



Edward Via College of  
Osteopathic Medicine

VIRGINIA CAMPUS

Honor Code  
Committee

Professional and  
Ethical Standards  
Board

# Constitution of The Honor Code Committee

## I. The Edward Via College of Osteopathic Medicine Honor Code of Conduct.

(VCOM Honor Code). The VCOM Honor Code embodies a spirit of mutual trust, intellectual honesty, and professionalism between the College and the student body, and it is the highest expression of the values shared by the VCOM community. The VCOM Honor Code is based on the fundamental belief that every student is worthy of trust and that trusting students is an integral component of making them worthy of trust. It is maintained for the students by the students in order to protect their right to participate in an academic environment free from injustice caused by dishonesty. The VCOM Honor Code is upheld by the Honor Code Committee.

## II. The Honor Code Committee- (HCC). The HCC at VCOM is a standing student committee charged with three (3) fundamental responsibilities:

A. *Education.* The HCC will continually serve the College by educating students, faculty, and staff about the VCOM Honor Code. The HCC will provide incoming students with an orientation to the VCOM Honor Code and the HCC. The HCC will frequently provide faculty with updated information about the VCOM Honor Code and the HCC. The HCC will continually strive to advertise and promote knowledge about the VCOM Honor Code and the HCC.

B. *Preservation.* The HCC will continually serve the College by preserving the VCOM Honor Code. The HCC may propose amendments or changes to the VCOM Honor Code as necessary to maintain the spirit of trust, honesty, and professionalism embodied by the VCOM Honor Code. Amendments or changes shall be made only with the approval of both the President and the Dean of the College.

C. *Interpretation.* The HCC exemplifies a lifelong commitment to professionalism and peer review in order to maintain the highest level of community trust. The HCC will impartially investigate suspected violations of the VCOM Honor Code and recommend sanctions to the Dean. The HCC will ensure consistency throughout the College and protect the rights of all involved parties.

III. HCC Members. The HCC is comprised of seven (7) members from each class of the active student body and two (2) members of the Post Baccalaureate program. At the beginning of each school year the Dean shall choose the members of the HCC and shall appoint one member as Chair and another member as Vice Chair. All members of the HCC shall be trained in the procedures of the HCC to include a thorough understanding of the VCOM Honor Code and an acknowledgement of confidentiality.

A. *Members.* The members of the HCC shall be responsible for maintaining the integrity of the VCOM Honor Code by fulfilling the HCC's primary responsibilities and shall be responsible for maintaining the integrity of the HCC by always striving to be fair and just in their decisions.

B. *Chair.* The Chair of the HCC will serve as the point of contact for the administration and shall be responsible for convening committee meetings.

C. *Vice Chair.* The Vice Chair of the HCC shall be responsible for fulfilling the duties of the Chair if the Chair is unavailable.

D. *Post Baccalaureate (PB) Program Representative.* Two students shall be appointed from the post-baccalaureate program. Post-baccalaureate students can attend all HCC meetings, but as non-voting members. PB students are required to attend all cases related to post-baccalaureate students.

IV. HCC Business Meetings. The HCC must establish a quorum to convene a business meeting and must maintain a quorum to vote on business or administrative panels.

A. *Quorum.* The HCC is comprised of fourteen (14) members and will require the presence of at least eleven (11) members to hold a committee meeting. The members present must include at least the Chair or the Vice Chair. In the absence of the Chair, the Vice Chair shall be appointed the acting chair with all the associated duties and obligations for that meeting.

B. *Voting.* The Chair may poll the members present to obtain the opinion of the committee. All voting shall be verbal. If it is not possible to meet quorum for a business meeting physically, it is acceptable to achieve quorum on HCC business electronically or through telecommunications. This policy only applies to HCC business meetings and not administrative panels. Unless stated otherwise, voting shall be by a simple majority of the quorum as follows:

1. All members present, except the Chair, will cast one vote: either "yes" or "no".
2. Members may decline to vote by abstaining.
3. In the case of no majority (a tie), the Chair will cast a final vote.
4. The HCC will accept the majority opinion of the members voting as the opinion of the committee.

V. Administrative Panels. The HCC Chair will initiate administrative proceedings upon receipt of a Report of a Suspected Violation form from a member of the faculty, staff or student body.

