

University of Louisiana at Monroe
College of Pharmacy
Code of Ethical and Professional Conduct

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1.00 PREAMBLE

- 1.01 A student pharmacist holds the health and safety of patients to be of primary importance. The student renders to each patient the full measure of his/her ability as an essential health care practitioner.
- 1.02 A student pharmacist strives to gain professional knowledge and to render the best professional judgment.
- 1.03 A student pharmacist is required to obey federal, state, and local statutes and ordinances both on and off campus, to uphold the dignity and honor of the profession, and to accept its ethical principles. The student shall not engage in any activity that will discredit the profession. The student shall expose, without fear or favor, illegal and unethical conduct in the profession.
- 1.04 Pharmacists do not learn to be professionals upon completion of academic courses or through issuance of a license. Instead, the internalization of the concept of professionalism must occur as a part of the professional education process so that student pharmacists carry these concepts with them into the profession. It is the student pharmacist's responsibility to develop a selfless sense of service that demands personal excellence and accountability.
- 1.05 The principles of professional conduct for students of the College of Pharmacy have been established to guide the student in his/her relationship with fellow students, faculty, staff, practitioners, other health care professionals and the public. Toward this end, the students and faculty of the College of Pharmacy have adopted this Code of Ethical and Professional Conduct, hereafter referred to as the "Code."
- 1.06 Primary core values that every student pharmacist must possess include honesty, integrity, responsibility, competence and respect for people.
- 1.07 By enrolling in the College of Pharmacy, a student accepts these professional standards and requirements as a prerequisite for continued enrollment in the pharmacy curriculum and graduation. Failure to meet these standards and requirements may result in sanctions of dismissal, suspension, probation or lesser sanctions by the College of Pharmacy.
- 1.08 In all disciplinary hearings, students are considered innocent until allegations of policy violation have been proven by a preponderance of evidence.

2.00 PLEDGE

- 2.01 As a condition of acceptance to the College of Pharmacy, the applicant shall be required to sign a pledge that shall read as follows:
- 2.01.01 This is to certify that I have read and understand the Code of Ethical and Professional Conduct of the ULM College of Pharmacy, and further, I agree to uphold and abide by the provisions contained therein, effective immediately and until my enrollment in the College of Pharmacy is terminated.
- 2.01.02 The Office of the Dean will deny admission into the professional program of the College of Pharmacy to any student who refuses to sign the pledge.
- 2.02 During the orientation program provided for incoming students, or sometime prior to enrollment in the professional program, a "Reaffirmation of Pledge" shall be signed by each new student and shall read as follows:
- 2.02.01 I reaffirm my acceptance and understanding of the Code of Ethical and Professional Conduct of ULM College of Pharmacy, and further, I agree to uphold and abide by the provisions contained therein until my enrollment in the College of Pharmacy is terminated.

- 2.02.02 The Office of the Dean will deny admission to any student who refuses to sign the reaffirmation as required in Section 2.02.
- 2.03 The Office of the Dean will administer and maintain all records pertaining to the pledge (Section 2.01) and reaffirmation (2.02).

3.0 VIOLATIONS

- 3.01 Violations of the School of Pharmacy Code of Ethical and Professional Conduct pertaining to academic honesty include but are not limited to:
 - 3.01.1 The receipt, possession or use of any material or assistance not authorized by the instructor in the preparation of papers, reports, examinations, or any class assignment to be submitted for credit as a part of a course or to be submitted to fulfill School of Pharmacy requirements. The receipt, possession or use of any aid or material prohibited by the instructor while an examination or quiz is in progress.
 - 3.01.02 Knowingly giving assistance not authorized by the instructor to another in the preparation of papers, reports, or laboratory data and products.
 - 3.01.03 Knowingly giving assistance not authorized by the instructor to another while an examination or quiz is in progress.
 - 3.01.04 Lending, giving, selling or otherwise furnishing to another any material or information not authorized by the instructor which can be shown to contain the exact questions or answers to any examination or quiz scheduled to be given at a subsequent date.
 - 3.01.05 The submission of papers, reports, projects or similar course requirements, or parts thereof, that is not the work of the student submitting them. Also, the use of direct quotations or ideas of another in materials to be submitted for credit without appropriate acknowledgment.
 - 3.01.06 Knowingly submitting a paper, report, examination or any class assignment that has been altered or corrected, in part or in whole, for reevaluation or regrading.
 - 3.01.07 Altering or attempting to alter an assigned grade on any official School of Pharmacy or University record.
 - 3.01.08 The instructor may delineate in advance other actions he/she considers to be a violation of the Code.
- 3.02 Violations of the School of Pharmacy Code of Professional Conduct pertaining to professional conduct include:
 - 3.02.01 Purposely falsifying applications, forms or records prior to admission to the School of Pharmacy, or while enrolled in the School's professional programs.
 - 3.02.02 Knowingly producing false evidence (or rumors) against another or providing false statements or charges in bad faith against another. Knowingly publishing or circulating false information concerning any member of the University faculty, student body, staff or community.
 - 3.02.03 Contributing to, or engaging in, any activity which disrupts or obstructs the teaching, research or extension programs of the School of Pharmacy or University, either on the campus or at affiliated training sites.
 - 3.02.04 Threatening or purposely committing physical violence against any member of the University faculty, student body, staff, or community.
 - 3.02.05 Misusing or misrepresenting one's status as a Pharmacy student or the right to use any University property and facilities.
 - 3.02.06 Stealing, damaging, defacing, or unauthorized use of any property of the School of Pharmacy or University. Diversion of any School of Pharmacy or University property to one's own use.
 - 3.02.07 Engaging in any facet of Pharmacy practice prior to graduation unless under the direct supervision of a licensed practitioner or otherwise allowed by law.
 - 3.02.08 Intentionally revealing the names of the charging party, the accused, witnesses or the facts

