

Medical Student Honor Code

**University of Colorado Denver
Anschutz Medical Campus
School of Medicine**

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(All Prior Versions Void)**

2019-2020 Honor Council

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INTRODUCTION

The University of Colorado School of Medicine was the first medical school in the United States to have a student honor code in place. Since at least 1908 the honor code has provided both a philosophy and a set of rules that requires medical students and their peers to hold each other accountable for their actions. Its aims are to instill and maintain ethical and honest behavior in medical students and to create an institution where unethical and dishonest behaviors do not exist. From those early beginnings the Honor Code and Honor Council have evolved into the present highly successful system. This

system, which confers many responsibilities as well as freedoms upon students, strives to create an atmosphere of mutual trust and respect among all members of the campus and medical community.

The Honor Council of the University of Colorado School of Medicine has prepared this document to help the students of this institution understand the nature of the Honor Code and the means by which it is upheld. The Honor Code and the Honor Council are creations of the student body and the authority of the Honor Council stems from students' desire for honorable behavior. This document should serve as a student resource for any questions or concerns about honorable behavior.

FUNDAMENTAL PRINCIPLES OF THE HONOR CODE

The honor system holds as its basic standard that students shall maintain honorable and ethical behavior both in academic and clinical pursuits. The duty of upholding the Honor Code is not imposed by the administration or faculty but is assumed by the students. Furthermore, the Honor Code depends primarily on the individual and collective desire of all members of the academic community to *prevent* and *deter* violations rather than impose penalties after violations have occurred. When transgressions do occur, however, the Honor Council is obligated to uphold the standards of the Honor Code. The Honor Code was written with the assumption that students have an intrinsic understanding of dishonorable behavior as the Code cannot be an exhaustive description of these behaviors. **The Honor Code of the University of Colorado School of Medicine states that students must not lie, cheat, steal, take unfair advantage of others nor tolerate students who engage in these behaviors.**

HONOR COUNCIL MEMBERS

- 1. Composition** The Honor Council is composed of one student representative from each class plus an additional MSIV Chairperson. One ex-officio faculty member serves in a completely advisory position.
- 2. Election of Representatives** The Honor Council representative will be elected by his or her class in the fall of their first year and will serve a four year term. Any member of the first year class is eligible for election. In addition, the rising fourth year class will elect an additional member to serve as the fourth year student representative because the third year class representative will serve as Honor Council Chair during their fourth year. The Honor Council representative is considered a class officer.
- 3. Recall of a Representative** If at any time during medical school the majority of a class feels that their representative to the Honor Council is not performing a satisfactory job they may choose to recall this representative. To recall a representative, the class president must give written notice to the representative at least seven calendar days prior to a recall vote. Greater than fifty percent of class members must vote to recall the

representative during the vote. If the representative is dismissed from his or her position a new representative will be elected by class election procedures within fourteen days. Should an emergency issue arise in the interim period one of the class co-presidents will serve as the temporary representative to the Honor Council.

4. Resignation of a Representative If an Honor Council representative resigns a new representative shall be elected by class election procedures within fourteen calendar days. Should an emergency issue arise in the interim period one of the class copresidents will serve as the temporary representative to the Honor Council. In the event that the resigned representative wishes to rejoin the Honor Council, the student shall be required to run for the position by class election.

5. Need for Temporary Representatives If an Honor Council representative is temporarily unable to fulfill the duties of his or her office the Honor Council will meet with four members. If the Honor Council Chair is temporarily unable to fulfill his or her duties the third year class representative will act on behalf of the Chair. Upon the chairperson's graduation, the third year representative automatically becomes the chairperson and the rising fourth year class will elect a new class representative to the Honor Council. If an emergency issue arises in the interim one of the rising fourth year class co-presidents will serve as the temporary representative to the Honor Council. Note: These allowances do not apply to official hearings. All five members of the Honor Council or their designated substitutes (see below) must be in attendance for hearings.

6. Designated Substitutes In the event that a member of the Honor Council will be geographically unavailable or otherwise unable to fulfill their duties of his or her office he or she may appoint another class officer, preferably one of the class co-presidents, to serve as a temporary Honor Council representative until the representative can resume his or her duties. If the Honor Council Chair needs to appoint a designated substitute he or she should appoint an Honor Council representative as the designated Chair substitute and a class officer should be appointed as a temporary representative.

