

Honor Council Guidelines

NOTICE: THESE GUIDELINES MAY BE AMENDED OR CHANGED AT ANY TIME BY SIMPLE MAJORITY ACTION OF THE MEDICAL SCHOOL ASSEMBLY.

I. Honor Council General Guidelines

A. Jurisdiction

1. Covers all medical students of University of Minnesota Medical School Duluth Campus.
2. Related to any reported violation of Honor Code principles.
3. Timely reporting of infraction is considered to be within one week of event.

B. Composition

1. Three elected members from each of the first and second year classes – each serves a two year term with election held at the beginning of the first year.
2. Faculty advisor appointed by Regional Campus Dean and confirmed by School Assembly – serves five year term.
3. Member replaced from appropriate class by special election, if original member unable to serve entire term.

C. Council Officers

1. Chairperson – second year student, elected to serve the following year at the last semester meeting of first year service.
2. Vice-Chairperson – records meeting proceedings and acts in Chairperson's absent, elected at first semester meeting to serve one year.
3. Advisor – non-voting appointment by Regional Campus Dean for a five year term.
4. Recorder – selected at any meeting if Vice-Chairperson absent or fulfilling chairperson's duties, to record meeting proceedings.

D. Meetings

1. Meet at least once each academic semester, excluding Summer Session.
2. To conduct Initial Council Review and Formal or Informal Council Hearing meetings as required, and outlined below.

E. Quorum for Meeting

1. Five of six elected student members.
2. Faculty advisor or temporarily appointed replacement if advisor not available.

F. Voting Requirements

1. To initiate investigation – agreement of four (4) voting members in attendance in Initial Council Review to proceed with Formal Council Hearing.
2. To render a verdict of guilty – agreement of four (4) voting members in attendance at Formal Council Hearing.
3. To determine appropriate sanction – agreement of four (4) voting members in attendance at Formal Council Hearing.

G. Education

1. Chairperson to explain Honor Code and Council functions to each incoming first year class during Orientation.
2. Chairperson to update and remind second year class each fall as to Honor Code and Council functions.

II. Observation of Infraction

A. Responsibility of Faculty

1. Discusses suspected infraction with student (it is recommended that an observed or suspected infraction of the Honor Code be discussed with the suspected student to clarify if an offense has actually occurred, or to resolve the issue by agreement).
2. Reports suspected infraction in timely manner to Honor Council (if the observer is unable or would prefer not to discuss the incident with the student, or if the observation is corroborated by another as a violation and not resolved as above, the observer must report the incident to the Chairperson of the Honor Council).

- B. Responsibility of Student (As Defined in the Honor Code of the University of Minnesota Medical School Duluth Campus)
1. Reports self to faculty or Council member if involved in violation.
 2. As a witness, it is recommended to discuss possible infraction with suspected student violator.
 3. Reports possible infraction in timely manner to any Council member.

III. Reporting of Infraction

A. Verbal Accusation

1. Any member may initially receive verbal report of suspected violation from a witness.
2. Member will discuss reported incident with witness and then Chairperson.
3. Chairperson and member, with the assistance of the advisor, will decide upon the merit of probable violation and whether to require Initial Council Review.
4. If it is decided that an Initial Council Review is required, a written and signed accusation must be obtained from the witness prior to the Review. Neither witness nor accused is identified. This document will remain de-identified throughout the review but will be referenced in its entirety by the council in the setting of a Formal or Informal hearing.

B. Written Accusation

1. All written and signed accusations must be reviewed in an Initial Council Review.
2. A written and signed accusation is mandatory to initiate an Initial Council Review.
3. This document will remain de-identified throughout the Review but will be referenced in its entirety by the council in the setting of a Formal or Informal Hearing.

IV. Official Council Proceedings

A. Initial Council Review

1. Meets within a reasonable period of time of reported probable infraction.
2. A request is made by the council chairperson or the Dean of Student Affairs, caretaker of the honor council files, to check the files for any prior infractions on file against the student.
3. No guilt or innocence of the accused is to be determined during this review, only the merit of the accusation.
4. To the best of its ability, the council and its members will conceal all names during initial review.
5. If no violation is deemed to have occurred
 - a. all written records referencing names are destroyed.
 - b. witness(es) is/are notified of finding.
6. If accusation is validated as a probable violation, Chairperson will initiate one of the two following actions:
 - a. Informal Council Hearing (see Appendix 1A)
 - 1) Informal hearing is called and time and date set.
 - 2) Accused is notified in writing of alleged offense and hearing time, date and place.
 - 3) Honor Council presents alleged offense, and the accused is offered the opportunity to clarify or deny accusation.
 - 4) Accused is also offered the option of admission of guilt.
 - 5) At any time during the proceedings, up to and including the decision of the Honor Council, the accused is given the option of a *formal* hearing. Likewise, the Honor Council can mandate a formal hearing at any time.
 - 6) Findings will be acted upon according to section V (below).
 - b. Formal Council Hearing (see Appendix 1)
 - 1) Formal hearing is called and time and date set.
 - 2) Accused is notified in writing of alleged offense and hearing date, time and place.