- involved in an alleged violation except in accordance with the provisions of this Code, or revealing the confidential proceedings of an Honor Board hearing.
- 3.02.09 Failure to report known violations of the School of Pharmacy Code of Ethical and Professional Conduct.
- 3.02.10 Suspicious Activity: If someone witnesses suspicious behavior but is uncertain of an Honor Code violation, the person may informally report the behavior to an Honor Board member. The Honor Board member will counsel with the suspected student and advise the student that such actions are suspicious and, if continued, may lead to a formal complaint. An Honor Board member receiving a report of suspicious behavior must notify the Honor Board Chairperson before counseling the student.
- 3.02.11 Use, possession, or participating in the trafficking of illegal drugs or substances.
- 3.02.12 Unauthorized accessing of information about faculty, staff, or students of the School of Pharmacy, or patients/clients, that is private or confidential.
- 3.02.13 Unauthorized revealing of information about faculty, staff, or students of the School of Pharmacy, or patients/clients, that is private or confidential

4.00 SANCTIONS AND RECORDS

- The following sanctions, alone or in combination, may be imposed for violation of the Code by the Dean of the School of Pharmacy upon recommendation by the Board of Ethical and Professional Conduct:
- 4.01 Reprimand with inclusion of a letter of reprimand in the student's file that is maintained in the Dean's Office for a period of time designated by the Dean. This letter will remain in the student's file for not less than the following two academic terms of residence.
- 4.01.01 It will be the responsibility of the student to request removal of the letter of reprimand from his/her file after the designated time period. Such requests must be submitted in writing to the Dean of the School of Pharmacy.
- 4.02 Assignment of a grade of "F" in the course in which the violation(s) occurred.
- 4.03 Assignment of a grade of "F" in the course in which the violation(s) occurred and a notation of "assigned for academic dishonesty" placed on the student's transcript for a designated period of time.
- 4.03.01 It will be the responsibility of the student to request removal of the notation of sanction associated with the assignment of a grade of "F" after the designated time period. Such requests must be submitted in writing to the Dean of the School of Pharmacy.
- 4.04 Disciplinary probation for a stated period of time which will include loss of privilege to represent the School of Pharmacy, hold an elected office or appointment to any School committee or participation in the School's extracurricular activities. A notation of the conditions of probation will be included in the student's record. A student who fails to abide by the conditions of his or her probation will be subject to further disciplinary action, including suspension or expulsion.
- 4.04.01 It will be the responsibility of the student to request removal of the notation of probation after this sanction has expired. Such requests must be submitted in writing to the Dean of the School of Pharmacy.
- 4.05 Suspension from the School of Pharmacy for a stated period of time during which the student will not be allowed to take any courses in the School of Pharmacy. Furthermore, the School of Pharmacy will not accept credit for any coursework that was completed by the student at ULM or any other institution while he/she was suspended from the School. The appropriate notation of "suspension for academic dishonesty" or "suspension for violation of the code of professional conduct" will be placed on the student's transcript
- 4.05.01 It will be the responsibility of the student to request removal of the notation of suspension after

this sanction has expired. Such requests must be submitted in writing to the Dean of the School of Pharmacy.

- 4.06 Expulsion from the School of Pharmacy. Expulsion for violation of the Code will be noted permanently on the student's transcript.
- 4.07 If a student has been subjected to sanctions for violation of the Code previously, the minimum sanction for the violation will be suspension.
- 4.08 Sanctions including probation, suspension and expulsion will apply only to the School of Pharmacy and its academic programs.
- 4.09 Letter of Warning: The School of Pharmacy Board of Ethical and Professional Conduct reserves the option to issue a letter of warning to a student in the event of multiple complaints describing suspicious behavior, as in Section 3.02.10, but without a guilty verdict. The purpose of this letter is to notify and warn a student that his or her behavior is raising concern among his or her classmates that the activity in question may be in violation of the Honor Code. If the activity of behavior continues, a formal notice of charge may follow.

