

## University of Houston College of Pharmacy Code of Ethical and Professional Conduct

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# University of Houston College of Pharmacy

## Code of Ethical and Professional Conduct

### CHAPTER 1 - PURPOSE, SCOPE AND PRIMARY CORE VALUES

**1.01** Students at the University of Houston College of Pharmacy (UH College of Pharmacy) live under an honor system. Under the honor system, UH College of Pharmacy students (“student pharmacists” or “student(s)”) and UH College of Pharmacy faculty (“faculty”) share responsibility for maintaining and enforcing student discipline. The purpose of the Code of Ethical and Professional Conduct (Code), is to define academic, professional and personal misconduct, decide appropriate sanctions, create boards, define their procedures and provide for limited faculty review of the Board of Ethical and Professional Conduct (Board) proceeding.

**1.02** A student pharmacist is required to obey federal, state and local statutes and ordinances 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. The student shall expose, without fear or favor, illegal and unethical conduct in the profession.

**1.03** The full cooperation of student pharmacists and faculty in reporting all violations of the Code is imperative in order to accomplish its purpose. Because of the intimate knowledge students have of violations occurring within the class, students are responsible for reporting violations and upholding the Code. Likewise, student pharmacists are responsible for maintaining the highest of professional ethics and honesty within their ranks.

**1.04** The primary core values that every student pharmacist must possess include honesty, integrity, responsibility, competence and respect for people.

### CHAPTER 2 - PLEDGE

**2.01** As a condition of acceptance to the UH College of Pharmacy, the applicant shall be required to sign a pledge at the time of acceptance that shall read as follows:

**2.01.01** This is to certify that I have read and understand the UH College of Pharmacy Code of Ethical and Professional Conduct, and further, I agree to uphold and abide by the provisions contained therein, effective immediately and until my enrollment in the UH College of Pharmacy is terminated.

**2.01.02** The Office of the Dean will deny admission into the professional program of the College of Pharmacy to any applicant who refuses to sign the pledge.

**2.02** During the orientation program provided for incoming students, or sometime prior to enrollment in the UH College of Pharmacy, a “Reaffirmation of Pledge” shall be signed by each new student and shall read as follows:

**2.02.01** I reaffirm my acceptance and understanding of the UH College of Pharmacy Code of Ethical and Professional Conduct, and further, I agree to uphold and abide by the provisions contained therein until my enrollment in the UH College of Pharmacy is terminated.

**2.02.02** The Office of the Dean will deny admission to any applicant who refuses to sign the reaffirmation as required.

**2.03** The Office of the Dean will maintain all records pertaining to the pledge (Section 2.01) and reaffirmation (Section 2.02).

## **CHAPTER 3 - VIOLATIONS**

**3.01** Violations of the Code pertaining to academic honesty include but are not limited to:

**3.01.01** Cheating during an exam.

**3.01.02** The receipt, possession or use of any aid or material prohibited by the instructor while an examination or quiz is in progress.

**3.01.03** 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.

**3.01.04** Securing another person to take an examination or quiz.

**3.01.05** Taking an exam, quiz or submitting any assignment for another student.

**3.01.06** Altering a graded assignment, examination, or quiz.

**3.01.07** Altering or attempting to alter an assigned grade on any official UH College of Pharmacy or University of Houston record.

**3.01.08** 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.

**3.01.09** 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 College of Pharmacy requirements.

**3.01.10** Not complying with the instructions given by the person(s) administering an examination or quiz.

**3.01.11** Talking to another student while the examination or quiz is being distributed.

**3.01.12** The submission of papers, reports, projects, assignments, or similar course requirements, or parts thereof that is not the work of the student submitting them.

**3.01.13** 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).

**3.01.14** Signing one's name to a team report without contributing to the preparation of the report.

**3.01.15** The instructor may delineate in advance other actions he/she considers to be a violation of the Code.

**3.02** Violations of the Code pertaining to **professional conduct** include but are not limited to:

**3.02.01** Purposely falsifying applications, forms or records prior to admission to the College of Pharmacy, or while enrolled in the College's professional programs.

**3.02.02** Misrepresenting facts about oneself or another in regard to 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.

**3.02.03** 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.

**3.02.03.01** The University 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. However, the University will not tolerate any activity or posting on an Official University Social Media Site that loses First Amendment protection such as any unlawful, defamatory, or obscene (as defined by Texas and federal law) activity or posting. The University reserves the right to remove any such posting without notice. The University also reserves the right to refer social media activity to the applicable social media platform for appropriate action.