7. Honor Council Chair The Honor Council Chair will sit as a member of the Professionalism Committee to review cases for potential violations of the Honor Code.

8. Resignation of Rising Honor Council Chair In the event that the rising Honor Council Chair resigns from the Honor Council, the rising third year representative shall fulfill the duties of the Honor Council Chair for the remainder of his or her term. The outgoing student shall be replaced through the election of two representatives from the fourth year class. Should an emergency issue arise in the interim period, the class copresidents will serve as the temporary representatives to the Honor Council.

9. Faculty Advisor The role of the Faculty Advisor is to provide for continuity of action as well as to advise members of the Honor Council. The Faculty Advisor serves as a liaison between the Council and the faculty and administration. He or she may also

attend hearings in an advisory capacity only. There is no term limitation for this position but the Honor Council may elect a new Advisor at any time. If the Faculty Advisor is personally involved in a case or doubts their ability to be unbiased the Faculty Advisor may recuse him or herself from the case and select a designated substitute.

10. Resignation of the Faculty Advisor In the event that the Faculty Advisor resigns, a new faculty advisor shall be selected expeditiously. The selection of the Faculty Advisor shall be conducted by a selection committee and include an institution-wide call to all interested applicants. The Faculty Advisor is required to hold a professional degree, but does not need to hold a clinical degree. All interested applicants shall submit a statement of interest and copy of their curriculum vitae to the Office of Student Life for consideration. Upon review of the supplemental documents, the selection committee shall conduct interviews with select candidates. The selection committee shall be composed of the Chair of the Honor Council, the Dean of Student Life, the current Faculty Advisor, and a student representative from the Medical Student Council. All members of the Honor Council are invited to participate, but their attendance is not required.

HONOR COUNCIL DUTIES

- 1. Independence** The Honor Council is not a part of the Medical Student Council and members of the Honor Council do not have a role in decisions made by this group.
- 2. Scope of Practice** The Honor Council deals with potential violations of the Honor Code committed by medical students. Honor Code violations are instances in which a student lies, cheats or steals, gains an unfair advantage over other members of the campus or hospital community.
- 3. Education** The Honor Council is also charged with providing education and guidance to the student body about concepts of honor and the practice of honorable behavior as well as informing the student body about the Honor Code and procedures of the Honor Council
- 4. Case Consideration** The Honor Council will consider every case individually based on its own merits. The Honor Council will treat each person fairly and act to protect the University and hospital community as a whole. All decisions made by the Honor Council are made independently. The Honor Council does not act on precedent.
- 5. Hearing Attendance** All five members of the Honor Council or their designated substitutes (see above) must be in attendance for the duration of Honor Code hearings.
- 6. Honor Code Revisions** When the Honor Code document is revised or when changes are made to the Honor Council the Medical Student Council will be notified so that students may be made aware of these changes.

7. Statute of Limitations for Record Retention All documentation pertaining to an Honor Council procedure, will be destroyed immediately unless the student is found guilty of a violation. Any pertinent materials related to student case in which a student was found guilty of a violation will be maintained in a secure file whose access is limited to the Chair and Faculty Advisor of the Honor Council and the Associate Dean of Student Life. All materials will be destroyed at the time of graduation, unless the Associate Dean of Student Life deems they should be kept in the secure file for a maximum of 5 years.

STUDENT DUTIES

1. Honor Oath Matriculation at the University of Colorado School of Medicine is contingent upon signing a pledge to abide by the rules and principals of the Honor Code, called the Honor Oath. The Honor Oath reads as follows:

"As future physicians we will have the responsibility and privilege of caring for those in need. The patient-physician relationship is central to the practice of medicine, and this unique relationship, while nourished by compassion and knowledge, remains firmly rooted in trust. It is through professional and honorable conduct that we demonstrate that we are worthy of that trust. Therefore, I take the following oath:

Mindful of my obligations to my patients and colleagues, I pledge to conduct myself honorably in spirit and in action. I will not gain unfair advantage over my peers, teachers or any other member of the community, nor will I act in a manner that compromises patient care. I pledge to adhere to the principles and procedures detailed by the Honor Code of the University of Colorado School of Medicine."