5.00 THE BOARD OF ETHICAL AND PROFESSIONAL CONDUCT

- 5.01 Composition of the Board of Ethical and Professional Conduct hereafter referred to as the "Board."
 - 5.01.01 The Board will consist of eight (8) student pharmacist members and three (3) faculty members. Two student members and one alternate will be elected to represent the P1 class. Two student members and one alternate will be elected to represent the P2 class. Two student members (one to be appointed Student Co-Chairperson) and one alternate will be elected to represent the P3 class. Two student members and one alternate will be elected to represent the P4 class. One faculty member and an alternate will be appointed by the Dean to represent each of the three academic departments of the College of Pharmacy. A fourth faculty member will be named the Faculty Co-Chairperson, and will not be a voting member of the Board except to break a tie.
 - 5.01.02 Student Elections
 - 5.01.02.01 The student members and student alternates will be elected each year in elections conducted by the Pharmacy Student Senate of the College of Pharmacy by the process described below. The results of the elections will be forwarded to the Dean by the President or Vice-President of the Student Senate within one week. Each student member and alternate elected will serve a one-year term beginning immediately following the end of the spring semester for P2, P3, and P4 students, and immediately following the election for P1 students. If a vacancy occurs during the year, the Dean will appoint a replacement to complete the term.
 - 5.01.02.02 PROFESSIONAL YEAR P1: Within the first two (2) weeks of the fall semester, the Senate will call for nominations of P1 students to represent their class on the Board. After the nominations are closed, the President or Vice-President of the Senate will contact each nominee to determine their willingness to serve on the Board. The Senate will then prepare a ballot listing the names of all nominees willing to serve and conduct an election within one week of the close of nominations in which only members of the P1 class are eligible to vote. The nominees who receive the first and second highest number of the votes will be elected as the P1 student members, and the nominee who receives the third highest number of votes will be elected as an alternate member.
 - 5.01.02.03 PROFESSIONAL YEAR P2: Within the last five (5) weeks of the spring semester, the Senate will call for nominations of second semester P1 students to represent their class on the Board during their P2 year. Two weeks will be allowed for placement of names in nomination. After the nominations are closed, the President or Vice-President of the Senate will contact each nominee

to determine their willingness to serve on the Board. The Senate will then prepare a ballot listing the names of all nominees willing to serve and conduct an election within one week of the close of nominations in which only members of the P1 class are eligible to vote. The nominees who receive the highest and second highest number of the votes will be elected as the P2 student members and the nominee who receives the third highest number of votes will be elected as the P2 alternate member.

- 5.01.02.04 PROFESSIONAL YEAR P3: Within the last five (5) weeks of the spring semester, the Senate will call for nominations of second semester P2 students to represent their class during their P3 year. Two weeks will be for placement of names in nomination. After the nominations are closed, the President or Vice-President of the Senate will contact each nominee to determine their willingness to serve on the Board. The Senate will then prepare a ballot listing the names of all nominees willing to serve and conduct an election within one week of the close of nominations in which only members of the P2 class are eligible to vote. The nominees who receive the highest and second highest number of the votes will be elected as the P3 student members (one to be designated as Student Co-Chairperson by the Dean as stipulated in Section 5.01.4) and the nominee who receives the third highest number of votes will be elected as the P3 alternate.
- 5.01.02.05 PROFESSIONAL YEAR P4: Within the last five (5) weeks of the spring semester, the Senate will call for nominations of second semester P3 students to represent their class on the Board during their P4 year. Two weeks will be allowed for placement of names in nomination. After the nominations are closed, the President or Vice-President of the Senate will contact each nominee to determine their willingness to serve and conduct an election within one week of the close of nominations in which only members of the P3 class are eligible to vote. The nominees who receive the highest and second highest number of votes will be elected as the P4 members and the nominee who receives the third highest number of votes will be elected as the P4 alternate member.
- 5.01.03 The faculty members and faculty alternates will be appointed to three-year, staggered terms by the Dean. All necessary faculty appointments will be made by the end of the second full week of September.
- 5.01.04 Each year the Dean will appoint one of the P3 student members as Student Co-Chairperson and a Faculty Co-Chairperson.
- 5.01.04.01 The term for the Faculty Co-Chairperson will be one year
- 5.01.04.021 Upon completing the appointment as Faculty Co-Chairperson, the Faculty Co-Chairperson will remain on the Board in an ex-officio advisory capacity for one year following his/her tenure as Faculty Co-Chairperson.
- 5.02 Eligibility to Serve on the Board
- 5.02.01 To be eligible to serve on the Board, the student must be in good standing with the University and College of Pharmacy.
- 5.02.01.01 The term good standing indicates that the student is not under academic sanctions and has not been sanctioned for ethical and professional misconduct during their tenure in the College of Pharmacy.
- 5.02.02 If a committee member admits guilt or is found guilty of an honor code violation, then he/she shall no longer serve on the committee unless he/she is specifically allowed to continue by the Dean. In that case, the alternate representing the appropriate pharmacy class shall serve the remainder of the removed student's term.
- 5.02.03 In the event that any member or alternate cannot complete his/her term, the Dean will make the appointments necessary to fill the vacancies.
- 5.03 Responsibilities of the Faculty Co-Chairperson:

- 5.03.01 To provide an orientation to the Code of Ethical and Professional Conduct to incoming students each year, and to orient members of the Board concerning the Code of Ethical and Professional Conduct and processes of the Board each academic year
- 5.03.02 To call all regular and special meetings of the Board and to preside at all meetings.
- 5.03.04 To record the minutes of all regular and special meetings held by the Board.
- 5.03.05 To submit to the Dean in a timely manner, a written report of all findings and recommendations of the Board.
- 5.03.06 To assist the Office of the Dean in the dissemination of information concerning the provisions of the Code.
- 5.04 Responsibilities of the Student Co-Chairperson:
 - 5.04.01 Notification of Board members of all regular and special meetings.
 - 5.04.02 To assist the Faculty Co-Chairperson in recording the minutes of all regular and special meetings held by the Board.
 - 5.04.03 To receive and review, with the Faculty Co-Chairperson, all notifications of alleged violations of the Code, and to assist the Faculty Co-Chairperson in the notification of all parties involved in the alleged violation as described in Sections 11.00 and 12.00.
 - 5.04.04 To assist the Faculty Co-Chairperson of the Board and the Office of the Dean in the notification of witnesses who are to be present at a hearing.
- 5.05 Responsibilities of the Board:
 - 5.05.01 All members and alternates should assist the Faculty Co-Chairperson, Student Co-Chairperson and Office of the Dean with the dissemination of information concerning the provisions of the Code.
 - 5.05.02 All members and alternates may attend and participate in all called meetings of the Board, excluding hearings (Section 5.05.03).
 - 5.05.03 To hear cases of alleged violations of the Code:
 - 5.05.03.01 Hearings requested by students charged with violation of the Code will be heard by a Board Hearing Committee that will consist of the Faculty Co-Chairperson, Student Co-Chairperson, and the other student and faculty members of the Board. Board members and/or their alternates are required to attend all hearings in which a student is charged with a violation of the Code. P4 Board members may attend meetings in person, via telecommunication or other electronic means.
 - 5.05.03.02 In the event that a student or faculty Board member is excused from hearing a case, the Faculty Co-Chairperson will appoint the alternate to represent the appropriate pharmacy class as a member of the Board Hearing Committee in place of the excused or absent member.
 - 5.05.03.03 In the event that a member of the Board Hearing Committee is involved as a charging party or witness or is the accused in the violation to be heard by the committee, the Faculty Co-Chairperson will excuse that member and appoint the alternate to represent the appropriate pharmacy class as a member in place of the excused member.
 - 5.05.03.04 In the event the Faculty Co-Chairperson is involved as a charging party or witness, or is the accuser in the violation to be heard by the committee, the Student Co-Chairperson will excuse the Faculty Co-Chairperson. In this case, the Dean will appoint a temporary Faculty Co-Chairperson.
 - 5.05.03.05 In the event the Student Co-Chairperson is involved as a charging party or witness, or is the accused in the violation to be heard by the committee, the Faculty Co-Chairperson will excuse the Student Co-Chairperson and will appoint the alternate from the P3 Class to serve as a member of the Board, and the Dean of the College of Pharmacy will appoint a temporary Student Co-Chairperson from the regular members of the Board.
 - 5.05.03.06 If neither a member nor alternate can be present to hear a case, the Board Hearing Committee

may proceed provided the Faculty Co-Chairperson, and four other members, or duly appointed alternates, are present.

5.05.03.07 Board Hearing Committee members or duly appointed alternates must be present during the entire hearing process to participate in subsequent deliberations.

5.05.03.08 All recommendations of the Board Hearing Committee will be determined by simple majority vote. Each member present will cast a vote of guilty or not guilty. The Faculty Co-Chairperson does not have a vote except in instances where the committee vote results in a tie.

5.05.03.09 All recommendations and findings of the Board Hearing Committee will be forwarded to the Office of the Dean in a timely manner by the Faculty Co-Chairperson.

6.00 RESPONSIBILITIES OF THE OFFICE OF THE DEAN

6.01 To administer the pledge (Section 2.01) and the reaffirmation of the pledge (Section 2.02) to all students entering the professional programs of the College of Pharmacy.

