred. The Honor Court may make advisory recommendations or suggestions to the Dean regarding the consequence and severity of the punishment.
- B. The Dean will determine the penalty to be assigned, if the accused is found guilty. The Dean considers the evidence, written findings, conclusions, and recommendations of the Honor Court in determining a punishment.
- C. The Dean must respond with a decision within 10 University working days of receipt of the hearing court decision. In instances in which the Dean is unavailable, a designee will be appointed.

## **ARTICLE IX. APPEALS**

- A. The accused may appeal the action of the Dean by submitting an appeal, in writing, to the Chancellor within 10 days of receipt of the decision of the Dean. Where a charge is found to be true, the student charged has the burden of proving that the disciplinary action proposed is unreasonable.
  1. Any appeal to the Chancellor can only be for the penalty assigned by the Dean. The decision of the Honor Court can not be appealed to the Chancellor.
- B. The Chancellor, or designee, must respond with a decision within ten (10) University

working days of the request for the appeal.

## **ARTICLE X. COLLEGE HONOR COUNCILS**

1. **Composition and Elections:** The composition of the Honor Council and the procedure for election of the Honor Council members officers are determined by each college. Information describing the college councils provisions is provided in the Addenda.
2. **Officers of the Honor Councils:**
  - a. **Elections:** Each Honor Council elects officers from its members for the following offices: president, vice-president and secretary.
  - b. **Duties:**
    - 1) **President.** The president (a) presides at all meetings of the Honor Council, (b) arranges for the hearing of any accused student, and (c) performs other duties as specified in this Honor Code.
    - 2) **Vice-president.** The vice-president assumes the duties of the president in that officer's absence.
    - 3) **Secretary.** The secretary (a) manages the correspondence of the Honor Council, (b) notifies all members of Honor Council meetings, (c) records attendance at meetings, and (d) keeps records of all meetings.
3. **Removal from Council:** A member may be removed by two-thirds vote of the Council members for the following reasons:
  - a. Absence from two consecutive meetings of the Honor Council.
  - b. Failure to fulfill responsibilities in accordance with this Honor Code.
4. **Vacancies in an Honor Council** are filled in accordance with college rules and regulations governing election of members.
5. **General Duties of the Honor Council:**
  - a. To administer the Honor Code, the Honor Council meets at least once during the first month of each fall term and thereafter at its discretion.
  - b. Conducts hearings of alleged violations.
  - c. Keeps adequate records of all hearings that result from alleged violations of the Honor Code and reports findings to the Vice Chancellor for University Relations.
  - d. Forwards findings and recommendations in Honor Code violation proceedings to the Dean of the college.
  - e. Ensures that the information contained in this Honor Code is promulgated, discussed, and made readily available to all students of the college.



## **ARTICLE XI. REPORTS**

- A. Information regarding the number of alleged Honor Code violations, hearings, and decisions resulting from these hearings must be kept by Honor Council presidents and reported to the Vice Chancellor for University Relations at the end of each academic term.

## **ARTICLE XII. AMENDMENTS**

- A. A proposed amendment to this Honor Code shall be presented in writing to the President of each UT Health Science Center Honor Council. Amendments must be approved by a majority vote of the Council of each college, and by the College Honor Council Presidents, prior to submitting to the SGAEC, the UT Health Science Center Chancellor and the University's Board of Trustees.
- B. Approved amendments to a college addendum shall be presented in writing to the President of the Honor Council of the college affected by the proposed amendment and need only to be approved by a majority vote of that college Honor Council. Upon approval, and concurrence by the college Dean, the amendment shall be submitted to the Chancellor and to the University's Board of Trustees.

## **ARTICLE XIII. PLEDGE**

Each UT Health Science Center student, before matriculation, or during the new student orientation period, is required to sign the following pledge:

"I have read carefully the Honor Code of The University of Tennessee Health Science Center and fully understand its meaning, significance and application. I agree to abide by this Honor Code while a student in this institution and agree to accept all of its implications without reservation."

---

Signature

Date

---

Social Security Number

College

# **Addendum D**

## **COLLEGE OF MEDICINE**

### **Honor Council**

#### **A. Composition**

The Honor Council of the College of Medicine consists of three elected representatives from each class and one elected alternate representative from each class. The alternate representative attends all regular meetings and participates in hearings in the absence of a representative from that class or if needed in order to constitute a quorum of the Honor Council for a hearing. During the interval between the graduation of senior representatives and the installation of new freshmen representatives, all alternates function as full Council members and participate in hearings held during this period.

#### **B. Election of Members**

1. Each new class elects its Council members within 6 weeks of the first day of the beginning of classes.
2. The Honor Council representatives may be reelected at the discretion of a class. However, it is recommended that Honor Council representatives be retained, if satisfactory, to provide continuity.

#### **C. Vacancy**

If any Council member is, for any reason, unable to sit in judicial capacity at the hearings, the respective class is represented by the elected Honor Council alternate representative, who assumes all the regular powers of a Council member. Should a regular Council member be removed from office, the vacant position is filled by the alternate member from that class and a new alternate member is elected by the class.

#### **D. Faculty Advisor**

The faculty advisor is appointed by the Dean, assists the Council in its operation, but shall not be present during Council hearings.

