

TEMPLE UNIVERSITY SCHOOL OF MEDICINE

Honor Code **Revised 2006**

Honor Code

The students for the degree of doctor of medicine and faculty members of the Temple University School of Medicine [TUSM] subscribe to the high ethical and moral standards of conduct appropriate for health care professionals as set forth in this Honor Code. These standards are based upon the principles of honesty, integrity, and civility. Those who accept admission to the Temple community pledge both personal and collective responsibility for maintaining these standards at all times and places and pledge to help others do likewise.

This Code is intended to promote relationships of trust and respect among students, faculty, staff, and patients; to foster an environment which promotes such relationships and, when necessary, to enforce these ethical standards and regulate breaches through the judicial duties of the Honor Board. It is not intended to dictate the lifestyle of an individual.

This Code supplements the Temple University *Student Code of Conduct*. Alleged violations of the Temple University *Student Code of Conduct* that do not violate this Code will be adjudicated by the University Disciplinary Committee established under that Code.

I. Jurisdiction

The Honor Code applies to both the academic and non-academic activities of all candidates for the M.D. degree and to both on-campus and off-campus conduct. Every student seeking the M.D. degree who accepts admission to the Temple University School of Medicine is responsible for knowing the content of and upholding the rules and regulations of the Medical School and this Honor Code. Copies of the Honor Code will be distributed to incoming first year M.D. students. Copies of amendments to the Honor Code will be distributed to all M.D. students and faculty and will be published on the website of the School of Medicine. Ignorance of the Honor Code and the rules and regulations of Temple University School of Medicine will not constitute a defense in any proceeding against a student.

II. Responsibility for the Honor Code

The Honor Board will write to all prospective medical students, informing them that Temple University School of Medicine is governed by an Honor Code and that their matriculation is conditioned upon a promise to abide by that Code. The Honor Board Chairpersons will provide that communication to the Office of the Associate Dean for Admissions by October 10th of each academic year so that it may be enclosed with the each applicant's letter of acceptance. A copy of the Honor Code, the Honor Board Bylaws and the Schedule of Violations will be mailed to any candidate who wishes to review them prior to matriculation.

Every student who is a candidate for the M.D. degree must comply with the Honor Code. Students who are candidates for the M.D. degree and the Ph.D. degree are expected to comply with the Honor Code during the periods when they are taking courses or engaged in rotations that are intended to lead to the M.D. degree. Compliance with the Honor Code includes (a) reporting violations of which the candidate has personal knowledge, (b) providing information and evidence, including documents and testimony at any investigation of or hearing on an alleged violation and (c) otherwise cooperating fully in the implementation and enforcement of the Code.

III. Honor Board

The Honor Board is a representative body composed of students who are candidates for the M.D. degree and of faculty members of the School of Medicine, whose primary function is to educate the Temple community about the Honor Code. In the event of an allegation of an Honor Code infraction, the Honor Board investigates the allegation and acts as the official judicial body of the Honor Code in accordance with the Honor System bylaws *infra*.

IV. Confidentiality

The effectiveness of the Honor Code depends upon the absolute confidentiality of any allegations of violations, the information collected in any investigation and the proceedings and results of any hearing. A breach of confidentiality is a violation of the Honor Code.

V. Amendments and Revisions

- A. Any amendment to the Honor Code, the Bylaws of the Honor Board or the Schedule of Violations requires the approval of:
- (a) a majority vote at a meeting of the Honor Board;
 - (b) a majority vote at a meeting of the student body;
 - (c) a majority vote at a meeting of the Medical School Faculty Senate; and
 - (d) the Dean.

In addition, any amendment requires the review or approval of the President or the Board of Trustees.

- B. Notwithstanding paragraph V (A), *supra.*, amendments to the Honor Code, the Bylaws of the Honor Board or the Schedule of Violations that are solely for the purpose of clarification require only the approval of a majority vote at a meeting of the Honor Board.
- C. Proposals for amendment to the Honor Code, the Bylaws of the Honor Board or the Schedule of Violations may be made by the Honor Board, the Medical School Faculty Senate, the Dean or the President.

VI. Annual Report

The Honor Board will prepare an Annual Report to the School of Medicine. That Annual Report will summarize all activities and projects undertaken by the Board during the preceding year. It will also list any cases brought to the Board and their dispositions. This list shall include a summary (omitting names) of charges, verdicts, any sanctions recommended by the Honor Board, and any sanctions levied by the Dean. . The Dean will forward the Annual Report to the University Code Administrator.

TEMPLE UNIVERSITY SCHOOL OF MEDICINE

Bylaws of the Honor Board

I. Composition of the Honor Board

The Honor Board is composed of the following members:

- A. 20 Student members (5 members from each class)
- B. 4 non-voting Faculty advisors, two each from the clinical and basic science faculties
- C. 4 Faculty members

II. Selection and Responsibilities of Honor Board Members

A. All Honor Board Members

The Honor Board shall have the following responsibilities:

1. **Administrative Role.** Board members shall promote compliance with the Honor Code through, among other actions, orientation of incoming students; communication with faculty members, administrators, and students through statements, reports, polls, and announcements; and any other activities that will enhance the spirit of the Honor Code at the School of Medicine.
2. **Judicial Role.** Board members shall be involved in any formal matter brought to the Board's attention that involving a possible violation of the Honor Code. These duties include advising and/or mediating a confrontation between two parties, taking part in an investigation or a hearing, determining a verdict, and recommending sanctions. The procedures to be followed in the event of an allegation of a violation are set forth in Sections VIII through XIII below.
3. **Advisory Role.** Board members shall serve as resource persons to students and faculty members on all matters pertaining to the Honor Code.

B. Student Members of the Honor Board

1. **Election and Terms.** Concurrently with the first major examination in the fall, the first year class shall elect five representatives to the Honor Board to serve one-year terms. Concurrently with the last examination before finals in the spring, the first year class shall elect five representatives to the Honor Board to serve three-year terms and the second and third year classes shall

elect representatives to fill any vacancies on the Honor Board. Elections shall be held in accordance with this Section II (B)(1).

(a) The Associate Dean for Student Affairs shall establish a date for the Honor Board elections and a deadline for nominations.