A. *Quorum.* The HCC is comprised of 14 (fourteen) members and will require the presence of at least 11 (eleven) members to hold an administrative panel. The members present must include at least the Chair or the Vice Chair. In the absence of the Chair, the Vice Chair shall be appointed the acting chair with all the associated duties and obligations for that meeting. Administrative panels also require the presence of the lead investigator and at least one (1) support investigator for the case to be presented.

B. *Receipt.* The Chair will document the receipt of the Report of a Suspected Violation (RSV). The Report of a Suspected Violation must be submitted within two (2) weeks of the date of discovery or suspicion and within one (1) calendar month of the date of violation. Both requirements must be fulfilled.

C. *Initiation.* The Vice Chair will open a case file and appoint three (3) members of the HCC to form an investigative team. The Team shall be comprised of one (1) lead investigator and two (2) support investigators.

D. *Notification and Investigation.* The Team will investigate the suspected violation and prepare a presentation for an administrative panel of the HCC. The Team will:

1. Send a Notification of Initiation (NIA) to the Accused
2. Send a Notification of Initiation (NIR) to the Reporter
3. Collect Statement of Defense (SOD) from the Accused
4. Collect any further information they deem necessary
5. Schedule an administrative panel of the HCC
6. Send a Notification of Panel (NPA) to the Accused
7. Send a Notification of Panel (NPR) to the Reporter

E. *Administrative Panel.* The HCC will convene an administrative panel comprised of the HCC, the Accused, the Reporter, advisors, and announced witnesses. The panel shall be closed to other parties unless invited by the HCC. The panel shall be recorded in its entirety. The Chair will conduct the panel.

1. The Chair will convene the panel and introduce the panel members.
2. The Reporter may make an opening statement summarizing the accusation.
3. The Accused may make an opening statement summarizing his/her explanation.
4. The Team will present the facts collected.
5. There shall be an open discussion in which all parties present may ask questions to clarify the facts presented.
6. The Reporter may make a closing statement summarizing the accusation.
7. The Accused may make a closing statement summarizing his/her explanation.
8. The Chair will conclude the panel and excuse the Accused, the Reporter, advisors, announced witnesses, and stop the recording.

F. *Recommendation.* Immediately following the panel, the HCC will determine what action shall be recommended to the Vice Dean.

1. The HCC will discuss the case until all members present are satisfied.
2. The Chair will poll the members present with the question: "Do you believe the accused is guilty of the suspected violation?"
  - i. Ten (10) members shall be chosen at random from the members present, not to include the Chair. Each member chosen will cast one vote either "yes" or "no". Members chosen may not abstain.
  - ii. HCC members shall vote "yes" only if they believe there is a preponderance of reasonable evidence to support the accusation. HCC members shall vote "no" if they cannot reach this conclusion.

3. Fewer than seven (7) votes of “yes” indicate that the HCC believes the accused to be not guilty of the suspected violation.

i. In this case, the HCC will recommend the following: “No offense has occurred, no action is recommended.”

4. Seven (7) or more votes of “yes” indicate the HCC believes the accused to be guilty of the suspected violation.

i. The HCC will discuss possible classification until all members present are satisfied. The Chair will accept a motion requiring a second to classify the offense. The Chair will poll the members present with the question: “Do you agree with this classification?” This process shall continue until classification is determined.

ii. The HCC will discuss possible sanctions until all members present are satisfied. The Chair will accept a motion requiring a second to recommend certain sanctions to the Dean. The Chair will poll the members present with the question: “Do you agree with these sanctions?” This process shall continue until sanctions are determined.

iii. In this case, the HCC will recommend the classification and sanctions agreed upon by the members present.

5. All members present will sign the Final Committee Recommendation (FCR) indicating their opinion.

*G. Finalization and Notification.* The Chair will finalize the recommendation with the Vice Dean.

1. The Chair will submit the FCR to the Vice Dean. The Vice Dean will accept or amend the recommendations and approve the FCR.

2. The Chair will send a Notification of Recommendation (NRA) to the Accused.

3. The Chair will send a Notification of Recommendation (NRR) to the Reporter.

i. The Reporter shall be notified of overall outcome only.

4. Sanctions shall be enforced by the administration.

*H. Termination.* The Vice Chair will hold the case open until all sanctions are complete.

