

**TULANE SCHOOL OF MEDICINE  
HONOR CODE CONSTITUTION**

**ARTICLE I THE HONOR SYSTEM**

***Section 1.***

There shall be an Honor Board composed of the President and Vice President of the Medical Student Body, the president of each class, four (4) representatives of the Sophomore, Junior, and Senior classes, and two (2) representatives of the Freshman class. Said representatives are to be elected at a general election conducted by each of the respective classes. The Board shall meet as often as necessary, the meeting to be presided over by the Chief Administrator who is elected by the members of the Honor Board.

***Section 2. General Violations***

- i. It shall be a violation of this Honor Code for a student to cheat.
- ii. It shall be a violation of this Honor Code for a student to knowingly circumvent any course requirement.
- iii. It shall be a violation of this Honor Code for a student to steal.
- iv. It shall be a violation of this Honor Code for a student to purposely impair another student's educational opportunity.
- v. It shall be a violation to act in a manner which is detrimental to the moral and ethical standards of the medical profession.
- vi. It shall be a violation for a student to knowingly deceive another student, faculty member, or professional associate with the intent to gain advantage, academic or otherwise, for said student or for any other student.
- vii. It shall be a violation for any student to fail to report any infraction of the Honor System to an appropriate representative.

The following actions may be found to constitute violations of the Honor Code.

1. Sign another student's name on an attendance sheet: this includes anatomy lab, histology lab, TBL/PBL sessions, grand rounds, and any other mandatory class/clerkship or event.
2. Falsify your own attendance at the aforementioned events.
3. Take home any material from the IRAT/GRAT sessions (including photos).
4. Misrepresent the nature or amount of time worked at a service learning opportunity (for you or someone else).
5. Take photos of exam materials/keys, even if for personal use.
6. Intentionally withhold resources from other students.
7. Intentionally withhold information to gain the upper-hand over another student.
8. Fail to report a violation of the Honor Code.

**Section 3.**

The Honor Board shall act as a jury to render a decision as to the innocence or guilt of the accused, and in the event of the latter shall make recommendations for a penalty to be acted on by the Dean of the School of Medicine. The Honor Board shall have sole and final authority to judge the innocence or guilt of the accused. The Honor Board also recognizes Tulane University's "Code of Student Conduct" and may defer authority as set forth in Article IV of the by-laws, section 3.

Sanctions:

- a. General: An individual found to have violated this Honor Code shall be subject to such sanctions as may be recommended by the hearing panel and acted on by the Medical School Dean, or the Dean's designee, pursuant to rules laid out in the Bylaws of the Medical Student Body.
- b. Mandatory Sanctions: In the event of a finding of any honor code violation, a letter shall be prepared by the Chief Administrator as to the findings of the hearing panel and that letter shall be permanently placed in the student's Medical School file.
- c. Course Related Violations: In the event of a finding of an honor code violation regarding any course requirement, the hearing panel shall make any sanctions which the hearing panel deems just and fair which includes, but is not limited to, an entry of a failing, conditional, or passing grade. Consideration may be given to the opinions of the course director and investigators' meetings set forth in Article IV, section 2-h in the determination of appropriate sanctions.
- d. Other Sanctions: In addition to the mandatory sanctions set forth in section b and course sanctions set forth in section c, recommended sanctions for any honor code violation may include one or more of the following:
  - i. Permanent expulsion from the Medical School.
  - ii. Suspension from the Medical School for a specified time.
  - iii. Any other sanction or sanctions which the hearing panel deems just and fair under the circumstances.

**Section 4.**

The Honor Board shall be responsible for educating the student body on all issues concerning this honor code.

**ARTICLE II BYLAWS AND AMENDMENTS**

**Section 1.** Adoption, amendment, or repeal of bylaws may be brought about through a 2/3 vote of the Executive Committee.

**Section 2.** Amendment of this Constitution can only be accomplished by the majority vote at a general election held for that purpose.

**Section 3.** Amendments must be published two (2) weeks in advance of voting and notices must be posted throughout the School of Medicine.

**Section 4.** Bylaws may be suspended by a 2/3 vote of the Executive Committee.

**ARTICLE III MISCELLANEOUS**

**Section 1.** All matters of interpretation of this constitution shall be decided by the members of the Honor Board.

**Section 2.** Taxes, dues, and fees or revenues may be levied upon the Student Body only by consent of a majority of said body.