(b) The Associate Dean for Student Affairs will, at least three weeks prior to the date of the election, give notice to first year medical students and, if there is one or more vacancies to be filled, to second or third year medical students by email and by announcement posted on the student bulletin board located by the student mail boxes. Such notice shall include a description of the responsibilities of Honor Board members, the date of the election, the number of positions on the Honor Board to be elected by each class, and the date and person to whom nominations may be made. Nominations shall be due at least seven days before the date of the election. Students may be nominated by one or more student colleagues or may nominate themselves. The Associate Dean for Student Affairs shall receive the nominations.

(c) Several days prior to the date of the election, the Honor Board shall prepare and distribute by email to first year medical students and, if there is one or more vacancies to be filled, second or third year medical students a ballot containing the name and photograph of every candidate for whom that student may vote. Each first year medical student may vote for up to five (5) candidates. Each second or third year medical student may vote for a number of candidates equal to the number of vacancies, if any, from that student's class.

(d) Votes will be tabulated by students other than those who are candidates. The five (5) candidates from the first year class and the number of candidates representing the number of any vacancies from the second and third year classes who receive the greatest number of votes will be the Board representatives. Every candidate will be notified directly of the results. In the event of a tie, both candidates will serve on the Board as full members.

(e) If a Board member should be alleged to have violated the Honor Code, he/she will not be able to participate in any Board meetings while the charge is pending. If the member is found to have violated the Honor Code, his/her office will be declared vacant as of the day of the determination.

2. **Election of Student Officers** At the final Honor Board meeting of the academic year, which will be held scheduled after the elections, members will either nominate themselves or will be nominated for the positions of Chairperson(s) and Treasurer. The Board will vote by closed ballot. All officers will assume their new positions at the conclusion of the meeting. The position of Secretary will be filled at the second meeting of the following year, permitting the newly elected first year representatives to run for this office.

3. **Responsibilities of Student Officers**

- a.) The responsibilities of the Chairperson(s) or the Chairperson's designee(s) are:
 - (i) To call and preside over all meetings of the Honor Board.
 - (ii) To carry out all written and verbal correspondence of the Honor Board, or to delegate such duty to another member of the Board.
 - (iii) To appoint Investigating Committees, Hearing Boards, [and Appeals Committees] and their chairpersons.
- b.) The responsibilities of the Secretary are:
 - (i) To record minutes at all meeting of the Honor Board.
 - (ii) To prepare two copies of each set of minutes: One copy is to be placed in the Honor Board files; the other copy is to be posted for public viewing.
- c.) The responsibilities of the Treasurer are:
 - (i) To create a budget for all activities planned by the Board for the academic year and to prepare all documents needed to secure such funds.
 - (ii) To serve as a liaison between the Board and all funding sources (e.g., Student Council and Dean's Office).
 - (iii) To report the financial status to the Board on a periodic basis.

C. **Faculty Members of the Honor Board**

1. **Faculty Advisors**

- a.) **Selection.** The Board will include four non-voting Faculty Advisors, two each from the clinical and general science faculties. The Board will nominate candidates for the position of Faculty Advisor and elect new Faculty Advisors from the list of nominees. Separate lists will be made for clinical and non-clinical faculty. The lists of nominees will be retained by the Board to be used in the event of a resignation. The term for each Faculty Advisor is three years.
- b.) **Responsibilities.** Faculty Advisors may attend all meetings of the Honor Board and may participate in all decisions and activities. Faculty Advisors cannot serve on Investigating Committees or on Hearing Boards but will be available to provide assistance to the Accused, Accuser, and/or their respective witnesses during hearings.

2. **Faculty Members**

- a.) **Selection.** The Board will include four Faculty Members appointed by the Dean. The Honor Board will give the list of nominees used by the Honor Board for the selection of Faculty Advisors to the Dean who will appoint each Faculty Member for a term of four years.
- b.) **Responsibilities.** Faculty members will participate in all activities of the Board, serve on Investigating Committees and participate in hearings. Each member will have one vote.

IV. Attendance

The Honor Board will meet once each month during the academic year to conduct general business. Additional meetings may be called by the Honor Board as needed. Members are required to attend all meetings. If a member is unable to attend, that member must notify the Board and/or the Chairperson(s) before the meeting. Three unexcused absences by Board members may be considered reason for dismissal. Arrangements for dismissal shall be coordinated by the Chairperson(s). Attendance records of student members shall be published at class elections for Honor Board representatives.

V. Summer Adjustments to the Honor Board

- A. Prior to the end of the spring semester, the new Chairperson(s) of the Honor Board will be elected by the Board members to serve for the following academic year. The new Chairperson(s) will coordinate the activities for the summer.
- B. During the summer, the Board will consist of fifteen students, as only three classes will be represented.

VI. Confidentiality

- A. The reports, records, and proceedings of the Honor Board shall be held in strict confidence by all members of the student body, the faculty and the administration. An alleged breach of this confidentiality will be considered a violation of the Honor System. A breach of confidentiality committed by a member of the faculty or administration may be referred to the Dean.
- B. Any discussion about possible Honor Code violations shall be kept in confidence by Honor Board members who have knowledge of an alleged incident.
- C. Discussion of past Board proceedings within members shall be limited to revealing only the charge, verdict, and final sanctions. No discussion of other details should occur, nor should there be any discussion of a current proceeding until a final resolution of the case has been made by the Dean.
- D. Confidentiality with respect to the hearing records shall be maintained in accordance with the protocol described in "Post-Hearing Procedures" of this document.

VII. Violations

A. **Definitions.** Violations of the Honor Code are set forth in the Appendix and include violations of the University Student Code of Conduct.

B. Faculty Responsibilities

1. When a violation of departmental policy or rules takes place, the faculty retains the right to handle such incidents under the grading system rather than through the Honor Board. For example, flagrant cheating on an examination or the falsification of a patient's records may be addressed through failure of an exam or failure of the course. Issues of unethical behavior in the community may be addressed both through the Honor Code and under the grading system. Both the faculty and the Honor Board are expected to cooperate with one another, where appropriate.
2. Students are responsible for knowing appropriate behavior with respect to test taking, the use of study aids, class attendance and the like, by obtaining such information from the relevant Academic Department
3. Each year, the Honor Board shall send a letter to all faculty members. This letter shall state that all faculty members should be in possession of a copy of the Honor Code, and that copies are available in the Office of the Associate Dean for Student Affairs.