**3.02.04** Contributing to, or engaging in, any activity which disrupts or obstructs the teaching, research or extension programs of the UH College of Pharmacy or the University of Houston, either on the campus or at affiliated training sites.

**3.02.05** Threatening or intentionally committing mental or bodily harm against any member of the University of Houston faculty, student body, staff, or community.

**3.02.06** Misusing or misrepresenting one's status as a Pharmacy student for the right to use any university property and facilities.

**3.02.07** Misrepresenting attendance or the attendance of others in a course or UH College of Pharmacy event.

**3.02.08** Stealing, damaging, defacing, or unauthorized use of any property of the UH College of Pharmacy or University of Houston.

**3.02.09** Diversion of any UH College of Pharmacy or University of Houston property for one's own use. This section includes, but is not limited to, tests, grade books, and property within the Pharmacy Learning Resource Center, the Computer Resource Center and off-campus course-related sites, including Introductory Pharmacy Practice Experience and Advanced Pharmacy Practice Experience sites.

**3.02.10** 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 Board hearing.

**3.02.11** Failure to report known violations of the Code.

**3.02.12** Failure to appear when requested by the Associate Dean for Academic Affairs to give testimony before the Board.

**3.02.13** Misrepresenting material facts before the Board, the Dean, the Associate Dean for Academic Affairs, or to anyone to whom the case may be appealed.

**3.02.14** Unauthorized accessing of information about faculty, staff, or student pharmacists of the UH College of Pharmacy, or patients/clients, that is private or confidential.

**3.02.15** Unauthorized revealing of information about faculty, staff, or student pharmacists of the UH College of Pharmacy, or patients/clients, that is private or confidential.

## **CHAPTER 4 – SANCTIONS, RECORDS AND TRANSCRIPTS**

The following sanctions, alone or in combination, may be imposed for violation of the Code by the Dean of the UH College of Pharmacy ("Dean") upon recommendation by the Board:

**4.01** Reprimand with inclusion of a letter of reprimand in the student's file that is maintained in the Associate Dean for Academic Affairs Office for a period of time designated by the Dean. This letter will remain in the student's file for not less than the following two semesters.

**4.01.01** It will be the responsibility of the student to request removal of the letter of reprimand from his/her file after the designated time period. Such requests must be submitted in writing to the Associate Dean for Academic Affairs of the UH College of Pharmacy.

**4.02** Assignment of a grade of "F" or "U" in the course in which the violation(s) occurred.

**4.03** Assignment of a grade of "F" or "U" in the course in which the violation(s) occurred. Also, a notation of "assigned for academic dishonesty" placed on the student's transcript for period of time designated by the Dean.

**4.03.01** It will be the responsibility of the student to request removal of the notation of sanction associated with the assignment of a grade of "F" after the designated time period. Such requests must be submitted in writing to the Associate Dean for Academic Affairs of the UH College of Pharmacy.

**4.04** Disciplinary probation for a stated period of time which will include loss of privilege to represent the UH College of Pharmacy, hold an elected office or appointment to any UH College of Pharmacy committee or participation in the UH College of Pharmacy's extracurricular activities. A notation of the conditions of probation ("disciplinary probation") will be included in the student's transcript. A student who fails to abide by the conditions of his or her probation will be subject to further disciplinary action, including suspension or expulsion.

**4.04.01** It will be the responsibility of the student to request removal of the notation of probation after this sanction has expired. Such requests must be submitted in writing to the Associate Dean for Academic Affairs of the UH College of Pharmacy.

**4.05** Suspension from the UH College of Pharmacy for a stated period of time during which the student will not be allowed to take any courses in the College of Pharmacy. Furthermore, the UH College of Pharmacy will not accept credit for any coursework that was completed by the student at the University of Houston or any other institution while he/she was suspended from the UH College of Pharmacy. The appropriate notation of "suspension for academic dishonesty" or "suspension for violation of the code of professional conduct" will be placed on the student's transcript

**4.05.01** It will be the responsibility of the student to request removal of the notation of suspension after this sanction has expired. Such requests must be submitted in writing to the Associate Dean for Academic Affairs of the UH College of Pharmacy.