6.02 To provide information concerning the provisions of the Code and modifications of the Code to faculty, students and staff of the College of Pharmacy.

6.03 To assist the Board Hearing Committee and any party involved in cases of alleged violation of the Code if such assistance is requested at a reasonable time prior to the scheduled hearing (12.05).

6.04 To maintain confidential files regarding violations of the Code and all records concerning the findings and recommendations of the Board Hearing Committee.

6.04.1 All records concerning violations of the Code will be filed for a period of six (6) years following hearing the case. Access to these records will be limited as indicated by applicable law, University policy concerning student records, and the provisions of the Code.

6.05 To notify the accused party and the charging party of Board Hearing Committee recommendations and to implement sanctions as described in Section 15.00.

6.06 To hear all appeals as described in Section 15.00.

6.07 To implement all sanctions as described in Section 4.00.

7.00 HEARING

A student has the right to a hearing for any charge of violation of the Code. If the student desires a hearing, he/she must file a written request with the Faculty Co-Chairperson of the Board as set forth in Section 11.03. The right of a student to be heard will be waived if such a request is not filed within the time required by Section 11.03.

8.00 RIGHTS OF THE ACCUSED PARTY:

8.01 The party accused of a violation of the Code has the following rights:

8.01.01 The right to be informed in writing of the specific charge or charges made against him/her and of any sanctions recommended by the charging party.

8.01.02 The right to be informed in writing of the right of hearing, procedures involved in the hearing and the names of known witnesses.

8.01.03 The right to receive written notice of the time and place of the hearing regarding the charge or charges if a hearing is requested by the student.

8.01.04 The right to be accompanied by a member of the faculty, the student body of the institution or outside counsel. Such advisors may consult with their advisees, but may neither speak for them nor participate in the proceedings directly, unless the Faculty Co-Chairperson permits it.

8.01.05 The right to present witnesses and evidence and to be present throughout the presentation of all witnesses and evidence at the hearing, if a hearing is requested by the student.

8.01.06 The right to have sanctions deferred until completion of the process described herein, including

appeals to the Dean of the College of Pharmacy and the Vice-President of Academic Affairs at the University of Louisiana at Monroe.

9.00 RIGHTS OF THE CHARGING PARTY

- 9.01 A member of the faculty, staff or student body who has submitted a written notice of an alleged violation (Section 10.00) is a charging party and as such has all the rights guaranteed the accused, including the right of appeal (Section 8.00).
- 9.02 The right to be accompanied by a member of the faculty, the student body of the institution or outside counsel. Such advisors may consult with their advisees, but may neither speak for them nor participate in the proceedings directly, unless the Faculty Co-Chairperson permits it.

10.00 PROCEDURES FOR FILING CHARGES

- 10.01 When an instructor detects or witnesses a violation of the Academic Honesty Code, he/she shall provide a written notice of the alleged violation and any recommended sanctions to the Associate Dean of Academic Affairs within ten (10) working days of the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.
- 10.02 A student or person other than an instructor who detects or witnesses a violation of the Code pertaining to academic honesty is advised to consult with the instructor in charge of the course in which the alleged violation occurred. Under these circumstances, the instructor will then prepare a written notice and file the notice as described in Section 10.01 if he/she determines that the facts warrant such action. A student or person other than an instructor who detects or witnesses a violation of the Code pertaining to academic honesty may file written notice of the alleged violation directly to the Associate Dean of Academic Affairs within ten (10) working days of the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.
- 10.03 Any person who detects or witnesses a violation of the Code pertaining to other ethical or professional conduct shall provide written notice of the alleged violation to the Associate Dean of Academic Affairs within ten (10) working days of the time the alleged violation becomes known. Under no circumstances shall any accusation be made in public.

11.00 PROCEDURES FOR PROCESSING CHARGES

- 1.01 The Associate Dean of Academic Affairs will receive all written notices of alleged violations of the Code. The Associate Dean of Academic Affairs will screen all reports of alleged violations of the code to exclude frivolous charges. If the accusation is considered meaningful and the case warrants finding of facts, the Associate Dean of Academic Affairs shall submit the case to the Board of Ethical and Professional Conduct. If, in consultation with the Faculty Co-Chairperson, it is the Associate Dean of Academic Affairs' opinion that the charges are not sufficient enough to submit to the board, but the charges do warrant action, the Associate Dean may address the charges by formally counseling the accused. If formal counseling occurs, a formal counseling sheet stating the name of the person counseled, date of counseling, reason for counseling, content of the counseling, and follow-up will be placed in the student's file.
- 11.02 If the charges are to be submitted to the Board, the Associate Dean of Academic Affairs shall prepare a written notice of charges that includes a specific listing of the charge or charges, the names of any known witnesses, the name of the Faculty Co-Chair of the Committee and a statement of the student's right to a hearing as well as the procedures involved in the hearing. Copies of this written notice are to be provided to the student accused of the violation, the charging party and the instructor in charge of the course in which the alleged violation occurred within five (5) working days of receipt of the charges by the Associate Dean. Written notice shall