The Vice Chair will then:

1. Receive the Final Sanction Resolution (FSR) from the Vice Dean.

2. Send a Notification of Closure to the Accused (NCA).

3. Terminate committee proceedings by closing and filing the case.

VI. Classification and Sanctions. The HCC ranks violations according to class so as to help maintain consistency. Each class has recommended sanctions; both the classification and sanctions of any violation may be altered for various reasons.

*A. Classification and Sanctions.* The HCC recognizes the following classifications and recommended sanctions:

1. Class I offense

i. Type of offense: Minor offense, does not include cheating.

ii. Recommended sanctions: HCC education on offense and necessary corrective behaviors (given verbally and in writing); 25 hours of college service as assigned by the Vice Dean.

2. Class II offense

i. Type of offense: Significant offense, may include cheating or plagiarism or unprofessional behaviors.

ii. Recommended sanctions: HCC education on offense and necessary corrective behaviors (given verbally and in writing); 50 hours of college service as assigned by the Dean; zero grade on assignment if applicable.

3. Class III offense

i. Type of Offense: Major offense of unethical, illegal or professional misconduct or repeated Class I or II offenses.

ii. Recommended sanctions: HCC education on offense and necessary corrective behaviors (given verbally and in writing); a zero grade for the course may be given, and the student may be required to repeat the course if applicable. If a major offense of professional or ethical conduct is found to have occurred or remains in question, the case shall be elevated to the Professional and Ethical Standards Board with recommendations which may include suspension or expulsion.

*B. Alteration of Classification or Sanctions.* Possible reasons for altering classification or sanctions include but are not limited to:

1. Classification may be increased for any of the following reasons:

i. Premeditation of a violation.

ii. Recruiting another student to violate the VCOM Honor Code.

iii. Unauthorized entry during the commission of a violation.

iv. Endangering or threatening a member of the faculty, staff or student body.

v. To maintain the spirit of the VCOM Honor Code.

2. Classification may be decreased for any of the following reasons:

i. Block 1 or Block 2 student.

ii. To maintain the spirit of the VCOM Honor Code.

3. Sanctions may be altered to maintain the spirit of the VCOM Honor Code.

VII. Rights and Obligations of the Accused. Any member of the student body who is accused of a VCOM Honor Code violation and brought before the HCC shall be granted these rights and shall be bound by these obligations:

*A. Rights of the Accused:*

1. To decline to speak about the suspected violation outside the HCC.

2. To be treated as if no violation has occurred until determined otherwise.

3. To speak on his/her own behalf and to refrain from serving as a witness against himself/herself.

4. To be advised by any member of the College the accused chooses and who agrees to advise, to seek counsel from his/her advisor, and to expect such counsel to be kept confidential.

5. To receive written notice of initiation of committee proceedings.

6. To receive a copy of all the evidence to be presented at the administrative panel, to be present for the presentation of the evidence at the administrative panel, and to have the decision of the HCC be based solely on the evidence presented at the administrative panel.

7. To question the reporter and any witnesses at the administrative panel.

8. To receive written notice of the decision of the HCC.

9. To receive no retaliation from any involved party at any time.

*B. Obligations of the Accused:*

1. To cooperate with the HCC.
2. To refrain from approaching any involved party about the suspected violation outside of the HCC.
3. To be present at the administrative panel if called to appear.
4. To refrain from retaliation against any involved party at any time.

VIII. Rights and Obligations of the Reporter. Any member of the faculty, staff or student body who submits an accusation to the HCC shall be granted the following rights and agrees to be bound by the following obligations.

*A. Rights of the Reporter:*

1. To decline to speak about the suspected violation outside the HCC.
2. To be kept informed of the HCC progress on the suspected violation.
3. To have the issue resolved in a timely fashion.
4. To be advised by any member of the College who agrees to advise, with the exception of HCC members.
5. To receive no retaliation from any involved party at any time.

*B. Obligations of the Reporter:*

1. To keep the matter confidential, and discuss it only with appropriate HCC personnel.
2. To cooperate with HCC.
3. To be present at the administrative panel, and to face the accused at the panel.
4. To treat the accused as if no violation has occurred until determined otherwise.
5. To refrain from retaliation against any involved party at any time.