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|------------|---------------|------------|------------|
| Effective: | March 1935    |            |            |
| Revised:   | February 1976 | May 1987   | April 1999 |
|            | March 1977    | May 1988   | July 2014  |
|            | May 1984      | April 1991 |            |

**ARTICLE IV PRELIMINARY PROCEDURES OF THE HONOR BOARD**

**Section 1. Complaint**

- a. Only Tulane University medical students, faculty, and staff members may file a complaint.
- b. Any person witnessing a questionable violation of the Honor Code should attempt to clarify the matter with the involved party. If after clarification you still suspect an Honor Code violation, then all suspected violations shall be reported directly to the Honor Board.
- c. All complaints are to be placed in a sealed envelope marked "Honor Board Complaint" and given to any Honor Board representative or class president.
- d. The complaint shall be in writing and shall contain at least the following information:
  - i. The name of the accused, if known, or a description of the accused, if the name of the accused is not known.
  - ii. The alleged violation.
  - iii. A statement of the alleged facts on which the alleged violation is based, including time, place, and date, if known.
  - iv. A list of witnesses, if any, and a short description of other evidence, if any, tending to support the allegation.
  - v. The signature, local address, and telephone number of the complainant.
- e. All complaints shall be considered and all complainants must testify at an Honor Board hearing which may be held pursuant to the complaint.
- f. No complaint shall be considered if it is filed more than thirty days after the initial discovery of the alleged violation unless there is reasonable justification for such a

delay. Days during medical school holidays, vacations, and out-of-town externships and rotations shall not be counted.

**Section 2. Investigation**

- a. When an Honor Board representative receives a complaint, he or she shall deliver the complaint, unopened, to the Chief Administrator.
- b. The Chief Administrator shall appoint two Honor Board representatives to investigate the complaint. When possible, the investigators shall not be in the same graduation class of the involved parties.
- c. Either the Chief Administrator or one of the designated investigators must inform the accused of the investigation within five working days of the decision to begin an investigation.
- d. The entire investigation of the alleged violation shall be conducted by the two investigators. The investigators shall use reasonable discretion in carrying out a full investigation.
- e. The investigators may interview the accused, complainant, witnesses, and any other person relevant to the investigation.
- f. Both investigators shall record in writing all interviews held pursuant to the alleged Honor Code violation.
- g. Every reasonable attempt shall be made to limit dissemination of information as to the alleged violations by all parties involved, including witnesses, complainants, and the accused.
- h. In the case of a course violation, investigators may meet with the faculty member or chairperson of the course to determine their opinion on what sanctions they would deem appropriate should there be a trial and should the accused be found guilty. Such conversations shall not include the name of the accused.
- i. If the Chief Administrator is aware of prior investigations or hearings against the accused, then the Chief Administrator may disclose this information to the investigators who in turn may include a brief summary in their investigative report.

**Section 3. Hearing Determination**

- a. After completion of the investigation, the two investigators shall meet with the Chief Administrator and elect whether to refer the alleged violation(s) to an Honor Board hearing, dismiss the case, or refer the case to the Code of Student Conduct. Those violations which may be deferred to the Code of Student Conduct include, but are not limited to, areas outside of academic activities and may include actions punishable by civil or criminal authorities. (see publication of the Office of the Vice President for Student Affairs, "Code of Student Conduct")
- b. The Chief Administrator and the two investigators shall elect to refer the alleged violation(s) to an Honor Board hearing if they believe that there is sufficient evidence such that "it is more likely than not" that the accused has violated this Honor Code.

- c. A majority vote of the two investigators and the Chief Administrator shall be necessary to refer the alleged violation(s) to an Honor Board hearing. This vote shall be made by secret ballot.

**Section 4. Notification of the Accused of the Hearing**

If it is decided to proceed with a hearing, the Chief Administrator shall so notify the accused in writing at least five working days prior to the hearing date. This notice:

- a. Shall state the name of the accused.
- b. Shall state the nature of the charges against the accused.
- c. Shall state the date, time, and location of the hearing on the alleged violation(s).
- d. Shall inform the accused of the right to request appearances of witnesses (including character witnesses) on his or her behalf.
- e. Shall inform the accused that the accused may bring an advisor of his/her choice selected from the students of Tulane Medical School to the hearing. Such an advisor at the hearing in no case shall be legal counsel. The advisor may not participate in the proceeding except to advise the accused.

