

# APPENDIX F:

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## HONOR CODE

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### Preamble and Definitions

#### Preamble

Students studying to enter the health care professions should exemplify honorable behavior and maintain a high level of integrity in their work. This Honor Code recognizes standards of professionalism; identifies examples of academic dishonesty and other unprofessional behavior and provides procedures by which claimed violations of this Honor Code are to be evaluated, and, when found to have occurred, to be dealt with in an appropriate manner. During new student orientation students will be acquainted with the Honor Code. Every student shall be on his or her honor to abstain from unprofessional conduct and academic dishonesty as defined in this Honor Code. Each new student of the Albany College of Pharmacy and Health Sciences will affirm as follows:

*I, (name), agree to abide by the ideals of professionalism and integrity in accordance with Albany College of Pharmacy and Health Sciences' Honor Code.*

## Definitions

When used in this Code:

- **“College”** means Albany College of Pharmacy and Health Sciences.
- An **assignment** is work required of a student and includes, but is not limited to a test, examination, paper, quiz, homework, laboratory requirement or course requirement
- **“Student”** means and includes all persons taking courses at the college, both full-time and part-time, pursuing undergraduate or postgraduate studies.
- **“Faculty member”** means any person hired by the College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of its faculty.
- **“College official”** includes any person employed by the College, performing assigned administrative or professional responsibilities.
- **“Member of the College community”** includes any person who is a student, faculty member, College official or any other person employed by the College. A person’s status in a particular situation shall be determined by the Associate Dean for Students.
- The Term **“Faculty Co-Advisor”** refers to each of the two Faculty members chosen by the Faculty Senate to perform the duties of a Faculty Co-Advisor as set forth in this Code. Each Faculty Co-Advisor shall serve for a two year term and may be re-appointed for further terms. Faculty Co-Advisors shall serve staggered terms.
- The Term **“Faculty Representative”** refers to each of the two Faculty members chosen by the Faculty Senate to perform the duties of a Faculty Representative as set forth in this Code. Each Faculty Representative shall serve for a two year term and may be re-appointed for further terms. Faculty Representatives shall serve staggered terms.
- The Term **“Faculty Alternate Representative”** refers to each of the two Faculty members chosen by the Faculty Senate to perform the duties of a Faculty Alternate Representative as set forth in this Code. Each Faculty Alternate Representative shall serve for a two year term and may be re-appointed for further terms. Faculty Representatives shall serve staggered terms.
- The Term **“Student Representative”** refers to each of the twelve Student Representatives selected by the Student Government Association. Student Representatives may not be members of any of the Student Conduct Committees, and must be deemed by the College as third, fourth or fifth year students. Annually four Student Representatives shall be chosen at the end of their second year and shall serve for three year terms. Further, initially four Student Representatives will be chosen at the end of their third year and shall serve for two year terms, and four Student Representatives will be chosen at the end of their fourth year and shall serve for a one year term. The Student Representatives shall designate two of the twelve Student Representatives to be Student Honor Code Officers.
- The **“Honor Code Review Committee”** consists of a Faculty Co-Advisor and a student Honor Code Officer chosen by the Faculty Co-Advisors with respect to a particular matter. The role of the Honor Code Review Committee is to attempt to mediate a charge against a student. Should mediation be successful, and Honor Code Hearing will not be held.
- The **“Honor Code Hearing Committee”** consists of the two Faculty Representatives and five student representatives chosen randomly by the Faculty Co-Advisors. In the event that any Faculty Representative believes he/she should be recused for cause, they will be replaced by a Faculty Alternate. Student members shall also recuse themselves as appropriate. The role of the Honor Code Hearing Committee is to “hear” cases that could not be mediated by the Honor Code Review Committee. At the conclusion of the hearing, the Committee is charged with determining whether or not the student has violated the Honor Code. Should a student be found to be in violation of the Honor Code, the Committee is also responsible for determining the appropriate sanctions from amongst those provided for in this Honor Code.
- The **Appellate Board of the College** is annually constituted and consists of three (3) individuals: one (1) Faculty Member; one (1) Student; and one (1) administrator. The faculty and student members shall be elected by their respective constituencies. The administrator shall be appointed by the President. Members shall serve until their replacements have been selected. In the event cases occur at times when the student member is unavailable, the Student Conduct Officer may select a student randomly by computer and may limit the selection to those residing in the Capital Region. The role of the Appellate Board is to consider appeals and make determinations as provided for in this Honor Code.
- **Academic Dishonesty** means and includes cheating and/or plagiarism.
- **Cheating** means and includes, but is not limited to, any of the following:
  - Copying from another student’s exam or allowing another student to copy from you
  - Taking an exam for someone else or having someone take an exam or complete an assignment for you
  - Acquiring an assignment and submitting it as your own work
  - Feigning illness to avoid a test
  - Studying copy of an exam before taking the make-up exam
  - Providing a student with information prior to completion of an exam
  - Using unauthorized information during an exam when prohibited
  - Reviewing an unauthorized copy of an exam (all exams that are obtained prior to the administration of an exam are considered stolen).