**4.06** Expulsion from the UH College of Pharmacy. Expulsion for violation of the Code will be noted permanently on the student's transcript.

**4.07** If a student received a prior sanction for violation of the Code previously, the minimum sanction for the violation will be suspension.

**4.08** Letter of Warning: The Board reserves the option to issue a letter of warning to a student. The purpose of this letter is to notify and warn a student that his or her behavior is raising concern among his or her classmates that the activity in question may be in violation of the Code. If the activity of behavior continues, a formal notice of charge may follow.

## **CHAPTER 5 - THE BOARD OF ETHICAL AND PROFESSIONAL CONDUCT**

**5.01** The Board will consist of ten (10) members--eight (8) student pharmacist members and two (2) faculty members.

**5.01.01** The student pharmacist members will each serve a one-year term and may serve more than one term. The student pharmacist members are: (a) Four students, one elected from each class, one of which will serve at the Co-Chair (b) One student from each class appointed by the

Associate Dean for Academic Affairs, (c) Four student alternate members, one from each class, will be elected to serve, if the student member from that class is not able to serve.

**5.01.02** The faculty members will each serve two-year, staggered terms and may serve more than one term. The faculty members are non-voting and are selected by the Dean. The senior faculty member (beginning second year of term) shall act as the Co-Chair, administer the proceedings in an orderly manner, and will vote only in instances of a tie.

**5.01.03** Six voting student members and one faculty member constitute a quorum; if a quorum is present five, votes are required to make a decision.

## **5.02** Student Elections

**5.02.01** The student pharmacist members and alternates will be elected each year in elections conducted by the Pharmacy Council of the UH College of Pharmacy by the process described below. The results of the elections will be forwarded to the Dean by the President or Vice-President of the Pharmacy Council within one week. Each student pharmacist member and alternate elected will serve a one-year term beginning immediately following the end of the spring semester for P2, P3, and P4 students, and immediately following the election for P1 students. If a vacancy occurs during the year, the respective alternate will serve on the Board as the elected or appointed Board member and an election would an election will take place to fill the vacant alternate position.

**5.02.02** Professional Year P1: Within the first two (2) weeks of the fall semester, the Pharmacy Council will call for nominations of P1 students to represent their class on the Board. After the nominations are closed, the President or Vice-President of the Pharmacy Council will contact each nominee to determine their willingness to serve on the Board. The Pharmacy Council will then prepare a ballot listing the names of all nominees willing to serve, and forward nominees to the Associate Dean of Academic Affairs for the purposes of one student being appointed to the Board. Pharmacy Council will then conduct an election within one week of the close of nominations in which only members of the P1 class are eligible to vote. The nominees who receive the first and second highest number of the votes will be elected as the P1 student member, and the nominee who receives the second highest number of votes will be elected as an alternate member.

**5.02.03** Professional Years P2-P4: Within the last five (5) weeks of the spring semester, the Pharmacy Council will call for nominations of second semester P1, P2, and P3 students to represent their classes on the Board during their P2, P3, and P4 year. Two weeks will be allowed for placement of names in nomination. After the nominations are closed, the President or Vice-President of the Pharmacy Council will contact each nominee to determine their willingness to serve on the Board and forward nominees to the Associate Dean of Academic Affairs for the purposes of one student being appointed to the Board. The Pharmacy Council will then prepare a ballot listing the names of all nominees willing to serve and conduct an election within one week of the close of nominations in which only members of the respective class are eligible to vote. The nominees who receive the highest number of the votes will be elected as the student members and the nominees who receive the second highest number of votes will be elected as the alternate member.

**5.02.04** At the first meeting of the Board, the members shall vote for a student Co-Chair to be selected out of the P3 members.

**5.03** The faculty members will be appointed to two-year, staggered terms by the Dean.

**5.04** The most senior Faculty member will become the Faculty Co-Chairperson.

**5.05** The term for the Faculty Co-Chairperson will be one year

**5.06** Eligibility to Serve on the Board

**5.06.01** To be eligible to serve on the Board, the student must be in good standing with the University of Houston and UH College of Pharmacy.

**5.06.02** The term good standing indicates that the student is not under academic sanctions and has not been sanctioned for ethical and professional misconduct during their tenure in the UH College of Pharmacy.