VIII. Enforcement of the Honor Code

When a member of the community has witnessed a possible violation or has knowledge of one, that member must either confront the alleged violator or submit a written complaint to the Honor Board. Although confrontation or submission of a complaint should be initiated promptly, such action may be taken at any time after a possible violation has occurred.

A. Confrontation

1. Purpose

A confrontation between the Accuser and the Accused, with or without the mediation of an Honor Board member, provides an opportunity for the Accuser to explain the charge to the Accused and for the Accused to offer an explanation of his/her actions.

2. Mediation

If the Accuser finds it difficult to confront the offender, alone, he/she may contact an Honor Board member to arrange a meeting between the two parties to mediate the confrontation.

3. Results

- a.) If, as a result of the confrontation, the Accuser is satisfied that no violation occurred, or that the violation was inadvertent, minor, and will not be repeated, the complaint will be considered resolved and no record of the incident will be maintained.
- b.) If, however, the Accuser is not satisfied with the explanation, or if the Accused admits to a violation of the Honor Code, the Accuser must submit a written report and any evidence substantiating the charge to a member of the Honor Bound. The report may either describe a situation that merits further investigation, or it may make specific charges against the Accused.

B. Direct Submission of a Written Complaint

A student may elect to bypass confrontation and proceed directly to the submission of a written complaint. The Accuser submits a written complaint by submitting to a member of the Honor Board a written summary of the alleged violation of the Honor Code and any evidence substantiating the alleged violation. A complaint may either describe a situation that merits further investigation, or list specific charges against the Accused. At this time, the Accuser complaint may remain anonymous.

- C. The University may always take appropriate action with respect to any complaint in accordance with University policies.

IX. Investigation Procedures

A. Initiation of an Investigation

When a member of the Honor Board receives a written complaint of an alleged violation, that member must notify the Honor Board Chairperson(s) that a complaint has been filed. The Honor Board Chairperson(s) must then form an Investigating Committee, which will offer Faculty Advisors for the Accuser and the Accused. The Honor Board Chairperson(s) shall also advise the Office of the Dean, through the Associate Dean for Student Affairs, that a complaint has been filed. The Honor Board Chairperson(s) shall not, however, disclose to the Associate Dean the names of either the Accuser or the Accused.

B. Investigating Committee

1. Composition

Each Investigating Committee shall consist of three (3) members of the Honor Board, two students, and one Faculty Member. One member should be the Honor Board member initially contacted by the Accuser. The Investigating Committee will select a student member to chair the investigation. The Chairperson of the Investigating Committee may, but need not be, the member initially contacted by the Accuser.

2. Notice to the Accused

The Investigating Committee Chairperson shall notify the Accused that a complaint has been filed and shall provide him/her with a copy of that complaint.

3. **Role of the Investigating Committee**

The Investigating Committee shall first determine whether the conduct alleged in the complaint, if true, would constitute a violation of the Honor Code. If the Investigating Committee so determines, the Investigating Committee shall interview the Accused, the Accuser, and such other witnesses (whether they are named by the Accused, Accuser, or other witnesses) as the Committee shall deem appropriate, and any involved faculty members. The Investigating Committee shall also gather any physical evidence (e.g., test papers) that might be useful in the investigation.

4. **Scope of the Investigation**

The scope of the investigation shall be limited to the charges in the complaint. If, during the course of its investigation, the Investigating Committee discovers other behavior which (a) may constitute a violation of the Honor Code, (b) is related to the charges in the complaint, and (c) is not referred to in the complaint, the Investigating Committee may investigate this behavior. If the behavior is not related to the charges in the complaint, the Investigating Committee may not investigate the behavior. The newly discovered behavior must be handled as a separate violation.

5. **Witnesses**

All witnesses interviewed by the Investigating Committee, including the Accuser, will be informed that the matter must remain confidential and will be instructed to restrict their comments to the scope of the written complaint. The evidence shall be summarized in writing. If a hearing is scheduled, the Accused shall have the opportunity to review this material prior to the hearing.

C. **Hearing Determination**

1. **No Hearing**

If the Investigating Committee determines that an Honor Code infraction did not occur, it shall promptly notify the Accused and Accuser of its determination. The Committee shall deliver all investigation materials to the Associate Dean for Student Affairs in a closed file. All documents must refer to the Accused and the Accuser by Temple student identification numbers.

2. **Progression to a Hearing**

If:

- a.) The Accused admits to conduct that the Investigating Committee determines to be a violation of the Honor Code, or
- b.) The Investigating Committee determines, by majority vote, that there is sufficient evidence that a violation of the Honor Code occurred;

the Chairperson of the Investigating Committee will notify the Chairperson(s) of the Honor Board and the Accuser and the Accused of its determination and the Investigating Committee will retain all investigation materials.

D. Pre-Hearing Proceedings

1. Appointment of the Hearing Board

Promptly after receiving notification of a determination by an Investigating Committee either that the Accused has admitted to conduct that is a violation of the Honor Code or that there is sufficient evidence that a violation of the Honor Code has occurred, the Chairperson(s) of the Honor Board shall appoint a Hearing Board consisting of five members of the Honor Board, four student members and one Faculty Member. Faculty Advisors, members of the Investigating Committee, and persons with prior knowledge of an incident subject to the hearing are ineligible to serve as members of a Hearing Board.

2. Hearing Board Chairperson

The Honor Board Chairperson(s) will ask for a volunteer among the Hearing Board members to chair the hearing. If there are no volunteers or if there is more than one volunteer, the Honor Board Chairperson(s) shall appoint the Chairperson of the Hearing Board. The Chairperson shall preside at all proceedings of the Hearing Board and shall remain a voting member of the Hearing Board.