IX. Rights and Obligations of an Advisor. Any member of the faculty, staff, or student body who agrees to advise, with the exception that HCC members may not serve as advisors, shall be granted the following rights, and agrees to be bound by the following obligations:

*A. Rights of an Advisor:*

1. To decline to speak about the suspected violation outside the HCC.
2. To decline advice or terminate advising at any time.
3. To receive no retaliation from any involved party at any time.

*B. Obligations of an Advisor:*

1. To keep the matter confidential, and discuss it only with the advisee and appropriate HCC personnel.
2. To cooperate with the HCC.
3. To refrain from retaliation against any involved party at any time.

X. Rights and Obligations of an Announced Witness. Any member of the faculty, staff or student body who appears as an announced witness shall be granted the following rights and shall be bound by the following obligations.

A. *Rights of an Announced Witness*:

1. To decline to speak about the suspected violation outside the HCC.
2. To speak on his/her own behalf and to refrain from serving as a witness against himself/herself.
3. To receive no retaliation from any involved party at any time.

B. *Obligations of an Announced Witness*:

1. To keep the matter confidential, and discuss it only with appropriate HCC personnel.
2. To cooperate with the HCC.
3. To be present at the administrative panel if called to appear.
4. To refrain from retaliation against any involved party at any time.

XI. Waiver of Panel. Accused students may not waive appearance at the administrative panel.

XII. Appeals. Students may appeal the Vice Dean's decision on the FSR in writing to the Dean of the College. The alleged offender has the right to supply the Dean with any additional written information or appeal within five (5) academic days of notification of recommendation. The Dean has discretionary power to uphold or modify the decision within a reasonable time. The Dean's decision concerning the appeal is final. The student will receive written notice of the decision of the Dean. The Dean reserves the right to obtain outside legal opinions on the case and the decisions that have been made, and to delay decision until such time counsel has responded. Students may appeal on one or more of the following grounds: violation of rights granted by the HCC, new evidence not available at the time of the administrative panel, arbitrary or capricious treatment by the HCC, or extenuating circumstances.

XIII. Professional and Ethical Standards Board- (PESB). The PESB is charged with resolving any major offense of professional or ethical conduct and is a separate and different entity. At any time any open case may be elevated to the PESB at the request of the Dean. The Dean may request the HCC remain involved in the investigation, but final determination will rest with the PESB. Elevation must occur in any case in which the HCC recommends suspension or expulsion.

XIV. Extenuating Circumstances. In some circumstances the HCC may modify the regular procedure as necessary to uphold the spirit of the VCOM Honor Code along the following guidelines:

- A. *Call for Termination*: At any time in a committee meeting the HCC may terminate proceedings on any open case. Any member may move to terminate proceedings, and following a second, the Chair will poll the members present with the question: "Shall proceedings be terminated in this case?" A unanimous vote is required to terminate proceedings and indicates that the HCC believes the accused to be not guilty of the suspected violation. If proceedings are terminated, all members voting will sign the Final Committee Recommendation (FCR) indicating their opinion with the

following recommendation: “No offense has occurred, no action is recommended.” The case will immediately proceed to Finalization, Notification, and Termination.

- B. *Recuse for Bias*: At any time any member of the HCC may recuse himself/herself from committee proceedings on any open case to eliminate any source of perceived bias. Recused individuals may participate in committee proceedings, but shall not investigate the case nor vote at the administrative panel. Recused individuals do not count toward quorum.
- C. *Remove for Bias*: At any time any member of the HCC may remove himself/herself completely from all HCC actions on any open case to avoid perceived bias. Any member accused of a suspected violation shall be removed. Removed individuals shall not act as a member of the HCC in any capacity until recommendation is determined.
- D. *Call for Mis-Panel*: At any time the Chair of the HCC may declare a mis-panel when the spirit of the VCOM Honor Code is not being upheld. Possible causes of a mis-panel include, but are not limited to, the following: violation of procedure, violation of confidentiality, violation of any involved parties rights, badgering or other unprofessional behavior at the administrative panel, or malicious intent to deceive. In the event of a mis-panel, the HCC must vote to determine the proper course of action. Possible resolutions of a mis-panel include, but are not limited to, the following:
  - sending the case back for further investigation, re-scheduling a new administrative panel, or
  - immediate elevation to the Professional and Ethical Standards Board.
- E. *Ability to Interpret Proceedings*: At any time the Chair of the HCC may interpret any HCC procedure found to be questionable, ambiguous or in conflict. The Chair of the HCC will interpret the procedure in such a way as to uphold the spirit of the VCOM Honor Code until the procedure can be clarified.
- F. *Ability to Modify Proceedings*: At any time the Dean may modify any HCC procedure to uphold the spirit of the VCOM Honor Code. Possible modifications include, but are not limited to, the following: temporary appointments within the HCC, temporary appointments to the HCC, modification of procedure to facilitate investigation, or modification of procedure to facilitate an administrative panel.