**5.06.03** If a Board member admits to violating or is found to have violated the Code, he/she shall no longer serve on the Board unless he/she is specifically allowed to continue by the Dean. If the Board member can no longer serve, the alternate representing the appropriate pharmacy class shall serve the remainder of the removed student's term.

**5.06.04** In the event that any member or alternate cannot complete his/her term, the alternate member will become a member of the Board, and elections to fill the alternate position will be held.

**5.07** Responsibilities of the Faculty Co-Chairperson:

**5.07.01** To provide an orientation to the Code to incoming students each year, and to orient members of the Board concerning the Code and processes of the Board each academic year

**5.07.02** To call all regular and special meetings of the Board and preside at all meetings.

**5.07.03** To record the minutes of all regular and special meetings held by the Board.

**5.07.04** To submit to the Dean in a timely manner, a written report of all findings and recommendations of the Board.

**5.07.05** To assist the Office of the Dean in the dissemination of information concerning the provisions of the Code.

**5.08** Responsibilities of the Student Co-Chairperson:

**5.08.01** To assist the Faculty Co-Chairperson in the notification of Board members of all regular and special meetings.



**5.08.02** To assist the Faculty Co-Chairperson in recording the minutes of all regular and special meetings held by the Board.

**5.08.03** To receive and review, with the Faculty Co-Chairperson, all notifications of alleged violations of the Code, and to assist the Faculty Co-Chairperson in the notification of all parties involved in the alleged violation as described in Chapters 9 and 10.

**5.09** Responsibilities of the Board:

**5.09.01** All members and alternates should assist the Faculty Co-Chairperson, Student Co-Chairperson and Office of the Dean with the dissemination of information concerning the provisions of the Code.

**5.09.02** All members and alternates shall attend and participate in all called meetings of the Board, excluding hearings unless excused by the Faculty Co-Chairperson.

**5.09.03** To hear cases of alleged violations of the Code.

**5.09.03.01** Hearings requested by students charged with violation of the Code will be heard by the Board. Board members and/or their alternates are required to attend all hearings in which a student is charged with a violation of the Code. P4 Board members shall attend meetings in person, via telecommunication or other electronic means.

**5.09.04** In the event that a student or faculty Board member is excused from hearing a case, the Faculty Co-Chairperson will appoint the alternate to represent the appropriate pharmacy class as a member of the Board in place of the excused or absent member.

**5.09.05** In the event that a member of the Board is involved as a charging party or witness or is the accused in the violation to be heard by the Board, the Faculty Co-Chairperson will excuse that member and appoint the alternate to represent the appropriate pharmacy class as a member in place of the excused member.

**5.09.06** In the event the Faculty Co-Chairperson is involved as a charging party or witness, or is the charging party in the violation to be heard by the Board, the Student Co-Chairperson will excuse the Faculty Co-Chairperson. In this case, the Junior Faculty Board Member will serve as the temporary Faculty Co-Chairperson, and the Dean will appoint a temporary Board Member from the faculty.

**5.09.07** In the event the Student Co-Chairperson is involved as a charging party or witness, or is the accused in the violation to be heard by the Board, the Faculty Co-Chairperson will excuse the Student Co-Chairperson and will appoint the alternate from the P3 Class to serve as a member of the Board, and the Dean of the College of Pharmacy will appoint a temporary Student Co-Chairperson from the regular members of the Board.

**5.09.08** Board members or duly appointed alternates must be present during the entire hearing process to participate in subsequent deliberations.

**5.09.9** All recommendations of the Board will be determined by simple majority vote. The voting process should preserve the anonymity of the member voting. Each member present will cast a vote of “student violated” or “student did not violate” the Code. The Faculty Co-Chairperson does not have a vote except in instances where the Board vote results in a tie.

**5.09.10** All recommendations and findings of the Board will be forwarded to the Office of the Dean in a timely manner by the Faculty Co-Chairperson.