3. Notice of Hearing

Promptly after the appointment of a Hearing Board, the Chairperson of the Investigating Committee shall provide the Chairperson of the Hearing Board with a summary of the charges to be heard, a summary of the evidence, and the names of the witnesses, including the Accuser. At least ten days prior to the hearing, the Chairperson of the Hearing Board shall give notice of the date, time and place of the hearing to the members of the Hearing Board, the Accuser, the Accused, the Faculty Advisors to the Accuser and the Accused, and the Chairperson of the Investigating Committee. At the time of this notice, the Chairperson of the Hearing Board shall provide the Accused with the information provided to him/her by the Chairperson of the Investigating Committee and with the names of the members of the Hearing Board. Promptly after receipt of this notice, the Chairperson of the Investigating Committee shall notify any witnesses of the date, time and place of the hearing.

4. Right to Challenge Composition of the Hearing Board.

Not less than five days before the date scheduled for the hearing, the Accused may challenge one or more members of the Hearing Board on the grounds that that member is not able to objectively determine one or more of the issues presented in the Complaint. The Accused shall deliver any such challenge, together with the reasons for the challenge, to the Chairperson of the Honor Board, who shall resolve such challenge as promptly as practicable. If the Chairperson of the Honor Board sustains the challenge, that Chairperson shall appoint one or more substitute members of the Hearing Board. The Accused shall have no right to challenge any of the substitute members.

5. **List of Witnesses to be Called by Accused.**

Not less than five days before the date scheduled for the hearing, the Accused shall deliver to the Chairperson of the Hearing Board and the Chairperson of the Investigating Committee, a list of any persons, not listed as witnesses by the Investigating Committee, whom the Accused intends to call as witnesses at the hearing. The Investigating Committee shall have the right to interview such persons prior to the hearing.

X. **Hearing Procedures**

A. **Role of the Hearing Board**

The Hearing Board shall hear all testimony and shall hear all testimony and receive all evidence and shall determine whether the Accused has violated the Honor Code and, if the Hearing Board determines that the Accused has violated the Honor Code, recommend sanctions to be imposed by the Dean. In conducting the hearing, the Hearing Board shall not be bound by the rules of evidence but may accept any evidence that it finds will assist it in making its determination. The Hearing Board shall produce a verbatim record of the hearing by means of a stenographer or an audio or video recording.

B. **Role of the Investigating Committee Chair**

The Investigating Committee Chair or a Committee designee must attend the hearing and present the investigating Committee's findings. At the discretion of the Hearing Board Chair, other members of the Investigating Committee may attend the hearing, but only as observers or resources to the presenter and may not address the Hearing Board unless recognized by the Hearing Board Chair.

C. **Advisors**

The Accused and the Accuser will each be appointed an Honor Board Faculty Advisor. The Accused may also be accompanied by an advisor of his/her choice. Finally, the Hearing Board may consult an advisor about procedural questions. Faculty Advisors are permitted at the interview of the Accused/Accuser during the investigation with the respective Accused/Accuser's consent, and may attend the hearing with the respective Accused/Accuser's consent. However, Advisors will not be recognized by the Hearing Board during a hearing.

D. Hearing Witnesses

1. If the Accused or the Accuser wishes to submit character witnesses, testimony may be received in written form.
2. Evidence in the form of oral testimony by witnesses should serve to inform the Hearing Board about specific details of the alleged violation.
3. During the course of a hearing, witnesses may be sequestered as necessary. The Hearing Board may require witnesses to remain available for the duration of the Hearing or be excused at the conclusion of their testimony.

E. Order of Events During a Hearing

1. The Hearing Board Chair shall begin the hearing by naming the Accused and the Accuser, briefly describing the procedure for the hearing, and ascertaining that no member of the Hearing Board is biased or otherwise disqualified from serving on the Board due to prior knowledge of the case, a conflict of interest, or personal relationship with the Accused or the Accuser.
2. The Investigating Committee Chair shall present a statement of the charges and a summary of the evidence.
3. The Accused, if he or she wishes, may make a brief opening statement into the record.
4. The Investigating Committee Chair may begin by offering testimony of witnesses. Testimony should be relevant to the charge and evidence.
5. When the Investigating Committee Chair has finished questioning a witness offered by the Investigating Committee, the Hearing Board Chair may recognize any Hearing Board member who may have questions for the witness. Once the Hearing Board has finished, the Accused may question the witness. This cycle of questioning - Investigating Committee Chair, Hearing Board, Accused - is repeated until all questions for the witness have been exhausted. The Hearing Board may also direct questions to the Investigating Committee Chair. Note, all questions must be directed toward a specific witness.
6. The Accused may then present his or her defense or other testimony or evidence. The Accused shall not be compelled to testify. Following this presentation, the Accused may offer testimony of supporting witnesses to the Honor Board. Again, testimony must be relevant to the current charge

and evidence.

7. When the accused has finished questioning a witness offered by the Accused, the Hearing Board Chair may recognize any Hearing Board member if they have any questions for the witness. Once the Hearing Board has finished, the Investigating Committee Chair, if he/she has any questions for the witness. This cycle of questioning - Accused, Hearing Board, Investigating Committee Chair - is repeated until completed.
8. Witnesses who have already testified may be recalled if the need arises. Once testimony of witnesses is completed, concluding statements will be made - first by the Investigating Committee Chair, then by the Accused.
9. The Hearing Board Chair shall conclude the Hearing and dismiss everyone but Hearing Board members.
10. Exceptions or alterations to the above listed order of events may be deemed acceptable upon mutual agreement by the Hearing Board and Investigating Committee Chair, after consultation with the Accused.

XI. Post-Hearing Procedures

A. Determination of Verdict

At the conclusion of the hearing, in a closed session, the Hearing Board must deliberate and determine whether a violation of the Honor Code has occurred. At the conclusion of this deliberation, the Hearing Board must come to a conclusion and vote by secret ballot on each of the charges. Each charge will be voted upon separately.

1. Violation

If at least four (4) of the five (5) votes are that a violation has occurred, the Accused will be declared responsible for a violation of the Honor Code as presented in the charges. The Board will then determine sanctions to be recommended to the Dean and produce a summary of the hearing which summary shall include the names of all persons present at the hearing and pertinent information that supports its findings and recommendations.

2. No Violation

If only three (3) or fewer members of the Board vote that a violation occurred, the current charges will be dropped. A finding of no violation may not be appealed or reheard.