#### XV. *Definitions.*

A. *Accused*: The student accused of a suspected violation of the VCOM Honor Code with all the rights and obligations thereof.

B. *Reporter*: The member of the faculty, staff, or student body who reports a suspected violation of the VCOM Honor Code with all the rights and obligations thereof.

C. *Advisor*: Any member of the faculty, staff, or student body who agrees to give advice with all the rights and obligations thereof. The advisor serves as a third party that an accused student or a reporter can go to for confidential counsel. The advisor may come to panel to serve as support and guidance but shall not answer for other parties.

D. *Announced Witnesses*: Any person who accepts an invitation to address an administrative panel of the HCC to speak about the case at hand with all the rights and obligations thereof. Members of the faculty,

staff, and student body may be required to serve as announced witnesses. All announced witnesses must be arranged prior to the administrative panel and may be required to submit a written statement into evidence. The HCC believes all students are inherently trustworthy, and character witnesses are neither necessary, nor allowed.

E. *Classification Alteration*: the possible but not mandatory alteration of the classification of an offense.

1. *Premeditation*: Planning to do an act before the act is carried out. Premeditation assumes persistence in carrying out a plan decided upon before the act began. The ability to correct a spontaneous violation but a failure to do so does not indicate premeditation because premeditation requires intent before the act.

2. *Recruiting*: Convincing another student to violate the VCOM Honor Code when it is reasonable that the other student would not have violated the VCOM Honor Code if not convinced.

3. *Unauthorized Entry*: Entering into the possessions of a member of the faculty, staff or student body without permission. Possessions may include but are not limited to: notebooks, computers, filing cabinets, offices, vehicles, and homes. It is not necessary to prove permission was required, only that it was reasonable to assume permission should have been obtained.

4. *Endangering or Threatening*: Endangering or threatening harm either physically or professionally.

5. *Block 1 or Block 2 Student*: Any violation committed during the first or second block after admission.

F. *Academic Day*: Any day on which the College expects students to attend regularly scheduled academic classes.

G. *Abstain*: To refrain from voting. To abstain does not count as a vote. In the context of a vote by simple majority, the member abstaining is not counted as a voting member.

H. *Arbitrary or Capricious*: That which is impulsive, unpredictable, unaccountable, illogical, or without reason.

I. *Date of Discovery or Suspicion*: The first date on which a violation of the VCOM Honor Code was suspected or discovered.

J. *Date of Violation*: The date on which the violation of the VCOM Honor Code was committed.

K. *Email: Electronic Mail*. The email account assigned to a student by the College is considered secure and confidential and is a valid form of contact. Students are expected to check this account regularly for official statements from the College including HCC correspondence.

L. *Majority*: Greater than one half. Less than or equal to one half is not a majority. A tie vote does not have a majority either way and requires a final “tie-breaker” vote to determine a majority.

M. *Preponderance*: Superiority in numbers or having greater weight; greater than 50%.

N. *Recuse*: To disqualify oneself from proceedings to avoid any perceived bias.

O. *Retaliate*: To take revenge for a perceived wrong. Retaliation is considered unethical behavior and constitutes a separate violation of the VCOM Honor Code.

P. *Unanimous*: In complete agreement; all members vote the same. To dissent or abstain indicates a disputed (not unanimous) opinion.

XVI. Amendments. Amendments or changes to this document may periodically be suggested by the HCC to uphold the high level of trust, honesty and professionalism embodied by the VCOM Honor Code. Amendments or changes must be approved by the HCC, the President, and Dean of the College. Updated copies shall be distributed after any change.