## **CHAPTER 6 - RESPONSIBILITIES OF THE OFFICE OF THE DEAN**

- 6.01** To administer the pledge and the reaffirmation of the pledge to all students entering the professional programs of the UH College of Pharmacy.
- 6.02** To provide information concerning the provisions of the Code and modifications of the Code to faculty, students and staff of the UH College of Pharmacy.
- 6.03** To receive allegations that a student may have violated the Code, and bring them to the attention of the Faculty Co-Chairperson (or designee) to determine whether the alleged conduct, if true, would violate the Code
- 6.04** To arrange for a proper venue to hold any required hearing and to ensure that proper equipment is available to make a record of it;
- 6.05** To meet with the accused student to discuss any procedural issues involving the student’s hearing, if requested to do so
- 6.06** To perform such other duties that are not inconsistent with this Code as may be assigned from time to time by the Dean.
- 6.07** To assist the Board if such assistance is requested at a reasonable time prior to the scheduled hearing.
- 6.08** To maintain confidential files regarding violations of the Code and all records concerning the findings and recommendations of the Board.
- 6.08.01** All records concerning violations of the Code will be filed for a period of at least six (6) years following hearing the case. Access to these records will be limited as indicated by applicable law, University of Houston policy concerning student records, and the provisions of the Code.
- 6.09** To notify the accused party and the charging party of the Board recommendations and to implement sanctions as described in Chapter 12.
- 6.10** To hear all appeals as described in Chapter 13.
- 6.11** To implement all sanctions as described in Chapter 3.

## **CHAPTER 7 - RIGHTS OF THE ACCUSED PARTY**

**7.01** A student pharmacist 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 Associate Dean for Academic Affairs within five (5) working days after receipt of notice of the charge(s). The right of a student to be heard will be waived if such a request is not filed within the time required.

**7.02** The student accused of a violation of the Code has the following rights:

**7.02.01** The right to be informed in writing of the specific charge or charges made against him/her and of any sanctions recommended by the charging party.

**7.02.02** The right to be informed in writing of the right of hearing, procedures involved in the hearing and the names of known witnesses.

**7.02.03** The right to receive written notice of the time and place of the hearing regarding the charge or charges if a hearing is requested by the student.

**7.02.04** The right to be accompanied by a member of the faculty, the student body of the institution or outside counsel. Such advisors may consult with their advisees, but may neither speak for them nor participate in the proceedings directly, unless the Faculty Co- Chairperson permits it.

**7.02.05** 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.

**7.02.06** The right to have sanctions deferred until completion of the process described herein, including appeals to the Senior Vice-President of Academic Affairs and Provost at the University of Houston. (Note: Process for appealing to the Senior Vice President for Academic Affairs and Provost is found in Article 7 of the Academic Honesty Policy in the UH Student Handbook. (<http://www.uh.edu/dos/studenthandbook/>).

## **CHAPTER 8 - PROCEDURES FOR FILING CHARGES**

**8.01** When a faculty member detects or witnesses a violation of the academic honesty section of the Code, he/she shall provide a written notice of the alleged violation and any recommended sanctions to the Associate Dean of Academic Affairs within ten (10) working days of the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.

**8.02** A student pharmacist or person other than a faculty member who detects or witnesses a violation of the Code pertaining to academic honesty and/or professional misconduct is advised to consult with the faculty member in charge of the course in which the alleged violation occurred. The instructor will then prepare a written notice and file the notice as described if he/she determines that the facts warrant such action.

**8.03** A staff member or faculty member who detects or witnesses a violation of the Code pertaining to professional misconduct will prepare a written notice and file the notice as described if he/she determines that the facts warrant such action.

**8.04** A student pharmacist or person other than a staff or faculty member who detects or witnesses a violation of the Code pertaining to professional misconduct unrelated to an academic course is advised to consult with the Assistant Dean for Student and Professional Affairs. The Assistant Dean for Student and Professional Affairs will then prepare a written notice and file the notice as described if he/she in consultation with the Faculty Co-Chairperson determines that the facts warrant such action.

## **CHAPTER 9 - PROCEDURES FOR PROCESSING CHARGES**

**9.01** The Associate Dean for Academic Affairs will receive all written notices of alleged violations of the Code. The Associate Dean for Academic Affairs in consultation with the Faculty Co-Chairperson will review allegations that a Student may have violated the Code to determine if the alleged conduct, if true, would violate the Code.