B. Sanctions

No specific guidelines exist for the recommendation of sanctions, except that the degree of the sanction should be appropriate to the seriousness of the offense. Sanctions may include one or more of the following: A written reprimand, failure of course or rotation, failure of year, reference to the offense(s) in the Dean's letter, and/or suspension or expulsion.

C. **Notice to the Accused, the Chairperson of the Investigating Committee and the Chairperson of the Honor Board**

Promptly after the Hearing Board makes its determination and produces any summary of the hearing, the Chairperson of the Hearing Board shall provide a copy of its findings and of any recommendations for sanctions and a copy of any summary of the hearing to the Accused, the Chairperson of the Investigating Committee, the Honor Board Chairperson(s) and the Associate Dean for Student Affairs. The Chairperson shall also provide a copy of the verbatim record of the hearing to the Associate Dean for Student Affairs for retention and for possible use by any Appeals Committee and the Dean.

D. **Record Retention**

After the Hearing Board has made its findings and any recommendations or summary, the Hearing Board Chair shall collect any personal notes of the members of the Hearing Board members and shall destroy them. The Chair of the Investigating Committee and the Honor Board Chairperson(s) shall retain a copy of the findings and recommendations and of the summary of the decision finding no violation of the Honor Code for seven days and shall then deliver them to the Associate Dean for Student Affairs. The Chair of the Investigating Committee shall retain a copy of the findings and recommendations and of the summary of the decision finding a violation of the Honor Code until seven days after a final decision by either an Appeals Committee or the Dean and shall then deliver them to the Associate Dean for Student Affairs. The Chairperson(s) of the Honor Board shall retain a copy of the findings and recommendations and of the summary of the decision finding a violation of the Honor Code until completion of the Annual Report and shall then deliver them to the Associate Dean for Student Affairs. The Associate Dean for Student Affairs shall retain in closed and confidential files one copy of all records of the Hearing Board's proceedings submitted to him/her and shall destroy all other copies.

- a.) The Associate Dean for Student Affairs shall retain all records of those found in violation for six (6) years. These files shall be labeled with the Temple student identification number of the Accused and the termination dates of the files.
- b.) The Associate Dean for Student Affairs shall retain all disciplinary records of those not found in violation until the student leaves the School of Medicine. These files shall be labeled with the Temple student identification number of the Accused and the termination dates of the files.

E. **Access to Records**

Disciplinary records and hearing documents shall be maintained separately from other records of the student concerned. Access to them will be governed by current University policy on the disclosure of information of student, faculty, and employee records. Information from disciplinary records will not be made available to unauthorized persons within the University community, nor to any non-University personnel without the

express written consent of the student involved except under legal - compulsion or in cases where safety of persons is involved.

XII. Appeals

A. Time for Appeal

Any person found responsible for a violation of the Honor Code may appeal this finding within two weeks of receiving notification of the finding and recommendation for sanctions. Appeals based on new evidence may be made up to two weeks after the discovery of the new evidence.

B. Written Requests

The Accused may submit, by letter, a written appeal of findings and recommendation for sanction to the Honor Board Chair, who will pass on the letter unread to the Appeals Committee. The appeal letter must state clearly the grounds for appeal, any new evidence, the names of any new witnesses, and/or any other supporting information.

C. Appeal of Findings and Recommendation for Sanctions

1. A student may base his/her appeal on one a more of the following reasons:
 - a.) New evidence that may be sufficient to alter the finding or recommendation;
 - b.) Procedural errors that may have significantly prevented the Accused from having a full and fair hearing; or
 - c.) Insufficient evidence to reasonably support the finding or recommendation.
2. The Chairperson(s) of the Honor Board shall appoint the Appeals Committee, which shall consist of five members. The Honor Board Chair shall appoint three Honor Board student members and two members of the full - time faculty of the School of Medicine to serve on this committee, none of whom were previously involved in the case. The Faculty Members may be, but are not required to be, Honor Board Faculty Members.
3. The Appeals Committee may review the entire record pertaining to the case, interview any member of the Hearing Board or Investigating Committee, and interview any previous or new witnesses as deemed necessary, including the Accused.
4. The Appeals Committee shall affirm the decision of the Hearing Board unless four (4) of the five (5) Appeals Committee members vote in one or more of the following manners:

- a.) If four (4) of the five (5) Appeals Committee members vote that there is new evidence that was not reasonably available at the time of the hearing and that might be sufficient to alter the Hearing Board's finding or recommendation, the Hearing Board will hear the new evidence and any other evidence that the Accused or the Investigating Committee wishes to present that is material to Hearing Board's consideration of the new evidence. In the event that one or more members of the Hearing Board are unable to participate in the rehearing, the Chairperson(s) of the Honor Board will appoint substitutes. The Accused will have no right to challenge any of the substitutes.
- b.) If four (4) of the five (5) Appeals Committee members vote that there were procedural errors that prevented the Accused from having a full and fair hearing, a new Hearing Board will rehear the case. The Appeals Committee shall provide the Honor Board Chairperson(s) with a list of procedural errors. The Honor Board Chairperson(s) shall initiate the new hearing by appointing a new Hearing Board.
- c.) If four (4) of the five (5) Appeals Committee members vote that the findings or recommendation could not have been reasonably reached from the evidence and testimonies presented at the hearing, the Board will, as may be appropriate, amend the findings or recommendation so that they represent the most severe findings and recommendations that could have been reasonably reached from the evidence and testimony. Such amendment may, if appropriate, include a finding that no violation of the Honor Code occurred, in which event, the charges shall be dismissed.

D. Submission to the Dean

- 1. If the Accused does not submit a written appeal of a finding of a Hearing Committee that s/he has violated the Honor Code within the two week period under Section XII.A., the Chairperson(s) of the Honor Board shall promptly after the expiration of the appeal period submit a copy of the findings and recommendations of the Hearing Board and the summary of the findings to the Dean and shall notify the Accused that he/she/they have done so.
- 2. If the Accused does submit a written appeal of a finding of a Hearing Committee and the Appeals Committee either affirms the Hearing Committee or modifies the findings of the Hearing Committee but finds that the Accused violated the Honor Code, the Appeals Committee will submit a copy of its findings and recommendations to the Accused, the Dean and the Chairperson(s) of the Honor Board.