- be sent "Certified Mail Return Receipt Requested Deliver to Addressee Only."
- 11.03 If the student charged with violation of the Code desires a hearing before the Board, he/she must file a written request for a hearing to the Associate Dean of Academic Affairs within five (5) working days after receipt of notice of the charge(s) (Section 11.02). This request should include any reply or response the accused student wishes to make to the charges and the names of witnesses willing to testify on his/her behalf. The Associate Dean of Academic Affairs will then send a copy of the request for hearing to all parties who received a copy of the written notice described in Section 11.01 and the Associate Dean of Academic Affairs.
- 11.04 If the student charged with a violation of the Code does not request a hearing or fails to request a hearing within the time allowed (Section 11.03), the Board will consider the case based on the evidence available and will submit its findings and recommendations to the Dean. Such deliberations shall be completed no later than fifteen (15) class (working) days after the student charged has received the notice of the charge(s) (Section 11.02).
- 11.05 If the student charged with a violation of the Code requests a hearing, a date shall be set for a hearing and all parties involved notified by the Board of the date, time and place. The hearing shall not be scheduled less than ten (10) class (working) days from date of the request for hearing (Section 11.03).
- 11.06 In the case where a hearing would fall during a university holiday or between semesters, the hearing will be scheduled within five (5) days of classes resuming.

12.00 PRESENTATION OF EVIDENCE AND WITNESSES

- 12.01 The accuser(s) and the accused shall appear together before the Board. The accused and the accusing party have the right to hear all testimony presented in the hearing. In the case where an external preceptor is the accuser, the accuser may choose to participate via telephone or other electronic means of communication. Cases in which charges arise from a single incident against two or more students will be heard together unless one or more of the students submits a written request for a separate hearing. The request must demonstrate good cause for a separate hearing.
- 12.02 The formal rules of evidence do not apply.
- 12.03 The accused student and those making the charge may be accompanied by a member of the faculty or the student body of the institution or outside counsel. Such advisors may consult with their advisees, but may neither speak for them nor participate in the proceedings directly, unless the Faculty Co-Chairperson permits it.
- 12.04 Either party before the board may call witnesses and question any witness. The accused student(s) and the accuser(s) shall furnish the Associate Dean of Academic Affairs with the names of each witness the student wants summoned and a description of all documentary or other evidence the student wants produced. This information should be produced at least three (3) class (working) days prior to the hearing.
- 12.05 Each party shall arrange for the attendance of their own witnesses. The Office of the Dean may assist in securing the attendance of witnesses if a written request for such assistance is submitted to that office at least three (3) class (working) days prior to the hearing date. If either party requests, for good cause as determined by the Faculty Co-Chairperson of the Board, that additional witnesses be present, the Board Hearing Committee may defer the hearing until such time that the witnesses may appear and be questioned.
- 12.06 The Board may request the appearance of additional witnesses if the Board determines that such witnesses could present relevant information
- 12.07 Witnesses that cannot physically be at the hearing may participate by telephone or other means of electronic communication.

- 12.8 Any witness who wishes or needs to be excused should, in advance of the hearing, confer with the Office of the Dean. The decision reached during this conference will be communicated immediately by the Dean to the Faculty Co-Chairperson of the Board who will then promptly relay any such information to all parties.
- 12.09 If a witness fails or refuses to appear, the Board Hearing Committee shall first determine whether or not to proceed on the basis of other evidence or witnesses available. If it is the decision of the Board Hearing Committee to proceed, the challenged portions of any written statements that may have been made by the absent witness shall be disregarded.
- 12.10 The hearings shall be recorded, and summary minutes of the proceedings shall be kept in the Office of the Dean and made available to the accused student upon request.
- 12.11 After the hearing, the Board will formulate its finding of facts and its conclusions as the alleged occurrence of violations of the Code according to the standard of “a preponderance of evidence” and adopt them by a majority vote (a minimum of five votes required for a guilty finding). The Faculty Co-chairperson will report the findings in writing to the (a) accused student, (b) the accuser(s), (c) the faculty involved, (d) the Board of Ethical and Professional Conduct, and (e) the Associate Dean of Academic Affairs, and (f) the Dean of the College of Pharmacy.
- 12.12 The Board recommends but does not impose penalties. Penalties are imposed by the Dean of the College of Pharmacy.