If the accusation is determined to warrant finding of facts, the Associate Dean of Academic Affairs shall submit the case to the Board. Prior to submission to the Board, the Associate Dean (in consultation with the faculty/student/ persons bringing the charges) may address the charges by reaching an amicable agreement with the student. If an amicable agreement is reached, a statement of agreement and any follow-up measures signed by the faculty member, student, and Associate Dean for Academic Affairs will be placed in the student's file. The amicable agreement will be removed from the student's file upon graduation and will not become a part of his/her permanent record

**9.02** If the charges are to be submitted to the Board, the Associate Dean of Academic Affairs shall prepare a written notice of charges that includes a specific listing of the charge or charges, the names of any known witnesses, the name of the Faculty Co-Chair of the Board and a statement of the student's right to a hearing as well as the procedures involved in the hearing. Copies of this written notice are to be provided to the (a) student accused of the violation, (b) the charging party and the (c) instructor in charge of the course in which the alleged violation occurred within five (5) working days of receipt of the charges by the Associate Dean.

**9.03** If the student pharmacist charged with violation of the Code desires a hearing before the Board, he/she must file a written request for a hearing to the Associate Dean of Academic Affairs within five (5) working days after receipt of notice of the charge(s). This request may include any reply or response the accused student wishes to make to the charges including a statement that he or she violated or did not violate the code and should include the names of witnesses willing to testify on his/her behalf. The Associate Dean of Academic Affairs will then send a copy of the request for hearing to all parties who received a copy of the written notice described and the Associate Dean of Academic Affairs.

**9.04** If the student pharmacist charged with a violation of the Code does not request a hearing or fails to request a hearing within the time allowed, the Board will consider the case based on the evidence available and will submit its findings and recommendations to the Dean. Such deliberations shall be completed no later than fifteen (15) working days after the student charged has received the notice of the charge(s).

**9.05** If the student pharmacist charged with a violation of the Code requests a hearing, a date shall be set for a hearing and all parties involved notified by the Faculty Co-Chair or designee of the date, time and place. The hearing shall not be scheduled less than ten (10) working days from date of the request for hearing or greater than (20) working days.

**9.06** In the case where a hearing would fall during a university holiday or between semesters, the hearing should be scheduled within five (5) working days of classes resuming.

## **CHAPTER 10 - PRESENTATION OF EVIDENCE AND WITNESSES**

**10.01** The charging party(s) and the accused student ("parties) shall appear together before the Board. The accused student and the accusing party have the right to hear all testimony presented in the hearing. In the case where an external preceptor is the charging party, the charging party may choose to participate via telephone or other electronic means of communication. Cases in which charges arise from a single incident against two or more students will be heard together unless one or more of the students submits a written request for a separate hearing. The request must demonstrate good cause for a separate hearing.

**10.02** The Faculty Co-Chair shall determine what evidence is admissible. The formal rules of evidence do not apply.

**10.03** The Faculty Co-Chair will exercise control over the proceedings. Any person disrupting a hearing or fails to adhere to the rulings of the Faculty Co-Chair may be excluded from the proceedings.

**10.04** The accused student may be accompanied by a member of the faculty or the student body of the institution or outside counsel. Such advisors may consult with their advisees; however, advisors may neither speak for nor participate in the proceedings directly, unless the Faculty Co-Chairperson permits it.

**10.05** Either party before the Board may call witnesses and question any witness. At least five (5) working) days prior to the hearing, the accused student(s) and the charging party shall furnish the Associate Dean of Academic Affairs with the names of each witness the party wants present and a description of all documentary or other evidence the party wants produced.

**10.06** Three (3) business days prior to the hearing, the Associate Dean of Academic Affairs will make available, to the parties, copies of documents provided by the parties and a list of witnesses.

**10.07** Each party shall arrange for the attendance of their own witnesses. If either party requests, for good cause as determined by the Faculty Co-Chairperson of the Board, that additional witnesses be present, the Board may defer the hearing until such time that the witnesses may appear and be questioned.

**10.08** The Board may request the appearance of additional witnesses if the Board determines that such witnesses could present relevant information

**10.09** Witnesses that cannot physically be at the hearing may participate by telephone or other means of electronic communication.

**10.10** Any witness who wishes or needs to be excused should, in advance of the hearing, confer with the Office of the Dean. The decision reached during this conference will be communicated immediately by the Dean to the Faculty Co-Chairperson of the Board who will then promptly relay any such information to all parties.

**10.11** If a witness fails or refuses to appear, the Board shall first determine whether or not to proceed on the basis of other evidence or witnesses available. If it is the decision of the Board to proceed, the challenged portions of any written statements that may have been made by the absent witness shall be disregarded.

**10.12** After the hearing, the Board will formulate its finding of facts and its conclusions concerning the alleged occurrence of violations of the Code according to the standard of "a preponderance of evidence" and adopt them by a majority vote (a minimum of five votes must be cast).