**Section 5. Recusal**

- a. Any Honor Board representative, whether elected or ad hoc, shall recuse himself or herself from investigating an alleged violation and/or sitting on a hearing panel when the representative feels any personal prejudice(s) may interfere with his or her objectivity. Such recusal shall be requested at the earliest possible point and shall be granted by the Chief Administrator.
- b. Any Honor Board representative, hearing panel member, and/or the accused may request that the hearing panel recuse any of its members before proceeding with a hearing. The accused will be supplied with a list of possible hearing panel members prior to the hearing. Such request, setting forth the reason for recusal, shall be made prior to the commencement of the hearing and a majority vote of the other hearing panel members, including the Chief Administrator, shall suffice to recuse a member.
- c. In the event of any removal, recusal, or other inability of an Honor Board representative to perform his or her duties with the Honor Board, the Chief Administrator shall select an Honor Board representative as a replacement for the recused.
- d. In the event of any removal or recusal of an Honor Board representative from a hearing panel, that Honor Board representative shall not be allowed to attend further hearings on that case unless called as a witness for either accused or complainant.
- e. Where the recused representative is the Chief Administrator, his or her duties shall immediately pass to the delegated Assistant Administrator for the duration of that case.

**ARTICLE V HEARING**

**Section 1. Timing**

The hearing addressing the alleged Honor Code violation(s) shall take place within a reasonable time of the decision to proceed with a hearing, taking into account the time of year, the availability of Honor Board representatives, and the needs of the accused. In the event the accused refuses to appear before the hearing panel, the trial will proceed in their absence.

**Section 2. Hearing Panel**

For each hearing based on an alleged Honor Code violation, there shall be one hearing panel which shall determine whether the accused has violated this Honor Code and, if so, what sanction(s) shall be recommended. In the event the accused has admitted guilt prior to the hearing panel, the hearing panel will still proceed in the same manner in order for panel members to hear full disclosure of information prior to deciding upon sanctions. The panel shall consist of a minimum of six members representing each class (T1-T4) of the medical school. The chief administrator is not to be counted in this number.

- a. The Chief Administrator shall preside over the hearing, but shall not vote as to whether a violation has occurred or as to recommend sanction(s).
- b. No Honor Board member shall sit on a hearing panel when he or she has investigated the alleged violation.
- c. Should there be an insufficient number of Honor Board representatives to sit on a hearing panel due to recusal, illness, or any other reason, the Vice-President, Secretary, or Treasurer, in that order, shall be appointed by the Chief Administrator, as a temporary replacement from the same class as the absent representative.

**Section 3. Hearing Procedure**

- a. General.
  - i. The Chief Administrator shall preside over the hearing and shall be present during the deliberations.
  - ii. No person shall be present in the hearing room unless he or she has been called by the hearing panel.
  - iii. The accused may address the hearing panel and may question witnesses.
  - iv. The advisor of the accused shall not address the hearing panel and shall not question witnesses.
  - v. The accused and the accused's representative or advisor shall be given the opportunity to be present at the hearing except during the deliberations of the hearing panel.
  - vi. Hearing panel members may recall investigators, complainants, the accused, and/or witnesses, but the accused must always be present when testimony is given.
  - vii. The Chief Administrator may prohibit any question if the question compromises the rights of the accused and/or does not significantly contribute to determining whether the accused has violated this Honor Code.

viii. The hearing shall be recorded by audio means. These recordings shall be used for the sole purpose of recalling information during the hearing procedure by the hearing panel. All recordings shall be destroyed after deliberations have been made.

b. Testimony.

The order of those testifying before the hearing panel shall be the following:

i. The Investigators

- a. Each investigator shall report his or her findings to the hearing panel.
- b. Each investigator shall surrender any tangible evidence to the hearing panel.
- c. After each investigator has testified, the hearing panel shall question the investigator. The accused may then question the investigator. The hearing panel may then question the investigator again.

ii. The Complainant.

- a. The complainant shall make a statement to the hearing panel.
- b. The hearing panel shall then question the complainant.
- c. The accused may question the complainant.
- d. The hearing panel may question the complainant again.

iii. The Accused.

- a. The accused may make a statement to the hearing panel.
- b. The hearing panel shall question the accused.
- c. The complainant may question the accused.
- d. The hearing panel may question the complainant again.

iv. The Witnesses.

The ordering of the witnesses shall be at the discretion of the Chief Administrator.

- a. The witness shall make a brief statement to the hearing panel relevant to the facts of the event in question.
- b. The hearing panel may question the witness.
- c. The complainant may question the witness.
- d. The accused may question the witness.
- e. The hearing panel may question the witness again.

v. Closing Statement

The complainant and then the accused may make a brief closing statement to the hearing panel.

**Section 4.** Deliberation

- a. The hearing panel shall, after reasonable discussion in closed session, vote as to whether the accused has violated this Honor Code.