- 3) Witness(es) is/are notified in writing of hearing date, time and place.
- 4) Accused is offered the option of admission of guilt.
- 5) Findings will be acted upon according to section V (below).
- 6) If accusation is clearly not covered by the University of Minnesota Medical School Duluth Campus Honor Code, probable violation shall be referred to UMD Student Conduct Code Coordinator.

B. Formal Council Hearing

1. Meet for hearing no earlier than seven (7) school days after notification of violation to accused.
2. Participants
 - a. Council members and advisor.
 - b. accused, who is present for all testimony.
 - c. advisor or counselor for accused, who may not address the Council or question any witness(es), but may be present for all testimony.
 - d. primary witness to the charge, who is present for all testimony.
 - e. other witness(es) to the charge, present for his/her testimony only.
 - f. witness(es) for accused, present for his/her testimony only.
3. To follow Procedures for Formal Council Hearing (See Appendix 1).

C. Records and Privacy

1. A written record of all meetings will be kept as minutes of Council actions.
2. A brief written summary of all reports dismissed after discussion. But without investigation, will be kept as part of semester minutes.
3. Brief written summary prepared without names for minutes of all initial Council Reviews.
4. A tape recording will be made of all Formal Council Hearings for accurate documentation of the testimony portion of the Formal Council Hearing, and retained for appellate purposes.
5. A summary of council actions will only be recorded in a case exonerated, and any written testimony or accusation destroyed, and references by name will be deleted.
6. All Council records will be maintained as strictly private.

V. Council Decision From Formal or Informal Hearing

A. Exoneration

1. All written and tape recorded records destroyed.
2. Summary of meeting recorded in Council minutes as above.

B. Findings of Guilt and Sanctions – decision to be recommended to, and for action by, one or more following referral bodies:

1. The Medical School Duluth Campus Department and/or Instructor.
 - a. failure of examination.
 - b. failure of course.
 - c. other to include but not limited to
 - 1) written notice to student and a copy retained in student file—student also informed of its presence.
 - 2) may be a time specified notice dated to be removed at a future date, if no additional sanctions imposed.
2. Medical School Duluth Campus Scholastic Standing Committee
 - a. suspension/administrative leave of absence
 - b. probation
 - c. dismissal

C. Notification

1. Accused advised in writing of decision within a reasonable period of time of decision by Honor Council, and copy of notice retained in Honor Council files.
2. Witness(es) notified of decision within a reasonable period of time of decision and the privacy of the information stressed.
3. Any other appropriate parties notified within a reasonable period of time following the decision, and the privacy of the information stressed.

D. Communication of Recommendation Sanction

1. Make recommendation (s) for action to appropriate body following guilty verdict.
2. Dismissal action recommendation, confirmed by the Scholastic Standing Committee, will be transmitted to the Medical School Duluth Campus Assembly for action.
3. Final review of all actions by the Regional Campus Dean.

VI. Appeals

- A. An appeal may be initiated after referral body takes recommended or other action.
- B. Any appeal to be handled in a manner similar to due process for SSC dismissal (beginning with paragraph #5 of the Due Process Governing Student Dismissal: "The student may choose...") (See Appendix 2).
- C. Must be initiated by written statement of intent to appeal within three (3) school days following notification of confirmation of sanction by referral body.

VII. Appendices

- Appendix 1: Procedures for Formal Council Hearing.
Appendix 1a: Procedures for Informal Council Hearing.
Appendix 2: General Mechanism of Appeal.
Appendix 3: Procedures for communication with the Peer Review Committee of the Twin Cities campus of the University of Minnesota Medical School.

References:

- Policies on File and Provided by Following Medical Schools:
Medical College of Georgia
University of South Carolina
Northeastern Ohio University

Approved by the School Assembly 1995

Approved Changes by the School Assembly Fall 2004

APPENDIX 1

Procedures for Formal Council Hearing will be conducted as follows:

- A. Call to order by the Chairperson
- B. Opening remarks and announcements by the Chairperson
 1. Identification of all parties attending the Hearing.
 2. Identification of the charge against the accused.
 3. Inform that the proceedings are being tape recorded for appellate purposes.
- C. Witness(es) is/are asked to leave the Hearing until recalled by the Chairperson
 1. Primary witness to the charge will be identified and allowed to remain throughout proceedings.
 2. All other witnesses will be excused until recalled for testimony only.
- D. Opening of the proceedings by the Chairperson
 1. Polling the Council for bias, prejudice or pre-formed judgment.
 2. Determination of voting Council members for a quorum.
 3. Presentation of specific rules or Honor Code violation by the charge against accused.
- E. Chairperson requests accused to make a response (guilty or not guilty) to the charge.
- F. Evidence and witness(es) to the charge are introduced by the Chairperson
 1. Examination of witness(es) by the accused, confined to testimony presented.
 2. Examination of witness(es) by the Chairperson, confined to testimony presented.
 3. Questions by Council members, confined to testimony presented.
- G. Evidence and witness(es) to the charge are presented by the accused
 1. Examination of witness(es) by the Chairperson, confined to testimony presented.
 2. Questions by Council members, confined to testimony presented.

3. Question of accused or accused witness(es) by primary charging witness, confined to testimony presented.
- H. Recall of witness(es) by the Chairperson to testify on specific issues
 1. at the request of either party to the charge.
 2. at the request of the Chairperson or any other member of the Council.
- I. Closing statements and summary, if any, without rebuttal or additional questions
 1. Summary of charge and testimony by the Chairperson.
 2. Closing statement by the accused.
- J. Formal Council Hearing is closed by the Chairperson
 1. Tape recording is terminated.
 2. All parties dismissed except for Council members.
- K. Honor Council deliberates in closed session
 1. Accused is found guilty or not guilty of charge.
 2. If guilty, Council makes recommendation to appropriate administrative body.
 3. If guilty, the accused will receive a copy of potential appeals procedures with written decision of Council (See Appendix 2).

APPENDIX 1A

Procedures for Informal Council Hearing will be conducted as follows:

- A. Call to order by the Chairperson
- B. Opening remarks and announcements by the Chairperson
 1. Chairperson identifies all parties attending the hearing.
 2. Chairperson identifies charges against the accused student.
 3. Honor Council members or accused can demand formal hearing at any time during the subsequent proceedings.
 4. Witnesses are not required to be present and will remain anonymous (if not initially identified) unless a formal hearing is called by the Honor Council or the accused student.
 5. A tape recording of the informal hearing is not required but will be implemented by the Honor Council or the accused student if requested.
 6. Accused student can request to have an advocate present.
 7. Accused student has no appeal process unless there is a *formal* hearing.
 - a. The accused student must request a formal hearing within one week after they have been informed of decision made by Honor Council at the informal hearing.
- C. Proceedings of the Informal Hearing
 1. Statement of accusation against specific Honor Code violation
 2. Comments by accused student (admission of guilt or innocence)
 3. Questions by Council members
 4. Additional comments by accused student, if requested
 5. Summary of charge and testimony by Chairperson
 6. Adjournment
 7. Deliberation by the Honor Council and sanction determined
 - a. The sanction must be delivered in writing to the accused student within one week following the informal hearing.

APPENDIX 2

General Mechanism of Appeal:

The student may choose to appeal the sanction recommended by the Honor Council once it has been confirmed by the referral body. The intent to appeal must be submitted, in writing, to the Regional Campus Dean within three (3) school days of the student's receipt of written notification of sanction. All appeals shall be considered within thirty (30) calendar days by an Ad

Hoc Committee, appointed by the Regional Campus Dean, to consider the appeal. This Committee shall be comprised of:

1. Five faculty, from separate Medical School Duluth Campus academic departments, none of whom have been involved in any circumstance of the violation.
2. Two students, one from each current class at the Medical School Duluth Campus, none of who have been involved in any circumstance of the violation.

The appeal shall be made on the record of the hearing by the Honor Council and upon any new and substantive information that may become available. The Ad Hoc Committee will recommend upholding the earlier confirmed sanction of the Honor Council (or any other sanction imposed by the referral body), exonerate the student or allow the student to continue with his/her studies even if sanctioned beyond a reprimand. The recommendation of the Ad Hoc Committee shall be transmitted, in writing, to the Regional Campus Dean. If it constitutes a reversal of the confirmed Honor Council decision substantive reasons for the reversal must be included. There will be no provision for further appeals within the Medical School.

The Regional Campus Dean, acting in his/her capacity as chief executive officer of the Medical School Duluth Campus, will review the recommendation of the Ad Hoc Committee and shall inform the student of his/her final decision within five (5) school days.

APPENDIX 3

Procedures for communication of prior rulings with the Peer Review Committee of the Twin Cities campus of the University of Minnesota Medical School.

The Dean of Student Affairs, caretaker of the honor council files, is authorized to search the files and disclose the presence and contents of any files held under a specific student's name at the request of the Peer Review Committee of the University of Minnesota Medical School Twin Cities Campus in the setting of a specific review or hearing regarding the student's conduct.