2. Honor Statement In addition to the Honor Oath each class will create their own Honor Statement that they feel best exemplifies their commitment to the Honor Code. Each member of the class will sign this Honor Oath and Statement during the Matriculation Ceremony before beginning classes.

3. Honor Statement Revision The class can amend the statement as often as they wish if they feel their needs have changed. In the case of a revision all class members must sign the revised Honor Statement. The Honor Council representative will be responsible for collecting and maintaining records of their class' Honor Statement signatures. Failure to sign the revised Honor Statement may be considered an Honor Code violation and may result in an Honor Council hearing.

4. Student Responsibility to Report Honor Code Violations The Honor Code relies on the commitment of each member of the University and hospital community to uphold its principles. In signing the Honor Code all medical students are bound to abide by and enforce the Honor Code. It is a violation of the Code to ignore an observed violation by another student and it is a violation to report incidents falsely.

5. Student Responsibility to the Honor Code It is the responsibility of each student to be aware of the rules, regulations and procedures of the Honor Code and Honor Council as well as their individual rights and responsibilities. The Honor Council is however available to answer any questions students may have.

6. Student Responsibility Regarding Applicability The Honor Code applies to all University of Colorado medical students. There is a separate University Honor Code, which applies to all University of Colorado students. Medical students are bound by the Honor Code in all of their interactions and activities on the University campus and in dealings with any member of the campus community, including, but not limited to, students, faculty, staff, and patients. Some actions against members of the University or hospital community, such as theft or assault, are violations of both the Honor Code and criminal laws, and as such may fall under both jurisdictions. In this case students may be exposed to both Honor Council and Judicial proceedings and should be aware that the legal concept of Double Jeopardy does not apply.

7. Student Responsibility to Maintain Confidentiality If a student becomes aware of an Honor Code violation in the course of an investigation or by rumor or observation the student must keep the details of the violation and the student(s) in question confidential unless information is requested by a member of the Honor Council. Failing to maintain confidentiality may be considered a violation of the Honor Code.

8. Student Responsibility to Prevent Harassment If any member of the Honor Council, an accused student, someone who reports a potential violation or any member of the University or hospital community is harassed as a result of the Honor Code process this will be considered a separate Honor Code violation.

FACULTY AND STAFF RESPONSIBILITY

1. Faculty Responsibility to the Honor Code While the Honor Code and Honor Council have been created for and by the medical student body it is only with the support of the University of Colorado School of Medicine faculty and staff that the Honor Code can be properly upheld. It is expected that all faculty members will strive to uphold the Honor Code. It is further expected that each faculty member will understand the rules, regulations and procedures of the Honor Code and Honor Council.

2. Faculty Responsibility to Report Honor Code Violations If a faculty member observes a student potentially violating the Honor Code, the faculty member must take further action. As per the Rules of Procedure (See Below) the faculty or staff member must first clarify the situation with the student and give the student an opportunity to explain their actions. If the explanation is inadequate the faculty member must contact an Honor Council representative. Faculty may contact the Office of Student Life to find out the contact information of the members of the Honor Council but may not report or discuss

the potential violation with any member of the Office of Student Life. Faculty or staff may discuss details of the violation with Honor Council members only.

3. Faculty Responsibility to Maintain Confidentiality When reporting a suspected violation, student confidentiality must be maintained. The Office of Student Life may be contacted to find out the contact information of Honor Council representatives. Faculty or staff may not discuss details of the suspected violation with the Student Life Office, Office of the Dean, other University or hospital faculty, residents or other students. The faculty or staff member should not conduct their own investigation of the event but should discuss details of the violation with Honor Council members only.

4. Faculty Responsibility to Treat Accused Students Fairly After reporting a potential Honor Code violation or becoming aware of an ongoing Honor Code investigation faculty are expected to treat an accused student with the fairness extended to all other students. Accused students should not be penalized before the investigation and hearing are completed and sanctions recommended, if necessary.

5. Faculty Responsibility to Use Clear Guidelines To help avoid inadvertent Honor Code violations it is expected that faculty members will issue clear guidelines during any student evaluation process, test, or assignment. Examples of guidelines include clearly stating and noting time limits and instructions on all examinations, clearly noting any restrictions (closed book examination, etc.) on all examinations, avoiding the reuse of examinations if possible, clearly stating and discussing guidelines for clinical case writeups and clinical work, clearly explaining all course objectives, requirements, and grading criteria. The above are meant to serve only as examples and are by no means a complete listing of clear guidelines.