• **Plagiarism** means the deliberate attempt to give the reader the impression that the work, words or ideas of others are the author's own, without appropriate reference to the original source. Any attempt to plagiarize is an act of Academic Dishonesty and will be in violation of this honor code. Examples of plagiarism include, but are not limited to:

- Copying information word-for-word without using quotation marks from any source, even if the source is referenced in the text or in the works cited page
- Paraphrasing or summarizing another author's ideas or research without giving proper credit
- Submitting your own paper as original work for more than one course
- Using someone else's production (e.g. artwork, photograph, multimedia, video) as your own without proper citation
- Purchasing stock or custom-made papers from the Internet
- Giving incorrect information about the source of a quotation
- Copying a significant amount of words from a source, so that it makes up most of your work, regardless of whether you cite it or not.

• The **Honor Statement** is "Submitted with Honor" and shall appear on all graded course work and exams and will be signed by the student unless an incidence of cheating has occurred and shall mean that the student has neither given nor received unauthorized aid on the exam/report/ paper, nor has the student witnessed anyone doing so.

### **Violations**

It shall be a violation of this Honor Code to engage or attempt to engage in any act of Academic Dishonesty, whether knowingly or recklessly. It shall be a violation of this Honor Code to refuse to sign the Honor Statement on any graded coursework and on any a test, examination, paper or quiz without satisfactory explanation.

### **Accusations, Investigation Process and Mediation Signature of Honor Statement**

Any student who fails to sign the honor statement will be contacted by the faculty member responsible for administering the assignment (i.e. test, exam, paper). The student will be provided the opportunity to explain why the assignment was not signed.

### **Accusations**

Any member of the College Community may file a charge against any student alleging violation of the College's Honor Code. Any student or faculty member may make an accusation by submitting a signed statement to the Honor Code Box or in person to one of the Honor Code Faculty Co-Advisors. The Honor Code Box can be opened only by an Honor Code Faculty Co-Advisor. Accusations for multiple incidences against the same individual may be reviewed separately or simultaneously. This decision will be made by the Honor Code Review Committee. There is no requirement that an accusation be made within any time period after the alleged violation or to show trends for Academic Dishonesty, and Accusations are deemed timely whenever filed.

### **Notification of Honor Code Review Committee, Investigation**

The process of notifying the Honor Code Review Committee of an alleged violation of the honor code will take place through the following steps:

1. The Honor Code Faculty Co-Advisor informs the Honor Code Review Committee that there has been an accusation made against a student.
2. The name of the accused, the nature of the accusation and the name of the accuser are provided for the Honor Code Review Committee.
3. The Honor Code Review Committee determines if there is merit to the charges. If the Honor Code Review Committee determines there is "no merit," the charge is dismissed.
4. If the Honor Code Review Committee determines there is merit to the charges, or that more information is needed to determine merit, the Honor Code Review Committee will continue to investigate. In the investigation process, the Honor Code Review Committee:
  1. Is encouraged to contact any individual that may provide information relevant to the charges
  2. Should be provided access to all information pertinent to the case at the discretion of the Honor Code Review Committee, additional information pertinent to the case may be requested. An electronic announcement may be sent to the student body indicating that there has been an alleged violation of the Honor Code. Announcements must maintain the confidentiality of all parties as required by the Federal Educational Rights and Privacy Act. Questions about the content of such announcements can be addressed to the College's General Counsel. Students and faculty are encouraged to give any information they might have regarding the case in question. Additional information should be signed and submitted to the Honor Code Box or in person to the Honor Code Advisor.

### **Mediation**

Before initiation of a hearing, the Honor Code Review Committee will:

1. Notify the Accused Student, in writing, of the charges against him/her.

2. Meet with the Accused Student to discuss the charges and to attempt to mediate

the case. The Accused Student may have one member of the College Community to serve as an Advisor. This Advisor must be a student or employee of the College. The Honor Code Review Committee or the Accused Student may request that the case be heard by the Honor Code Hearing Committee. This request may be prior to or following an attempt to mediate. Should the Accused Student and the Honor Code Review Committee agree on a resolution to the case, the results will be provided in writing to the Accused Student and signed by the Accused Student and the Honor Code Review Committee. Should the Accused student be determined to be in violation of any aspect of the Honor Code, the Honor Code Review Committee may choose any sanction(s) provided for in this Honor Code. All decisions reached and sanctions imposed through mediation and agreed to by the Accused Student and the Honor Code Review Committee are final and cannot be appealed.

### **Hearings Before Committee/Decision to Initiate Hearing**

In cases, where the Accused Student and the Honor Code Review Committee are not able to reach an agreement through mediation, the case and all relevant documentation will be forwarded to the Honor Code Hearing Committee which shall conduct an Honor Code Hearing.

### **Scheduling of Hearing**

Honor Code Hearings will be scheduled and coordinated by the Faculty Co-Advisor

on the Honor Code Review Committee. Hearings will be scheduled no sooner than five (5) and no later than fifteen (15) College business days from the time the Accused Student is notified in writing, provided such hearing date shall be when the College is in session and shall not be during the period of final exams or during the week before final exams. If the Hearing cannot be scheduled in accordance with the foregoing because it would occur when the College is not in session or would occur during the period of final exams or during the week before final exams, the Faculty Co-Advisor shall set the Hearing for a date not less than five (5) business days after the commencement of the next College session. The College shall be deemed in session whenever any course is offered by the College on College premises. Any deviation from this timeline must be agreed upon, in writing, by both the Accused Student and the Faculty Co-Advisor of the Honor Code Review Committee.

### **Private Hearing**

Hearings shall be closed and conducted in private. Admission of any person to the hearing shall be at the discretion of the Faculty Co-Advisor of the Honor Code Review Committee, provided, however, that the Complainant, Accused Student and their advisor, if any, shall be allowed to attend the entire portion of the hearing at which information is received (excluding deliberations).

### **Hearings of Multiple Students**

In hearings involving more than one Accused Student, the Faculty Co-Advisor of the Honor Code Review Committee, his or her discretion, may permit the hearings concerning each Accused Student to be conducted separately or jointly.

### **Right to an Advisor**

The Complainant and the Accused Student have the right to be assisted by an advisor they choose from within the College community. Advisors are not permitted to speak or to participate directly in the hearing.