E. Review of Sanctions

- 1. Upon receipt of either (a) a copy of the findings and recommendations of the Hearing Board and the summary of the findings from the Chairperson(s) of the Honor Board or (b) the findings and recommendations of an Appeals Committee, the Dean shall review the sanctions recommended. In connection with his/her review the Dean may

- (a) solicit the advice of a Sanctions Committee composed of three (3) faculty members appointed by the Dean, (b) meet with the Accused to discuss the violation and proposed sanctions, (c) solicit and consider written comments from the Accused, or (d) any combination of the above. The Dean shall determine the sanctions, which determination shall not be subject to review by any body.
2. The Dean will notify the Accused, the Associate Dean for Student Affairs and the Hearing Board Chair of the final decision regarding sanctions. The Associate Dean for Student Affairs will notify the Student Promotion Committee. The Hearing Board Chair will notify Honor Board Chairperson(s).
 3. Any Sanctions Committee may consult previous Honor Board Annual Reports.

APPENDIX

TEMPLE UNIVERSITY SCHOOL OF MEDICINE

Schedule of Violations

The following are examples of violations of the Honor Code but are not all inclusive - the nature of a presumed activity shall be considered on a case by case basis by the Honor Board members involved with its evaluation:

- A. Receiving help from any unauthorized source in answering questions on any medical school evaluation or examination. Such unauthorized help includes: copying answers to any examination from other students, use of any note or text in a closed-book examination, use of references specifically not permitted by the course instructor in open-book examinations, discussion of examination questions with any other person during an examination, and obtaining copies of examination questions prior to the time they are to be released by the course instructor.
- B. Interference with the activities of other students preparing for or taking examinations. Such interference includes: tampering with materials being used on practical examinations, creating a disturbance in examinations (loud conversation, etc.). removing reference material from the library for periods of time longer than permitted by library regulations, removal of publicly posted class notes, diagrams, references, etc.
- C. Presentation of data that is known to be false concerning patients under the student's examination or evaluation.
- D. Assistance of any kind to another student in violating this Honor Code.
- E. Giving false testimony or evidence in Board proceeding.

- F. Knowingly breach confidentially with regard to past or present Honor Board cases.

In addition, violations of the University *Student Code of Conduct* are also violations of the Honor Code. Section III of the *Student Code of Conduct*, which lists these violations, is reprinted verbatim:

III. Code of Conduct

It is a violation of the Code of Conduct for a student to commit, attempt to commit, aid, facilitate or solicit the commission of, or act in concert with others in bringing about the behavior or acts regulated or prohibited by any of the numbered paragraphs in this Section III:

REGULATION OF ACADEMIC INTEGRITY

1. Academic dishonesty and impropriety, including plagiarism and academic cheating.
2. Interfering or attempting to interfere with or disrupting the conduct of classes or any other normal or regular activities of the University;

BEHAVIOR GUIDELINES

3. Any act or threat of physical violence or intimidation toward another person including actual or threatened assault or battery;
4. Sexual assault, as defined in the University Policy on Sexual Assault, (which may be found in the Student Handbook and on the University's Policies and Procedures webpage at <http://policies.temple.edu>), including any of the following:
 - a. Any intentional, unconsented touching, or threat or attempt thereof, of: (i) an intimate bodily part of another person, such as a sexual organ, buttocks, or breast; (ii) any bodily part of another person with a sexual organ; or (iii) any part of another person's body with the intent of accomplishing a sexual act; or
 - b. Unwanted, inappropriate disrobing of another person, or purposeful exposure of one's genitals to another without the other's consent;
 - c. Forcing, or attempting to force, any other person to engage in sexual activity of any kind without his/her consent.

Assent (an affirmative statement or action) shall not constitute consent if it is given by a person who is unable to make a reasonable judgment

concerning the nature or harmfulness of the activity because of his or her intoxication, unconsciousness, mental deficiency or incapacity, or if the assent is the product of threat or coercion;

5. Sexual Harassment as defined in the University Policy on Sexual Harassment (which may be found in the Student Handbook and on the University's Policies and Procedures webpage at <http://policies.temple.edu>);
6. Deliberate damage to, misuse, abuse or destruction of University property or the property of any persons;
7. Violation of campus safety regulations including, but not limited to (a) setting or causing unauthorized fires or explosions, (b) tampering with fire safety, fire fighting and/or emergency equipment or (c) setting off or turning in false fire alarms by any means of communication;
8. The use, possession, sale or storage of articles and substances that endanger a person's health and/or safety. This includes, but is not limited to, firearms (e.g. guns, pistols, rifles, stun guns, air rifles, pellet guns, etc.), fireworks, knives, weapons, ammunition, gunpowder, explosives, or other material containing flammable substances. The University will confiscate any such articles. Any student found in possession of a firearm will be immediately suspended from Temple University pending the outcome of the UDC process;
9. Unauthorized use or tampering with University owned, operated, or controlled elevator-related equipment or doors including, but not limited to, entering any elevator shall and misusing the elevator car(s);
10. Stealing, borrowing, removing, taking, or vandalizing University property or services or any other person's property, without his or her consent, or possessing stolen property. Tampering with any vending, game, copying, laundry or ATM machine, Diamond Dollars, and/or tying into the main antenna systems;
11. Providing false or misleading information, verbally or in writing, to the University or University personnel. This includes, but is not limited to:
 - a.) Forgery, fraud (including Payroll fraud), bribery, alteration, or misuse of University documents, records, Temple University identification cards, or other forms of identification.
 - b.) Providing false or misleading information during a disciplinary proceeding or investigation related to potential policy violations;

12. Any lewd or indecent act, including exposing one's genitals, which the student knows is likely to be observed by others who would be affronted or alarmed;
13. Illegal gambling or bookmaking;
14. Disorderly conduct;
15. Violations of the Code of Conduct while on probation or suspension;
16. Hazing - any act that endangers the mental or physical health or safety of a person, embarrasses, frightens, or degrades a person or that destroys or removes public or private property, for the purpose of initiation, admission into, or affiliation with, or as a condition for continued membership, in a group, organization or team;