- i. The hearing panel shall find that the accused has violated this Honor Code if they believe that there is “clear and convincing evidence” that the accused has violated this Honor Code.
  - ii. A vote of violation by at least two-thirds of the hearing panel members shall be required to find that the accused has violated this Honor Code. The decision as to whether the accused has violated this Honor Code shall be made by secret ballot.
- b. If the hearing panel finds that the accused has violated this Honor Code, then the accused may make a statement to the hearing panel relating to which sanction(s) the hearing panel should recommend to the Dean.
  - c. The hearing panel shall then, in closed session, after reasonable discussion, vote as to sanctions pursuant to Article V, sections 3 c and d of the Constitution. The hearing panel shall not vote as to sanctions pursuant to Article V, section b of the Constitution.
  - d. A vote of at least two-thirds of the hearing panel members shall be required to recommend other sanctions.
  - e. Deliberations of the hearing panel shall not be recorded.
  - f. With the exception of the recommendation of the accused, pursuant to section 4(b), no outside person may communicate with any hearing panel member regarding the hearing or deliberations during any part of deliberations, including, but not limited to recesses and/or the period of time between voting as to whether the accused has violated this Honor Code and voting as to sanctions.

**Section 5. Submission of findings to the Dean**

- a. If there is a finding that the accused has violated this Honor Code, the Chief Administrator shall appoint a hearing panel member to prepare a written statement of the findings and recommended sanctions. This statement, along with the recordings of the proceedings and all physical evidence, shall be submitted to the Medical School Dean, or the Dean’s designee, within one day after the hearing’s conclusion. The accused shall also be provided with a copy of the panel’s statement within one day after the hearing’s conclusion.
- b. The Dean, or the Dean’s designee, shall defer to the findings of the hearing panel and shall act on the recommended sanction(s) within a reasonable period, unless the accused has filed an appeal.

**Section 6. Appeal**

- a. The accused may appeal the finding that the accused has violated this Honor Code and/or the recommended sanction(s) to the Medical School Dean or the Dean’s designee, within seven days after the hearing’s conclusion. The Dean or the Dean’s designee shall determine the method of hearing an appeal. On any appeal to the Dean, the Dean must meet with both the accused and the Chief Administrator or a member of the Honor Board designated by the Chief Administrator.

- b. The Dean, or the Dean's designee, shall give great weight to the findings and recommendations of the hearing panel and shall not reverse a finding that the accused had violated this Honor Code absent the Dean's, or the Dean's designee, belief that such a finding was the result of bias or lack of due process. The Dean, or the Dean's designee, may only reduce the recommended sanction(s). Sanctions may be reduced in the best interest of justice or upon a finding that they were arbitrarily or capriciously imposed.
- c. The Dean, or the Dean's designee, shall notify, in writing, the Chief Administrator of this determination within seven days of hearing an appeal. The Chief Administrator will then be given the opportunity to respond to the Dean's decision. Once the Dean has heard the response of the Chief Administrator, the Dean, or the Dean's designee will notify, in writing, the accused and the Chief Administrator of this determination.
- d. If the Dean, or the Dean's designee, does alter any recommended sanction(s), the Honor Board may appeal, if it so chooses, to the Chancellor of the Medical Center.
- e. When the accused is a graduating fourth-year student, the timetable for appeal shall be expedited.

## **ARTICLE VI REVIEW OF FACULTY OR ADMINISTRATOR ACTION**

### ***Section 1. Standard***

If a faculty member reduces a student's grade or an administrator assesses any penalty against a student for any alleged conduct, which if true, would have violated this Honor Code, the student shall have the right to request that the Honor Board determine whether the alleged conduct occurred and whether it violated this Honor Code. A student is not entitled to this review if the grade was based on conduct or performance which, if true, would not have violated this Honor Code.

### ***Section 2. Review by the Honor Board***

- a. Investigation.  
An investigation will proceed in the same manner set forth in Article IV, Section 2 of the By-laws to the Constitution.
- b. Hearing.
  - i. An Honor Board hearing shall, pursuant to Article V, sections 3 & 4, determine whether the alleged conduct occurred and, if the alleged conduct did occur, whether the conduct violated this Honor Code.
  - ii. If the hearing panel finds that the conduct violated this Honor Code, the hearing panel shall, pursuant to Article V, section 4, recommend the appropriate sanction(s) (which may be greater than the reduced grade by the faculty member or the penalty assessed by the Administrator) to the Dean or the Dean's designee.