#### **E. Quorum**

Two thirds of the active voting membership of the Honor Council shall constitute a quorum. Honor Court decisions are decided by a majority vote of the Hearing Court. A quorum may be established regardless of class distribution or alternate status.

#### **F. Letter of Warning**

The College of Medicine Honor Council reserves the option to issue a letter of warning to a student in the event of multiple complaints describing suspicious behavior, but without a guilty verdict. The purpose of this letter is to notify and warn a student that his/her behavior is raising concern among his/her classmates that the activity in question may be in violation of the Honor Code. If the activity of behavior continues, a formal Notice of Charge may follow.

## G. Proctoring

Faculty are welcomed and appreciated during the beginning and conclusion of examination periods to answer questions concerning test proceedings and to supervise test administration. An avenue should be available to contact the course director or his/her representative during the exam in the event of problems. However, in the spirit of the Honor Code as a student run system, proctoring of written examinations is not allowed unless directed by an outside testing agency or certifying board. This "no proctoring" provision does not apply to practical examinations or examinations requiring proctoring.

# SAMPLE LETTER

CERTIFIED MAIL  
RETURNED RECEIPT REQUESTED

Date

Person & Their Address

RE: NOTICE OF CHARGE

Dear:

Based on information presented to the Honor Council of the University of Tennessee College of \_\_\_\_\_, you are hereby charged with the following violations of the Honor Code of the University of Tennessee Health Science Center. Specifically, it is reported that you used or received unauthorized aid on your \_\_\_\_\_, which is a violation of Article \_\_\_\_\_ of the Honor Code.

Should you be found guilty of the above charges and of violation of the Honor Code, disciplinary action, including Probation, Suspension or Dismissal, or any other action deemed necessary by the Dean of the College of \_\_\_\_\_ and warranted by the seriousness of the offense, may be taken against you. The disciplinary action will depend upon the severity of the offense and findings, and recommendations of the Honor Council.

Should you wish to contest the above charges, you have a right to a hearing either in accordance with the provisions of the Honor Code (a hearing before the Honor Council of the College of \_\_\_\_\_ or the University Honor Court) or the Tennessee Uniform Administrative Procedures Act, Tennessee Code Annotated S4-5-101, et seq. Should you desire a hearing for purposes of contesting the charges, you must notify me within five (5) days of your receipt of this Notice. You may notify me by writing me at \_\_\_\_\_. A hearing will be held under the provisions of the Uniform Administrative Procedures Act in the absence of a voluntary written waiver (see enclosed) of your right to a hearing under the Act. If you waive the right to a hearing under the Uniform Administrative Procedures Act, the hearing will be held in accordance with the UT Health Science Center Honor Council Hearing Options set forth in Article VII of the Honor Code.

You may not be represented by an attorney in a College or University Honor Court hearing. You have the right to representation by legal counsel in an Administrative Procedures Act hearing, so long as you provide notice of your intent to exercise that right concurrent with your request for a hearing. Failure to abide by this notice requirement may result in your being denied representation of legal counsel during the hearing proceedings. University of Tennessee legal counsel will represent the College of

\_\_\_\_\_ in the Administrative Procedures Act hearing regardless of whether you choose to be represented by counsel.

Should you wish counsel and information relative to this charge, and information relation to your options of appeal, you may contact Mr. Odell Horton, Jr., Vice Chancellor for University Relations, in Room 212 Hyman Bldg., or by telephone at 448-5295.

Sincerely,

President  
HONOR COUNCIL  
College of \_\_\_\_\_

Enclosure

## **WAIVER FOR UNIFORM PROCEDURES ACT AND THE STUDENT JUDICIAL SYSTEM**

The University, with the assistance and advice of students and other members of the University community, has developed procedures for handling a variety of situations involving student rights and privileges. Examples of these procedures, including opportunities for a hearing, are included in the student handbook. The University believes that these procedures serve well the interests of the students in obtaining full and fair hearings, with a minimum of expense, complexity, and inconvenience.

An alternative to these procedures, however, is the Uniform Administrative Procedures Act (Tennessee Code Annotated 4-5-101 et seq.) which provides that any party whose legal rights or privileges are required by a statute or constitutional provision to be determined after an opportunity for a hearing shall be afforded an opportunity for such a hearing in accordance with the provisions of T.C.A. 4-5-301 through 325.

The University of Tennessee Board of Trustees, at its June 1976 meeting, took action which requires students to choose either to have a hearing according to University procedures or according to the "contested cases" section of the Uniform Administrative Procedures Act and to execute a waiver of rights to a hearing under the other. The form below is provided for students to execute this waiver.

### **WAIVER**

I hereby waive my right to a formal hearing under the Administrative Procedures Act.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security/Student I.D. Number

I wish to Proceed under the College Honor Court Hearing Procedures.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security/Student I.D. Number

I wish to Proceed under the University Honor Court Hearing Procedures.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security/Student I.D. Number

I do not contest the charges and wish the Honor Council to meet for the purpose of recommending a penalty for my actions.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Social Security/Student I.D. Number

Please indicate the following:

I plan to have an attorney represent me at the Administrative Procedures Act hearing.

I do not plan to have an attorney to represent me at the Administrative Procedures Act hearing.

Date: \_\_\_\_\_

***(Formatted for the Office of Student Affairs Web Page: Honor Council 05/22/2003)***