REGULATION OF ALCOHOL AND OTHER DRUGS

17. Drunkenness at any location within the jurisdiction of the Code of Conduct;
18. The use or possession of alcoholic beverages at any location within the jurisdiction of the Code of Conduct, except where expressly allowed;
19. Possessing common source containers (kegs or beer balls, whether empty, partially, or completely filled) on the University premises/campus. Violation of this policy is punishable by a fine of \$200 in addition to any mandatory and/or other appropriate sanctions;
20. Purchasing for or providing alcohol to anyone who is less than 21 years of age at any location within the jurisdiction of the Code of Conduct;
21. Students under the age of 21 being present where alcohol is being consumed in University Housing (other than as set forth in 27 below);
22. Students under the age of 21 transporting, possessing, selling or consuming alcohol at any location within the jurisdiction of the Code of Conduct.
23. Failing to register alcoholic beverages at the Security Desk in University Housing. University Housing identification and proof of age must be presented to the desk attendant, and an "Alcoholic Beverage Registration Form" must be completed before entry is permitted;
24. Possessing open containers or consuming alcohol in public or common areas of University Housing within a student unit of University Housing

other than the unit into which the alcohol was registered. The only area where one may possess an open container or consume alcohol is within a room, suite or apartment of the resident that registered the alcohol in University Housing, where the door is closed. Alcoholic beverages cannot be transported to another student unit or common area;

25. Students over the age of 21 transporting more than the acceptable amount of alcohol into University Housing during any seven-day period on a rolling calendar basis. For example, if a student over the age of 21 brings one 1.5 liter bottle of wine into University Housing on Tuesday, the student cannot bring any amount of alcohol into University Housing until Tuesday of the following week.

Acceptable amount of alcohol is defined as:

- *Twelve (12) 16 ounce containers of beer, wine coolers, malt or brewed beverages or its equivalent, or*
- *One (1) 750 ml. bottle of liquor, or*
- *One (1) 1.5 liter bottle of wine*

Note: students under the age of 21 are prohibited from transporting or consuming alcohol.

26. Possessing alcohol in quantities that exceed the acceptable amount in a room, suite, or apartment in University Housing at any time;

27. Consuming alcohol in University Housing in the presence of anyone less than 21 years of age other than those assigned to the specific unit within University Housing;

28. Being present where any alcohol policy violation is occurring in University Housing;

29. A guest to University Housing transporting alcohol into any residence or dining facility;

30. The illegal use, possession, cultivation, distribution, manufacture or sale of any drug(s) within the jurisdiction of the Code of Conduct;

31. Being under the influence of an illegal controlled substance at any location within the jurisdiction of the Code of Conduct;

32. Being present where a drug policy violation is occurring in University Housing;

33. Abusing prescribed medications or using them in a manner other than prescribed at any location within the jurisdiction of the Code of Conduct;
34. Becoming intoxicated through the abuse of solvents, aerosols or propellants at any location within the jurisdiction of the Code of Conduct;
35. Causing another person to become impaired without his/her knowledge by administering or employing drugs or other intoxicants at any location within the jurisdiction of the Code of Conduct;
36. Possession of illegal drug-related paraphernalia at any location within the jurisdiction of the Code of Conduct

SAFETY AND SECURITY REGULATIONS

37. Failing to immediately vacate a University building when a fire alarm has sounded;
38. Possession of candles or incense, within University Housing or any building owned, leased or otherwise controlled by the University;
39. Smoking in unauthorized locations on campus, including, but not limited to, University Housing residence halls, breezeways, balconies, courtyards, and pool areas;
40. Being present on the roof, walls, or balcony ledges of any University owned, leased or otherwise controlled building or hanging out of any such building windows;
41. Wilful obstruction of freedom of passage in corridors, exits, entrances, stairways, walkways, lobbies, lounges, and rooms of University buildings and grounds, or willful occupation of any portion of a University building or grounds that restricts or has the purpose of restricting the freedom to utilize the same in accordance with its intended and regular purpose. This includes, but is not limited to, propping open exit or fire doors and/or denying access or exit from any doorway;
42. Throwing, hanging, or disposing of items from any window or balcony of a University owned, leased, or otherwise controlled building;
43. Unauthorized entrance into, or use of University facilities, including computing and telecommunications facilities and systems;
44. Failure to properly identify oneself on campus when requested by a University official, Campus Safety Officer, security officer or faculty member acting in an official capacity;

45. Identification misuse - The use of another person's identity, password, identification number, University identification card or any other form of identification;
46. Parking in unauthorized locations on campus;
47. Unauthorized solicitation in University buildings or on University property;

DISCIPLINARY PROCEDURES & UNIVERSITY POLICY REGULATIONS

48. Unexcused failure of a student charged with a violation or called to a disciplinary proceeding as a witness to appear before a Hearing Officer, Panel or University Disciplinary official;
49. Interfering or attempting to interfere with the appearance or the full and/or truthful presentation of information by any individual called before a Hearing Officer, Panel or University Disciplinary official or attempting to influence the testimony of any person called to testify;
50. Failure to set up and/or attend an appointment in connection with a disciplinary hearing when directed to do so by a University Disciplinary official;
51. Furnishing untruthful or false information during testimony at a disciplinary hearing or submission of false written or oral statements to the University Conduct Review Board, or any other official body or University official involved in reviewing a disciplinary matter;
52. Disruption or interference with the orderly conduct of a disciplinary proceeding;
53. Initiation of a disciplinary proceeding when one knows or reasonably should have known that the proceeding was without cause;
54. Attempting to influence the impartiality of a member of a disciplinary body prior to, and/or during the course of, the disciplinary proceeding;
55. Harassment (verbal or physical) and/or intimidation of a member of a disciplinary body, complainant, or witness, prior to, during, and/or after a disciplinary proceeding;
56. Failure to comply with the sanction(s) imposed under the Code of Conduct. A student who fails to complete any sanctions imposed upon her/him within the time limits imposed by the disciplinary system is not eligible to register for classes, receive financial aid, receive a diploma, or obtain any transcripts (official or unofficial) until he/she complies with

the terms of the original sanctions and any additional sanctions imposed due to the failure to complete the original sanctions in a timely manner;