VIOLATIONS OF THE HONOR CODE

1. Honor Code Violations The Honor Code states that students will act in an honorable and ethical manner at all times. Honor Code violations are considered actions in which a student lies, cheats, steals, gains unfair advantage over another student or tolerates this behavior by another student.

2. Examples of Honor Code Violations It is not possible to describe every type of behavior which is dishonorable, thus the following list is not exhaustive but is intended to give examples of behavior that may constitute an honor code violation.

1. Cheating or plagiarism on exams, assignments, research, or projects.
2. Collaborating on an exam or assignment when specifically forbidden to do so.
3. Taking more than the designated time on examinations.
4. Signing absent peoples' names to attendance sheets.

5. Keeping test booklets that were to be turned in.
6. Studying from prior years' examinations after forbidden to do so.
7. Providing a false excuse for not taking a test or completing an assignment.
8. Providing a false excuse for an absence during academic or clinical activities
9. Destroying or removing study materials made available to all students.
10. Falsifying, in oral or written reports, work or tests performed on patients.
11. Turing in only high-scoring clinical rotation evaluations to the Block Director.
12. Discussing a potential Honor Code violation with anyone other than the suspected student or members of the Honor Council.
14. Deliberate failure to sign the class Honor Statement.
15. Failure to report a potential Honor Code violation.

3. Unprofessional Behavior If a student, faculty or staff member is concerned about behavior that appears unprofessional but does not include lying, cheating, stealing or gaining unfair advantage over other students they should report it to the Professionalism Committee. If they are unsure of where to report the concern they may speak with a member of the Honor Council. The representative will report the concern to the Honor Council Chair and the Chair will decide if the behavior represents a potential Honor Code violation or a potential Professionalism violation. If the behavior represents a potential Professionalism violation the Chair will forward the concern to the Professionalism Committee.

4. Professionalism Committee In the course of an investigation about potential violations of the Professionalism policy if the Chair of the Professionalism Committee decides that the behavior in question represents an Honor Code Violation he or she will refer the matter to the Honor Council by contacting the Chair of the Honor Council. The Honor Council Chair will sit on the Professionalism Committee and review Professionalism cases for potential Honor Code violations.

RULES OF PROCEDURE

1. If a student is observed engaging in conduct which may violate the Honor Code, specifically behavior representing lying, cheating, stealing or gaining unfair advantage over another students the observer must take action. The observer must talk with the student to clarify the situation. The observer may ask a member of the Honor Council to be present during the clarification. The student should be given an opportunity to explain their actions. If the observer feels the student's explanation is satisfactory and the behavior does not constitute a potential Honor Code violation no further action is needed. If the observer does not feel the explanation is adequate he or she must contact a member of the Honor Council to report the concern. These events should be completed within 14 calendar days excluding school vacation days. Failure to complete these events in 14 days does not preclude the Honor Council from investigating the potential violation but may represent a separate Honor Code violation for the observer.

2. After receiving a report of a potential Honor Code violation, the Honor Council representative will discuss the matter with the Honor Council Chair. The Chair will conduct an investigation to determine whether a hearing concerning the conduct is necessary. The investigation may include speaking with the accused student, the observer, any faculty, staff or student involved in the behavior and reviewing any evaluations, exams, assignments or other coursework or correspondence involved in the behavior. At any time during the process should the Chair become concerned about the safety of the student in question or the safety of others, they reserve the right to notify the Associate Dean of Student Life, and if they are not available, the Assistant Deans of Student Affairs.

The decision to proceed with a formal hearing will be made if the offense is thought to be one that is prohibited by the Honor Code and if the observed student cannot provide sufficient justification for the behavior. If the offense is something that constitutes potential unprofessional behavior the Chair will refer the matter to the Professionalism Committee by contacting the Professionalism Committee Chair. If during the course of an investigation additional potential Honor Code violation are uncovered they will be addressed during the same investigation and hearing.