13.00 HEARING PROCEDURES

- 13.01 The Board Hearing Committee will conduct the hearing and all of its deliberations in closed and confidential session.
- 13.02 The hearing will be called to order by the Faculty Co-Chairperson who will then identify by name members of the Board Hearing Committee who are present for the record.
- 13.03 The Faculty Co-Chairperson will then identify by name the student charged with the alleged violation of the Code and his/her witnesses and the charging party and his/her witnesses.
- 13.03.01 The Associate Dean of Academic Affairs, or the Dean’s Designee shall present the charges to the Board.
- 13.03.02 The accused student may enter a plea of guilty or not guilty.
- 13.04 In the event the student charged with the alleged violation of the Code or any of his/her witnesses or the charging party or any of his/her witnesses fail to appear, the Board Hearing Committee shall determine whether or not to proceed based on the witnesses and evidence available.
- 13.05 The Faculty Co-Chairperson will read the charge and poll each member of the Board Hearing Committee to determine if any member has a prior opinion of guilt or innocence.
- 13.05.01 Any member of the Board Hearing Committee who has a prior opinion of guilt or innocence will be excused.
- 13.06 The presentation of all evidence and witnesses and questioning by the members of the Board Hearing Committee will proceed generally as described by the following:
- 13.06.01 The charging party will present his/her evidence and witnesses.
- 13.06.02 The student charged with an alleged violation of the Code will present his/her evidence and witnesses.
- 13.06.03 The members of the Board Hearing Committee will ask questions of all parties to the Board’s satisfaction.
- 13.06.04 The Faculty Co-Chairperson may recognize others present to speak if the Faculty Co-Chairperson believes that the information provided is needed for the Board Hearing Committee to discharge their duties
- 13.06.05 Following presentation of all evidence and witnesses and questioning by the members of the

Board Hearing Committee, all parties will be excused while the Board Hearing Committee deliberates.

- 13.06.06 The parties will remain available in the event that they are recalled as described in Section 12.04.
- 13.07 The Faculty Co-Chairperson may recall the parties for further questioning if it is deemed necessary for the Board Hearing Committee to discharge their duty. All parties have the right to be present during further questioning.
- 13.08 The Faculty Co-Chairperson may grant a recess at the request of members of the Board Hearing Committee or the parties involved to be allowed time for further preparation.
- 13.09 The Faculty Co-Chairperson and members of the Board Hearing Committee shall not discuss the evidence or testimony in the presence of the parties.

14.00 BOARD HEARING COMMITTEE DELIBERATIONS

- 14.01 The burden of proof rests with the charging party and will be satisfied by a preponderance of evidence in the record when considered as a whole.
- 14.02 The failure of the student charged with an alleged violation of the Code to make a statement or to answer any or all questions shall not be considered in the determination of guilt or innocence by the Board Hearing Committee.
- 14.03 The Board Hearing Committee will begin deliberation immediately following the hearing and will continue their deliberations until verdict of guilty or not guilty is reached. The verdict will be determined by simple majority vote as stipulated in Section 5.05.03.08.
- 14.04 A student's prior record of sanctions shall be inadmissible as evidence to provide innocence or guilt. The student's prior record of sanctions must be considered by the Board Hearing Committee in the determination of the appropriate sanctions if the student is judged guilty of the present violation.
- 14.05 In the event a verdict of guilty is reached, the Board Hearing Committee will consider recommended sanctions as stipulated in Section 4.00.
- 14.05.01 The deliberation and determination of sanctions to be recommended may be postponed until precedental cases can be reviewed. Deliberations concerning sanctions must be completed within two (2) working days after the determination of the guilty verdict.
- 14.06 Once a verdict is reached and the determination of sanctions is made, the student charged will be notified of the verdict and sanctions that will be recommended to the Dean. The student will also be notified of his/her right to appeal the verdict and/or sanctions.
- 14.06.01 In the event a verdict of guilty is reached, the Board Hearing Committee will submit its findings and recommended sanctions to the Office of the Dean as stipulated in Section 15.00.
- 14.06.02 The findings and recommendations of the Board Hearing Committee shall be submitted to the Office of the Dean within five (5) working days by the Faculty Co-chairperson.

15.00 ACTIONS IN RESPONSE TO BOARD HEARING COMMITTEE'S FINDINGS.

- 15.01 The Dean will receive the findings and will notify the student charged, in writing, of the findings.
- 15.01.01 In the case of a guilty verdict, the Dean will notify in writing (a) the accused student, (b) the accuser(s), (c) the faculty involved, (d) the Faculty Co-Chairperson of the Board of Ethical and Professional Conduct, and (e) the Associate Dean of Academic Affairs, of the action to be taken by the College of Pharmacy.
- 15.02 Upon notification of action, either the charged or the accusing party may appeal to the Office of the Dean as stipulated below:
- 15.02.01 The appeal must be filed in writing five (5) class days after receipt of notification of the action described in Section 15.01. The appeal must include a statement of the asserted facts and the