### **Witnesses**

The Complainant, the Accused Student and the Honor Code Hearing Committee may identify witnesses who can give testimony relevant to the facts in dispute. The Complainant, and/or the Accused Student, shall:

1. Identify such requested witnesses at least two (2) business days prior to the hearing

2. Include in request a written summary of the proposed testimony and a statement as to why it is relevant to the facts in dispute. The Faculty Co-Advisor of the Honor Code Review Committee shall determine in his/her sole discretion those persons who will give testimony at the hearing. The Faculty Co-Advisor of the Honor Code Review Committee will try to arrange the attendance of witnesses who are members of the College community, if reasonably possible, and who are identified at least two business days prior to the hearing. Non-expert witnesses are only permitted to testify about facts they observed and not their opinions about these facts. Witnesses who are not available locally during the time of the hearing, may provide their testimony by conference call provided that not less than forty-eight (48) hours prior to the scheduled hearing they have submitted a notarized affidavit which:

1. Sets forth their availability

2. Confirms their willingness to participate by conference call.

3. Offers a telephone number at which they can be reached during the hearing

**Expert Witnesses**

When special knowledge in a particular field might be helpful to the Honor Code Hearing Committee, a person having special training or experience in that field, hereafter called an "expert witness," may, in the sole discretion of the Faculty Co-Advisor of the Honor Code Review Committee, be permitted to state his or her opinion concerning those matters even though he or she has no direct knowledge of the facts in dispute. When an Accused Student or the Honor Code Hearing Committee seeks to offer expert testimony, they shall give at least three (3) business days notice to the Faculty Co-Advisor of the Honor Code Review Committee. This notice will disclose in reasonable detail:

1. The subject matter on which the subject is to testify
2. The substance of the facts that the expert assumes in reaching his or her opinion
3. The opinion and the reasons therefore
4. The qualifications of the expert witness

The Faculty Co-Advisor of the Honor Code Review Committee shall immediately provide copies of notice of expert witness to all other parties and the Honor Code Hearing Committee.

**Procedural Questions and Evidence**

Witnesses will provide information to and answer questions from the Honor Code Hearing Committee. Questions may be suggested by the Accused Student and/or Complainant to be answered by each other or by other witnesses. Such suggestions will be made to the Faculty Co-Advisor of the Honor Code Review Committee rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment. The Faculty Co-Advisor of the Honor Code Review Committee determines in his/her sole discretion whether to pose any suggested questions to the witness, or to modify or alter such suggested questions. Pertinent records, exhibits, affidavits and written statements may be accepted as evidence for consideration by an Honor Code Hearing Committee at the discretion of the Faculty Co-Advisor of the Honor Code Review Committee. Any educational records of the Accused Student or other student, if admitted into evidence, shall not be shown or published to persons other than the Honor Code Hearing Committee or other persons authorized by law to see such records, except with the consent of the student whose records are being admitted. The Faculty Co-Advisor of the Honor Code Review Committee shall instruct all persons given access to educational records of the legal prohibitions concerning redisclosure.

**Additional Rights of the Committee**

At the discretion of the Faculty Co-Advisor of the Honor Code Review Committee, the Associate Dean for Students may be present at the hearing to assist with procedure. The Faculty Co-Advisor of the Honor Code Review Committee, the Honor Code Review Committee and the Associate Dean for Students reserve right to consult with College Counsel at any time, and College Counsel, at the discretions of the Faculty Co-Advisor of the Honor Code Review Committee, may be present at Hearing for consultation on both substantive and procedural matters.

**Record of Proceedings**

There shall be a single verbatim recording, such as a tape recording, of the hearing. The recording, together with pertinent records, exhibits, affidavits and written statements accepted as evidence, shall be the Official Record of the hearing. The Official Record shall be the property of the College, and shall be preserved for a period of seven (7) years.

**Deliberations and Findings**

After the Hearing, the Honor Code Hearing Committee shall determine, by majority vote, (The Faculty Co-Advisor of the Honor Code Review Committee shall participate in deliberations but shall not have a vote), for each alleged violation of the Honor Code the Accused Student is charged with, whether the Accused Student so acted and thereby violated the charged section of the Honor Code, and the appropriate sanctions(s) for the violation. The Honor Code Hearing Committee's determination shall be made on the basis of whether it is more likely than not that the Accused Student violated the Honor Code. Decisions made by an Honor Code Hearing Committee and/or a Faculty Representative of the Honor Code Review Committee shall be final, unless appealed. Should an Accused Student be found in violation of the Honor Code, a public announcement will be made: "A student in the (blank) year was found to be in violation of the Honor Code in (blank) class and following sanctions have been imposed: (blank)." This announcement should not be made until the time period for an appeal has expired.