3. If a hearing is deemed necessary by the Honor Council Chair the Honor Council at that time will make a determination of the potential danger to patients or other students represented by the accused student. If deemed necessary, the Honor Council will give the student's name to the Associate Dean for Student Life and suggest that the student be placed on clinical or academic suspension pending the outcome of the formal investigation and hearing. If placed on academic suspension the student will be removed from academic classes, exams, projects and/or groups. If placed on clinical suspension the student will be removed from all situations involving patient contact. The student may also be suspended from all duties and responsibilities as a class or School of Medicine office holder upon the recommendation of the Honor Council. The Associate Dean for Student Life will notify the student of his or her status. This situation is an exception to the rule that an accused student's name will not be disclosed until after an Honor Code violation has been confirmed.

4. If a hearing is deemed necessary the Honor Council Chair will convene a hearing expeditiously. The accused student will be given written notice of the charges, a copy of the letter to the Associate Dean regarding recommendation for clinical or academic suspension if applicable, a copy of the Rules of Procedure, notice of the date, time and place of the hearing, the acts or omissions which he or she will be expected to address and of his or her right to be accompanied by a University of Colorado School of Medicine faculty member or student advocate of his or her choice. The student will be considered innocent of any violation until determined otherwise by the Honor Council.

5. The accused student must respond to inquiries and communicate with the Honor Council Chair. Failure to do so may constitute a separate Honor Code violation.

- 6.** If an Honor Council member is personally involved in a case or doubts their ability to make an unbiased decision the member must recuse him or herself from the case.
- 7.** The Honor Council may not initiate an investigation of an Honor Code violation with the following exceptions: 1) an individual Council member is the observer of a violation. In this case he or she will recuse himself or herself from the case. 2) The Honor Council discovers during the course of an investigation that a student witnessed a potential Honor Code violation and did not take action or delayed action more than 14 days. 3) A student does not maintain confidentiality during an investigation. 4) A student deliberately fails to sign the Honor Statement. 5) Another potential honor code violation is discovered during an investigation of another potential violation.
- 8.** If a voting member has disqualified him or herself or cannot attend, one of the class co-presidents from that member's class shall become a temporary voting member of the Honor Council for consideration of this case. The Honor Council shall not convene a formal hearing without all members, or their designated substitutes present.
- 9.** A hearing should not be conducted without the presence of the accused student. However failure of the student to appear, without good cause, will not preclude the Council's investigation and formulation of recommendations.
- 10.** Prior to the scheduled hearing both the observer and the accused student will be asked to provide a written report of the event to the Honor Council Chair. After all reports are collected, the accused student will be provided with all documentary evidence in the case at least two business days prior to the hearing.
- 11.** Neither the names of the student(s) involved in the hearing nor any evidence in connection with the hearing may be revealed by witnesses, members of the Honor Council or other participants in the hearing, except to the Dean and members of the Executive Committee as stipulated below. However, it is necessary that the Honor Council Chair obtains all the necessary evidence during his or her investigation. In this instance the Chair may break confidentiality provided it is essential and pertinent to the investigation. Additionally, this requirement authorizes the Chair to have access to any academic records, files, evaluations, correspondence and grades that would normally be considered restricted provided that the Chair deems such access necessary to the conduct of a thorough and conclusive investigation. Furthermore, this information can only be used for the Honor Council hearing.
- 12.** Hearings before the Honor Council are closed to all persons other than the Honor Council, faculty advisor, accused student, student advocate and witnesses.
- 13.** A tape recording will be made of the hearing. The accused student may request that he or she bring his or her own tape recorder or may arrange for a shorthand reporter to record the proceedings at his or her own expense.

14. The Honor Council Chair will act to insure that all participants have reasonable opportunity to be heard and to present relevant oral and documentary evidence. The Chair will insure that decorum is maintained during the hearing. He or she is entitled to determine the order of events during the hearing. He or she has the authority and discretion, in accordance with these procedures, to make all rulings on questions which pertain to matters of procedure and to the reception and presentation of evidence.

15. Counsel for the University of Colorado School of Medicine may be present during a hearing in an advisory capacity solely for the purpose of giving advice to the Chair on procedural matters but will not participate directly in the proceedings.