- argument concerning appeal.
- 15.02.02 An appeal hearing will be granted only if the student can show one of the following:
- 15.02.02.01 A procedural error has occurred.
- 15.02.02.02 New evidence has been secured. This evidence must be supported by affidavits or other supporting documentation that will be reasonably reviewed by the Office of the Dean.
- 15.02.02.03 The sanction(s) is/are disproportionate to the violation. Clear and convincing reasons must be given to show that the sanction(s) do/does not meet the test of reasonableness and fairness.
- 15.02.02.04 The hearing conclusion is unsupported.
- 15.02.03 The following guidelines for writing an appeal are established:
- 15.02.03.01 The appeal must be a written letter or memorandum addressed to the Dean of the College of Pharmacy and the Faculty Co-Chairperson of the Board. The appeal must be signed and dated by the student making the appeal.
- 15.02.03.02 The letter should clearly state the specific actions or recommendations that are being appealed (e.g., the findings of the Board or the sanction(s) of the Dean, or both the findings and the sanction(s)).
- 15.02.03.03 The letter should clearly present specific reasons, grounds or justifications to support the appeal (refer to section 15.02.02 of this Code).
- 15.03 The Office of the Dean shall send a copy of the appeal to all parties who received the notification of action described in Section 15.01.
- 15.04 The other parties may submit a written response to the appeal within five (5) class days of receipt of the appeal described in Section 15.02.01.
- 15.05 The Dean shall consider the appeal and any responses by the other parties.
- 15.05.01 The Dean may return the case to the Board Hearing Committee if additional evidence is brought to his/her attention that was not presented during the hearing and which could affect his/her decision regarding the case. In this event, the Board Hearing Committee will consider the additional evidence and report its findings and recommendations to the Dean.
- 15.05.02 Prior to any change in recommendation or sanction, the Dean will confer with the Board Hearing Committee.
- 15.06 The Office of the Dean shall notify all parties of his/her decision(s) regarding the appeal. This notification shall represent the College of Pharmacy's final action.
- 15.07 Upon notification of final action (Section 15.06), either party may appeal to the Vice-President for Academic Affairs or his designee.
- 15.07.01 Such appeals must be made in writing within five (5) working days after receipt of notification from the Office of the Dean regarding the preliminary appeal (Section 15.06). Appeals to the Vice-President for Academic Affairs must follow the same procedures as the previous appeals outlined in sections 15.02.02 and 15.02.03. The appealing party shall send a copy of the appeal to the Vice-President for Academic Affairs, and that office will send a notice of appeal to the Dean of the College of Pharmacy and all parties who received notice of the actions to be taken by the College of Pharmacy as stipulated in Section 15.01. The other party may submit a written response within five (5) working days of notification of appeal to the Vice President for Academic Affairs. The Vice-President for Academic Affairs will consider the appeal and any response. Prior to a change in the sanction(s), the Vice-President for Academic Affairs will confer with the Office of the Dean and the Board Hearing Committee of the College of Pharmacy. He will then respond in writing to the appealing party and send notification of this response to all parties who received notice of this appeal. The Vice-President for Academic Affairs's decision will constitute the final action of ULM
- 15.08 The Dean shall notify the Registrar in writing when the notation "assigned for academic dishonesty" is to be placed on a transcript and/or when suspension or expulsion is assigned.

Such notification shall not be given for five (5) working days after the Dean's notification of findings and sanctions (Section 15.01) or until after completion of all appeals (Sections 15.02 and 15.07), whichever is later.

- 15.09 The Office of the Dean shall monitor probation.
- 15.10 A student may not graduate during the appeal process.
- 15.11 The student shall be responsible for requesting removal of any notation of sanction from his/her record (Section 4.00) when the period of sanction has expired. Such requests must be made in writing to the Office of the Dean, who will notify the Registrar in writing to remove the notation of sanction from the student's record.
- 15.12 A student returning after completion of a suspension will follow the same procedure of registration as any other returning student.

16.00 AMENDMENTS AND REVISIONS

Proposed amendments and revisions shall be submitted to the faculty and student body of the College of Pharmacy through the Board of Ethical and Professional Conduct.

- 16.01.01 Faculty will vote by secret ballot.
- 16.01.01.01 Faculty votes will be counted by the Associate Dean of Academic Affairs or his/her designee
- 16.01.02 Students will vote by secret ballot.
- 16.01.03 A majority vote of the student body and a majority vote of the faculty are necessary for the adoption of amendments.
- 16.01.03.01 A majority is defined as greater than 50% of those voting.
- 16.02 Amendments and revisions so adopted are then subject to the approval of the Dean of the College of Pharmacy and the Vice-President of Academic Affairs at the University of Louisiana at Monroe