**Absence of the Accused**

No Accused Student may be found to have violated the Honor Code solely because the Accused Student failed to appear before an Honor Code Hearing Committee. In all cases, the evidence relevant to the charges shall be presented and considered even in the absence of the Accused Student.

## **Safety**

The Faculty Representative of the Honor Code Review Committee may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, accused Student, and/or other witness during the hearing by providing separate facilities, by using a visual screen and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, as determined in the sole judgment of Faculty Representative of the Honor Code Review Committee.

## **Appeals**

### **Written Appeal**

The Accused Student may appeal the decision of the Honor Code Hearing Committee by making a written appeal within five College business days of receipt of the Committee's original decision. This appeal must be signed and must be submitted to the Faculty Co-Advisor of the Honor Code Hearing Committee. The Faculty Co-Advisor of the Honor Code Hearing Committee will forward the appeal and all relevant documentation to the administration member of the Appellate Board.

### **The Appellate Board**

Proceedings before the Appellate Board, and the rules governing those proceedings, shall be as specific in Article IV (D) of the Student Disciplinary Code.

### **Decision**

The Appellate Board decision will be made within thirty (30) days from the receipt of the written letter of appeal.

### **Appeal to the President**

A decision reached by the Appellate Board may be appealed by the Accused Student in writing to the President within five College business days of the receipt of the Appellate Board's decision. The President shall be provided a full copy of the Official Record of the Hearing and a copy of the decision of the Appellate Board. The President may take such action as in the President's sole discretion the President deems advisable, including, but not limited to, reversing the determinations below, or upholding in whole or in part such determinations. The President may void, lessen or increase any sanctions imposed.

## **Sanctions**

### **Appropriate Sanctions**

In determining appropriate sanctions, the Honor Code Review Committee and Honor Code Hearing Committee may consider past violations of the Honor Code and Student Code of Conduct by the Accused Student. The following Sanctions may be imposed upon any student found to have violated the Honor Code, by either the Honor Code Review Committee or the Honor Code Hearing Committee.

#### **First Offense:**

- Warning –A notice in writing to the Accused Student that the student has violated the Honor Code. Any additional violations will result in additional sanctions.
- Reduction of Grade - The Student's grade for the particular assignment(s) can be lowered, at the discretion of the Committee.
- Re-assignment - The Accused Student can be required to complete the same or a similar assignment.
- Assignment Failure - The Student is assigned a grade of "F" on the assignment.
- Course Failure - The Student is assigned a grade of "F" for the course.
- Discretionary Sanction -Any additional sanction at the discretion of the Committee or the Appellate Board, as the case may be.
- Suspension - The Student may be suspended from the College for a designated period of time.
- Expulsion - The Student may be permanently expelled from the College.

#### **Second Offense:**

Any student that is found in violation of the Honor Code a second time will receive a minimum sanction of "Course Failure." If the student was assigned a "Course Failure" for their First Offense, the student may be "Expelled" from the College for a Second Offense.

#### **Third Offense:**

Any student that is found in violation of the Honor Code a third time will be permanently expelled from the College.

**Deviation from Procedures****Deviation**

Deviation from the above procedures will not invalidate a decision or proceeding unless it causes significant prejudice to the accused student, which the student must bring to the attention of the applicable panel, committee or board immediately upon belief that such prejudice occurred. In determining whether a deviation caused significant prejudice, the applicable panel, committee or board shall consider whether the course of the proceedings would have been substantially different had the deviation not occurred. The applicable panel, committee or board shall also determine whether the accused student gave adequate notice of the alleged procedural deviation. Where staggered terms are provided for herein, the appointing body may adjust initial terms of service as needed to effect such staggered terms.

**Revision to Honor Code**

This Honor Code shall be reviewed and revised as deemed necessary.

*All of the information contained herein applies to both the Albany and Vermont campuses of ACPHS, unless otherwise noted.*