16. The Honor Council Chair will not apply technical exclusionary rules of evidence followed in judicial proceedings nor entertain technical legal motions. Only testimony based on personal observation will be heard. Reasonable rules of relevance will guide the Chair in ruling on the introduction or presentation of evidence.

17. All hearings will be conducted in an orderly fashion. At the hearing the accused student and the Honor Council members will have the following rights at the discretion of the Chair: to call a witness, to introduce evidence, to question any witness that testifies during the hearing, and to refute any evidence. The student has the option to testify on his or her own behalf. The student may ask a student advocate to attend the hearing but the advocate may not act in a manner similar to a defense attorney; the advocate may not question witnesses, introduce evidence, provide explanations for the behavior, etc. The student advocate may attend in an advisory and supportive role.

18. After all information is presented the Honor Council will adjourn to review the data, testimony and evidence in private. Each member, excluding the chairperson, will render a vote regarding whether the accused student violated the Honor Code.

19. A majority vote must occur to find a student guilty of an Honor Code violation. In the event of a tied vote, a finding of "no violation" will be rendered in the student's favor.

20. **After deciding that a violation has occurred**, the Honor Council will determine the severity of the action, as well as take into account any recidivism that may have occurred. They will discuss and vote on recommendations for discipline or remediation. Recommendations for remediation or discipline may include, and are not limited to, written reports, presentations to students or patients, apologies to students, staff, faculty or patients, probation, suspension, failure of an academic or clinical block, remediation of an academic or clinical block, and dismissal from the School of Medicine. A majority vote is required to issue a recommendation for discipline or remediation. Notably, precedent does not need to be followed, and the specifics of each case will be considered. In all but the most extreme cases, any recommendations will attempt to reintegrate the student back into the academic system. Despite this philosophy, in the end students must face

the consequences of their actions. ❖ HC Violation, no remediation required: This represents ‘crimes of convenience,’ or offenses that while technically meeting an HC violation, are not in themselves malicious. E.g. a student misrepresents what was completed during a physical exam, one student tolerates an HC violation of another, etc. These violations will not be included in the MSPE.

➤ This does not imply that zero action was required – e.g. a student may be asked to write an apology, be referred to CPHP, or given other minor requirements.

➤ Any violation prior to 09 April 2017 will fall into this category unless they violate their HC probation and become a repeat offender, or their remediation included harsher punishment such as inclusion in the MSPE.

❖ HC Violation, remediation required: This is the minimal infraction for any repeat offender, and represents purposeful and potentially malicious lying, cheating, stealing, or gaining unfair advantage. These violations will be included in the MSPE in the “professionalism” section.

21. If the Honor council determines that a violation is without remediation, and thus is not included in the MSPE, this can be changed in the following circumstances; 1.) the student is a repeat offender of the Honor Council, 2.) the student is referred to the Promotions Committee for professionalism issues and is found to be a repeat offender of multiple avenues of professional behavior. In this case, a request to liberate nonremediation HC violations will be made to the Honor Council, a vote will be held, and that information will be released only if a unanimous vote in favor of release is returned.

22. If the decision of the Honor Council is one of no violation, the Honor Council Chair will notify the accused student and, if necessary, notify the Associate Dean of Student Life within seven calendar days that the student has been cleared of all charges. If applicable, the Associate Dean will notify the student of his or her removal from academic or clinical suspension. No record of the charge or investigation will be communicated to the Executive Committee nor will any record of the investigation be maintained in the student’s academic record. The observer will be notified of the result of the hearing with respect to guilt or innocence only and will be required to sign a statement asserting that they will maintain confidentiality regarding the behavior, investigation, hearing and verdict. The observer maintains the right to refer the matter to the Professionalism Committee.

23. In all cases where the Honor Council finds that the student was guilty of a violation, the findings, regardless if remediation was indicated, will be uploaded in a secure file with access limited to the Chair and Faculty Advisor of the Honor Council along with the Associate Dean of Student Life. If remediation is warranted, the information is also forwarded to the Assistant Deans of Student Affairs for inclusion in the MSPE and referral to the Student Promotions Committee.

24. The Associate Dean will then appoint a Faculty Review Committee (FRC) of at least 2 faculty members to review the Honor Council’s findings of Honor Code violations

as well as recommendations with respect to remediation or punishment. Faculty to serve on the FRC will be selected by the Associate Dean based on their knowledge of student life and the undergraduate medical curriculum and their experience in dealing with student issues, particularly related to honorable behavior and remediation.