**10.13** The Board recommends but does not impose penalties. Penalties are imposed by the Dean of the UH College of Pharmacy.

## **CHAPTER 11: HEARING PROCEDURES**

**11.01** The Board will conduct the hearing and all of its deliberations in a closed and confidential session.

**11.02** The hearings shall be recorded, and summary minutes of the proceedings shall be kept in the Office of the Dean and made available to the accused student upon request.

**11.03** The hearing will be called to order by the Faculty Co-Chairperson who will then identify by name members of the Board who are present for the record.

**11.04** The Faculty Co-Chairperson will then identify by name the student charged with the alleged violation of the Code and his/her witnesses and the charging party and his/her witnesses.

**11.04.01** The Associate Dean of Academic Affairs, or the Dean's Designee shall present the charges to the Board.

**11.04.02** The accused student pharmacist may state that he or she violated or did not violate the Code.

**11.05** In the event the student pharmacist charged with the alleged violation of the Code or any of his/her witnesses or the charging party or any of his/her witnesses fail to appear, the Board shall determine whether or not to proceed based on the witnesses and evidence available.

**11.06** The Faculty Co-Chairperson will read the charge and poll each member of the Board to determine if any member has a prior opinion related to whether he/she believes the student violated the Code.

**11.05.01** Any member of the Board who has a question of impartiality will be expected to recuse themselves from further proceedings with the respective case.

**11.07** The presentation of all evidence and witnesses and questioning by the members of the Board will proceed generally as described by the following:

**11.07.01** The charging party will present his/her evidence and witnesses.

**11.07.02** The student pharmacist charged with an alleged violation of the Code will present his/her evidence and witnesses.

**11.07.03** The members of the Board will ask questions of all parties to the Board's satisfaction.

**11.07.04** The Faculty Co-Chairperson may recognize others present to speak if the Faculty Co-Chairperson believes that the information provided is needed for the Board to discharge their duties.

**11.07.05** Following presentation of all evidence and witnesses and questioning by the members of the Board, all parties will be excused while the Board deliberates.

**11.07.06** The parties will remain available in the event that they are recalled as described.

**11.08** The Faculty Co-Chairperson may recall the parties for further questioning if it is deemed necessary for the Board to discharge their duty. All parties have the right to be present during further questioning.

**11.09** The Faculty Co-Chairperson may grant a recess for up to (1) hour at the request of members of the Board or the parties involved to be allowed time for further preparation.

**11.10** The Faculty Co-Chairperson and members of the Board shall not discuss the evidence or testimony in the presence of the parties.

## **CHAPTER 12: BOARD DELIBERATIONS**

**12.01** The burden of proof rests with the charging party and will be satisfied by a preponderance of evidence in the record when considered as a whole.

**12.02** The failure of the student charged with an alleged violation of the Code to make a statement or to answer any or all questions shall not be considered in the finding by the Board.

**12.03** The Board will begin deliberation immediately following the hearing and will continue their deliberations until a finding is reached. The finding will be determined by simple majority vote as stipulated. A student's prior record of sanctions shall not be considered in determining whether the student violated the Code. The student's prior record of sanctions must be considered by the Board in the determination of the appropriate sanctions if the student is found to have violated the Code.

**12.04** In the event the student is found to have violated the Code, the Board will consider recommended sanctions as stipulated in Chapter 4.

**12.04.01** Deliberations concerning sanctions must be completed within two (2) working days after the determination of the findings

**12.05** Once a finding is reached, the student charged will be notified of the finding that will be recommended to the Dean. The Faculty Co-chairperson will report the findings in writing to the (a) accused student, (b) the charging party(s), (c) the faculty involved, (d) the Board, (e) the Associate Dean of Academic Affairs, and (f) the Dean of the UH College of Pharmacy.

**12.05.01** In the event a finding that the student violated the policy is reached, the Faculty Co-Chairperson on behalf of the Board will submit its findings and recommended sanctions to the Office of the Dean as stipulated in Chapter 13 within (5) working days. The Board recommends but does not impose penalties. Penalties are imposed by the Dean of the UH College of Pharmacy.