### ***Section 3. Review by the Dean***

- a. If the hearing panel finds that the alleged conduct by the student occurred, and that the conduct violated this Honor Code, this determination and the recommended sanction shall be subject to the student's right of appeal to the Dean, or the Dean's Designee, as set forth in Article V, section 6.
- b. If the hearing panel finds that the alleged conduct did not occur or, if it did occur, that it did not violate this Honor Code, the Honor Board shall so inform the faculty member or administrator involved. The faculty member or administrator shall have five days to increase the grade or reduce the penalty. If the faculty member or administrator refuses to increase the grade or refuses to reduce the penalty, or if the increase or reduction is not satisfactory to the student, the Dean, or the Dean's designee, shall decide the appropriate grade to be given or penalty to be assessed.
- c. All issues of grade changes not related to an Honor Board violation shall be referred to the Student Professionalism and Promotion Committee.

#### **ARTICLE VII HONOR BOARD FILE**

The Chief Administrator shall maintain a file which shall include a record of all complaints, findings, recommendations, appeals, and final determinations. This file shall be in the Student Executive Committee office and shall not include names of the accused, the complainant, or other witnesses. All members of the Medical School shall be permitted to review files with the Chief Administrator provided they have a legitimate reason to do so.

#### **ARTICLE VIII SELECTION OF HONOR BOARD REPRESENTATIVES**

##### ***Section 1. Composition***

The Honor Board shall be composed of twenty (20) members. These members shall include the President and the Vice-President of the Medical Student Body, the President of each class, four (4) representatives of the Second, Third, and Fourth year classes, and two (2) representatives of the First year class.

##### ***Section 2. Chief Administrator***

The Chief Administrator shall be an Honor Board representative with at least one (1) year's experience on the Honor Board. He or she shall be elected by the Honor Board members within a reasonably short period after the second, third, and fourth year representatives take office.

##### ***Section 3. Assistant Administrator***

Upon election, the Chief Administrator shall designate another member of the Honor Board with at least one (1) year's experience to preside over Honor Board activities during any period(s) that the Chief Administrator should be unable to perform his/her duties. If the Assistant Administrator is subsequently unable to perform his/her duties, then the Chief Administrator shall appoint a new Assistant Administrator to act in his/her place.

##### ***Section 4. Duration of term***

- a. The term of the first year representatives shall begin immediately upon posting of the Fall semester election results and shall end immediately upon the posting of the Spring semester election results of the following year.
- b. The term of the second year representative shall begin immediately upon the posting of the Spring election results and shall end immediately upon posting of the third year election results. It is a one-year term.
- c. The term of the third year representative shall begin immediately upon posting of the Spring semester election results and shall end upon graduation. It is a two-year term.
- d. In the event that a representative does not continue with the class that he/she represents, for any reason, his/her term will be ended and a replacement shall be elected from the class by simple majority of those voting.

**ARTICLE IX FACULTY-HONOR BOARD LIAISON**

The Faculty-Honor Board liaison shall be a member of the Executive Faculty appointed by the dean. His/her function shall be to facilitate communication and education between the Honor Board and the faculty.

**ARTICLE X REMOVAL OF HONOR BOARD REPRESENTATIVES**

**Section 1. Removal Due to an Honor Code Violation**

Any Honor Board representative found to have violated this Honor Code shall be immediately removed from his or her position with the Honor Board, upon written notice made by the Chief Administrator. Such removal shall be in addition to, and independent from, any sanction(s) recommended by the hearing panel.

**Section 2. Removal by the Student Body for Reasons Other than an Honor Code Violation**

- a. Any member of the student body may circulate a petition among members of his or her class to remove an Honor Board representative who represents his or her class. Such removal may be for any reason. The petition must include the signatures of one-fourth of the members of the respective class. Upon delivery of such a petition to the Chief Administrator, a vote shall be scheduled with the assistance of the S.E.C. (Article II, section 7). Such a vote shall be scheduled as soon as is reasonably possible.
- b. A two-thirds vote of those students voting shall be required to remove the Honor Board representative.
- c. Should the vote result in removal, the representative shall be informed, in writing, by the Chief Administrator. A replacement shall be elected within seven days, in accordance with applicable S.E.C. rules. Days during Medical School holidays and vacations shall not be counted.

Revised:

|            |            |            |               |            |
|------------|------------|------------|---------------|------------|
| May 1952   | May 1970   | March 1986 | May 1990      | April 1999 |
| April 1965 | May 1976   | May 1987   | April 1991    |            |
| April 1966 | March 1977 | May 1988   | November 1992 |            |
| May 1969   | May 1982   | April 1989 | June 1993     |            |