25. If students are classified as HC Violation, remediation required, a report of the student's cooperation and success in remediating will be created. This report, along with the HC Final Report, and the Faculty Review Committee's review report will be included in a "Shadow File" to be kept by the Associate Dean of Student Life. This information is intended for the purpose of the MSPE, as well as in future cases as an understanding of the student's remediation process.

26. If further information is requested by the Promotions Committee or the Associate Dean of Student Life for the purpose of Promotions Committee review on a student with an HC violation requiring remediation, it shall be provided by the Honor Council. If this information is requested surrounding a case that did not require remediation, it shall ONLY be released after a unanimous vote in favor of release.

27. Appeals of Guilt: Students may appeal the Honor Council's finding of guilt, and each student must be granted access to a fair and timely appeals process. If the Honor Council includes a recommendation for dismissal and the Promotions Committee upholds this recommendation, then the student will have the right to appeal the dismissal as described in the document, "University of Colorado School of Medicine Student Policies and Procedures." Otherwise, the appeals process will be conducted as follows:

- The FRC will first consider a student's appeal of findings of guilt of Honor Code violations before reviewing the remediation or disciplinary recommendations made by the Honor Council. If no such appeal is made, or if the FRC upholds the Honor Council findings, then the FRC will move to consider the recommendations for remediation or punishment made by the Honor Council.
- Student wishing to appeal the finding of guilt must submit a written letter to the Associate Dean for Student Life within 5 business days of receiving, in writing, the final decision by the Medical Student Honor Council. The Associate Dean for Student Life will appoint, within 5 business days, a Faculty Review Committee to hear the student's appeal of the finding of guilt.
- The FRC will not reconsider the facts and statements on which the original decision was based; rather, the FRC will conduct an appeal hearing only if: 1) new information regarding the status of the student has been discovered (previously unknown to the student or to the School of Medicine); 2) there is evidence of discrimination; 3) there is evidence of a material procedural error in the review process by the Honor Council that may have prejudiced the student's ability to receive a fair hearing; or 4) there is evidence that the Honor Council acted in an arbitrary or capricious manner.

- The appeal hearing will be conducted in an orderly fashion. At the hearing, the accused student and a representative of the Honor Council will each have the right to call a new witness, to introduce new evidence, to question any witness who testifies during the hearing and to refute any evidence. The student may testify on his or her own behalf and may ask a student advocate to attend the hearing. The advocate may not act in a manner similar to a defense attorney; the advocate may not question witnesses, introduce evidence or provide explanations for the student's behavior, but may attend in an advisory and supportive role.
- If the appeals committee finds in favor of the student, it may refer the case back to the Honor Council for reconsideration or it may order a new hearing. If the appeals committee sustains the Honor Council's finding of guilt, the appeals committee shall then move to consider the Honor Council's recommendations for remediation or discipline.

28. Review of Honor Council Recommendations:

- After any appeals of Honor Council findings of guilt have been considered, the FRC will review the remediation plan, including recommendations regarding referral to the Promotions Committee or other actions recommended by the Honor Council. The Honor Council chair and the student will be given an opportunity to comment on the recommended remediation plan. After careful review, the FRC may agree with, or suggest modifications to, the Honor Council's recommendations.
- In the case of disagreements between the Honor Council and the FRC, the Associate Dean for Student Life will make the final decision, after considering the nature of the violation, whether there are patterns of violations by the student, the recommendations of the Honor Council and the FRC, the best interests of the student and the School of Medicine and other factors that have a bearing on this decision.

CONCLUSION

The Honor Council has prepared this document in order to provide information about the philosophy, rules, regulations and procedures of the Honor Code and Honor Council. Its purpose is to make the goals and activities of the Honor Council clear to the students, faculty and staff of the University of Colorado School of Medicine. With the cooperation of students and faculty the Honor Code will continue to be an important aspect of the educational process of future physicians for many years to come.

DISCLAIMER

This handbook does not constitute a contract with The University of Colorado School of Medicine, either expressly or implied, and the University reserves the right to change, delete or add to any of the provisions at its sole discretion at any time.