## **CHAPTER 13: ACTIONS IN RESPONSE TO BOARD'S FINDINGS**

**13.01** The Dean will receive the findings and will notify the student charged, in writing, of the findings.

**13.01.01** If it is found that the accused student violated the policy, the Dean will notify in writing (a) the accused student, (b) charging party (c) the Faculty Co-Chairperson of the Board, and (d) the Associate Dean of Academic Affairs, of the action to be taken by the UH College of Pharmacy.

**13.02** Upon notification of findings, the student may appeal to the Office of the Dean as stipulated below:

**13.02.01** The appeal must be filed in writing five (5) class days after receipt of notification of the action described in 13.01.

**13.02.02** The appeal must be a written letter or memorandum addressed to the Dean of the UH College of Pharmacy and the Faculty Co-Chairperson of the Board. The appeal must be signed and dated by the student making the appeal.

**13.02.03** The letter should clearly state the specific action(s) or recommendation(s) that are being appealed (e.g., the findings of the Board or the sanction(s) of the Dean are disproportionate to the violation, the hearing conclusion is unsupported) and/or new evidence has been secured. This evidence must be supported by supporting documentation that can be reviewed by the Office of the Dean.

**13.02.04** The letter should clearly present specific reasons, grounds or justifications to support the appeal.

**13.03** The Office of the Dean shall send a copy of the appeal to all parties who received the



notification of the findings.

**13.04** The charging party shall submit a written response to the appeal within five (5) class days of receipt of the appeal described.

**13.05** The Dean shall consider the appeal and any responses by the charging Party.

**13.05.01** The Dean will return the case to the 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 Board will consider the additional evidence and report its findings and recommendations to the Dean.

**13.05.02** Prior to any change in recommendation or sanction, the Dean will confer with the Board.

**13.06** The Office of the Dean shall notify all parties of his/her decision(s) regarding the appeal. This notification shall represent the College of Pharmacy's final action.

**13.07** Upon notification of final action, the accused student pharmacist may appeal to the Vice-President for Academic Affairs or his designee.

**13.07.01** Such appeals must be made in writing within five (5) working days after receipt of notification from the Office of the Dean regarding the preliminary appeal. The student shall send a copy of the appeal to the Vice-President for Academic Affairs, and that office will send a notice of appeal to the Dean of the UH College of Pharmacy and all parties who received notice of the actions to be taken by the UH College of Pharmacy. The charging party may submit a written response within five (5) working days of notification of appeal to the Vice President for Academic Affairs. The Vice-President for Academic Affairs or designee will consider the appeal and any response. Prior to a change in the sanction(s), the Vice-President for Academic Affairs will confer with the Office of the Dean and the Board of the UH College of Pharmacy. The Vice-President for Academic Affairs will then respond in writing to the student and send notification of this response to all parties who received notice of this appeal. The Vice-President for Academic Affairs' decision will constitute the final action of the University of Houston

**13.08** The Dean shall notify the Registrar in writing when the notation "assigned for academic dishonesty" is to be placed on a transcript and/or when suspension or expulsion is assigned. Such notification shall not be given for five (5) working days after the Dean's notification of findings and sanctions or until after completion of all appeals, whichever is later.

**13.09** The Office of the Dean shall monitor probation.

**13.10** A student pharmacist may not graduate during the appeal process.

**13.11** The student pharmacist shall be responsible for requesting removal of any notation of sanction from his/her transcript (Chapter 3) when the period of sanction has expired. Such requests must be made in writing to the Office of the Dean, who will notify the Registrar in writing to remove the notation of sanction from the student's transcript.

**13.12** A student pharmacist returning after completion of a suspension will follow the same procedure of registration as any other returning student.

## **CHAPTER 14: AMENDMENTS AND REVISIONS**

**14.01** The Student Affairs Committee of the UH College of Pharmacy shall be responsible for the periodic review and revision, as necessary, of the Code. Changes or additions to this Code may be suggested by any student pharmacist or faculty member.

**14.02** Revisions to this Code shall be considered approved after they receive affirmative votes by:

**14.02.01** A majority of the voting members of the Student Affairs Committee,

**AND**

**14.02.02** A majority vote of the faculty and a majority vote of the Pharmacy Council are necessary for the adoption of amendments. A majority is defined as greater than 50% of those voting.

**This document is based off of the University of Louisiana Monroe Code of Ethical and Professional Conduct and the University of Houston College of Pharmacy Honor Code.**

**Policy Implemented: August 1, 2013**