57. Violation of federal, state or local law at any location within the jurisdiction of the Code of Conduct;
58. Violation of any duly promulgated University policy, rule or regulation;
59. Violation of any duly promulgated Greek Letter Policy;

UNIVERSITY HOUSING

60. More than ten individuals (24 individuals in Temple Towers, Kardon, 1300, Elmira Jeffries and Presidential City apartments), including the residents, gathering within student rooms, suites, apartments, or common areas in University Housing, unless pre-approved by the Resident Director;
61. Utilizing a University facility including a residence hall room, suite, or apartment in University Housing in a way that violates local, state, or federal law, or any University Policy, procedure or rule;
62. Entering restricted areas within University Housing; This includes, but is not limited to (a) bathrooms designated for use by members of the opposite sex (e.g., men in women's bathrooms), (b) maintenance, security, or staff areas and (c) another resident's room, suite, or apartment without permission;
63. Failing to comply with University Housing instructions and/or directions of duly authorized University personnel. This includes, but is not limited to, University Security Officers and Housing and Residential Life staff;
64. Intentional interference with the rights, safety, reasonable comfort and convenience of one's roommate(s) or other students, or creating a hostile or unwelcoming environment within University Housing.
65. Engaging in behavior that violates quiet hours, is disruptive and is likely to disturb other residents in University Housing and/or is likely to disturb the neighboring community. Such behavior, includes but is not limited to, making excessive noise by the use of radios, sound equipment, or musical instruments.

QUIET HOURS IN UNIVERSITY HOUSING ARE DEFINED

AS ... Sunday through Thursday: 10:00 P.M. to 10:00 A.M.

Friday and Saturday: 12:00 Midnight to 12:00 Noon

66. Possessing pets of any kind within University Housing, except authorized guide dogs and other service animals;
67. Failing to obtain the agreement of your roommate(s), in advance, for a guest or visitor to visit and/or remain in the room in University Housing overnight;
68. Failing to follow appropriate University Housing guest sign-in/sign-out procedures;
69. Failing to accompany your guests in University Housing at all times;
70. Facilitating a guest remaining in University Housing for a period of time that exceeds the permissible length of visit set forth in the Guide to Residential Life. Please note that violations of this policy may subject the resident host(s) to a \$50 per day fine and further sanctions and will result in the guest's removal from the residence hall;
71. Signing any person into University Housing who has been banned from University Housing or the University;
72. Failing to insure that the conduct of a University Housing guest is lawful and in accordance with all local, state, and federal laws as well as all University and residence hall policies, procedures, and rules. It is the host's responsibility to familiarize the guest with pertinent University rules and regulations;
73. Using personal beds in University Housing or alternative University-supplied beds without the prior written permission of the University. This includes, but is not limited to, stacking furniture, building lofts, and using mattresses on the floor. Beds, bed frames, and mattresses are not to be disassembled or removed from their assigned bedroom areas;
74. Storing or locking bicycles in any public area within University Housing. Bicycles will be allowed only in areas designated for them or in student rooms but then only with the permission of the resident's roommate(s);
75. Relocating or making unauthorized use of University furnishings. This includes, but is not limited to, moving furniture from public areas to individual rooms, removing University furniture from a room or building, moving University property onto balconies, and using furniture and fixtures in a manner for which they are not intended. A maximum fine of \$50 per

day, per piece of furniture, may be imposed for University furniture moved from its intended location, including onto balconies, plus replacement and/or repair costs;

76. Applying paint, fixtures, or adhesive-backed items to any surface in University Housing;
77. Using or possessing high wattage electrical appliances in University Housing such as, but not limited to, air conditioners, space heaters, musical instrument amplifiers exceeding 50 watts, sun lamps, track lighting, or any device utilizing halogen bulbs. Personal refrigerators larger than 3.6 cubic feet are not allowed. Exceptions to this policy must be obtained in writing from the Resident Director;
78. Using or possessing barbecues or gas grills in University Housing. With the exception of the kitchen area in apartment-style residence facilities, the preparation of meals is not allowed in a student's unit. For fire and health safety reasons, items that may be used to heat or cook food or beverages such as toasters, toaster ovens, hot plates, non-University supplied microwaves, and electrical skillets, are prohibited outside of kitchen areas;
79. Opening or removing any security or regular screen, or using any window or balcony as a means of entrance to or exit from a University Housing building, except in an emergency;
80. Playing sports, including, but not limited to, ball playing, hockey, frisbee, bowling, skateboarding, skating, running, wrestling, and use of any type of water gun or water balloon anywhere within University Housing;
81. Subletting, selling or sharing University Housing space or selling or sharing University meal plan privileges;
82. Relocating to another assignment within University Housing without the written approval of authorized Housing staff. Violations of this policy may result in a \$50 per day fine, disciplinary action, and/or removal from University Housing at the University's discretion. Residents in APARTMENT AND SUITE style facilities are assigned to specific bed spaces within the bedrooms. As such, the following actions are not allowed:
 - converting living room space into a bedroom
 - consolidating bedroom furniture within a unit into one bedroom
 - changing bedroom assignments within the apartment/suite, without the approval of authorized Housing staff;
83. Using University Housing for commercial enterprise or personal gain except under those conditions outlined in the Guide to Residential Life;

84. Failing to vacate University Housing:
 - a.) within 24 hours of the resident's last final examination of the academic semester, or by the beginning date and time of each scheduled vacation/academic recess period, whichever comes first.
 - b.) within 24 hours (unless the University stipulates a different time period for the student's removal/dismissal from the University) of a student's withdrawal/dismissal from Temple University or Temple University Housing;
85. Contracting with any vendor to provide service to individual student units within University Housing;
86. Failing to follow basic Dining Center procedures as outlined by Temple University Dining Services such as:
 - a.) Taking food or other items out of a Dining Center without the expressed permission of the Food Service provider.
 - b.) Failing to return trays, dishes and/or utensils to the designated area in the dining center after completing one's meal.
 - c.) Failing to leave the tables in a clean condition so that others may use them during the same meal period;