



# Policies and Guidelines

for Medical Students Entering 2019 and 2020

## Introduction

The policies and guidelines contained herein govern medical student academic progress and set forth conduct and professionalism expectations during your time as an undergraduate medical student at McGovern Medical School (MMS). Students are expected to educate themselves on the information provided as their status as a student at MMS is grounded in their ability to meet and to adhere to these standards.

## Student Ethical Pledge

Upon matriculation to MMS, each of you has signed the Student Ethical Pledge, promising to strive to the values expressed in the Pledge. We urge students to review the Pledge often as a reminder of this promise.

- I acknowledge and accept the privileges and responsibilities given to me today as a physician in training and dedicate myself to provide care to those in need.
- I will approach all aspects of my education with honesty and integrity, embracing opportunities to learn from patients, teachers and colleagues.
- I will always maintain the highest standards of professional conduct.
- I will certify only that which I have personally verified, and I will neither receive nor give unauthorized assistance on examinations.
- I will value the knowledge and wisdom of the physicians who have preceded me.
- I will recognize my weaknesses and strengths and strive to develop those qualities that will earn the respect of my patients, my colleagues, my family, and myself.
- I will respect the humanity, rights and decisions of all patients and will attend to them with compassion and without bias.
- I will maintain patient confidentiality and be tactful in my words and actions.
- I will value the diversity of patients' experiences, cultures and beliefs because it enhances my ability to care for them and enriches my education.
- I will not forget that there is an art to medicine as well as a science and that warmth, sympathy and understanding are integral to patient care.
- I will strive to earn the trust my patients place in me and the respect that society places upon my profession.
- I recognize the privileges afforded to me as a physician-in-training and promise not to abuse them.
- Even as a student I have a responsibility to improve the standard of health in my community, to increase access to care for the underserved and to advance medical knowledge.
- As I accept these new responsibilities, I will not forget the importance of my own health and well-being.
- I will continue to value my relations with those who have supported me in the past and those who will share in my future.

- Knowing my own limitations and those of medicine, I commit myself to a lifelong journey of learning how to cure, relieve and comfort with humility and compassion.
- I make these promises solemnly, freely, and upon my honor.

## Policy on Appropriate Student Treatment

### I. Standards for Conduct in the Teacher-Learner Relationship

The academic environment, particularly in medical education, requires civility from all participants, regardless of role or level, and a particular respect for the values of professionalism, ethics, and humanism in the practice of medicine.

The relationship between teacher and learner is based on mutual respect and trust. Faculty must respect students' level of knowledge and skills, which students have the responsibility to represent honestly to faculty. Faculty are obligated to evaluate students' work fairly and honestly, without discrimination based on gender, ethnicity, national origin, sexual orientation, religious beliefs, disability or veteran status. Faculty have a duty not only to promote growth of the intellect but at the same time to model the qualities of candor, compassion, perseverance, diligence, humility, and respect for all human beings.

Because this policy pertains to students as learners, references to "teachers" or "faculty" shall also include residents and fellows in their teaching and supervisory role with regard to students.

Examples of unacceptable behavior include but are not limited to:

- Physical or sexual harassment or abuse
- Discrimination or harassment based on race, gender, age, ethnicity, national origin, religion, sexual orientation, veteran status or disability
- Speaking in disparaging ways about an individual including humor that demeans an individual or a group
- Requesting or requiring students to engage in illegal or inappropriate activities or unethical practices
- Loss of personal civility, such as shouting, displays of temper, publicly or privately abusing, belittling, or humiliating a student
- Use of grading or other forms of evaluation in a punitive or retaliatory manner

Students are also expected to maintain the same high standards of conduct in their relationships with faculty, residents, support staff, and fellow students.

### II. Procedures for Reporting and Investigating Violations

Students enrolled in the Medical School (or Medical School portion of the M.D./Ph.D. program) should report abuse or mistreatment to the [anonymous web portal](#).

UTHealth policies concerning misconduct by faculty and staff, including allegations of discrimination (including harassment) and retaliation, are outlined in the Handbook of Operating Procedures (HOOP). Relevant policies that can be found at <https://www.uth.edu/hoop/index.htm> include Policies 39, 59,

108,109, 183 and 186. The Vice Dean for Student Affairs will advise and assist the student in following applicable procedures of the institution.

### III. Dissemination and Education

In order to make sure that faculty, residents, fellows, and students are aware of the Policy on Appropriate Student Treatment, several mechanisms for dissemination will be used.

The Policy will be added to the Medical School website on the main student, faculty, and house staff web pages.

An electronic copy of the Policy will be provided to all house staff and fellows including visiting residents. An electronic copy of the Policy will be provided to current students, and thereafter to entering students at orientation. The policy will be reviewed and discussed at orientation for entering students and at the third-year orientation.

An electronic copy of the Policy will be provided to faculty and distributed at faculty orientations. Department Chairs and Directors will be responsible for ensuring that the Policy is discussed at departmental/division meetings.

Each course director, clerkship director and/or Program Director will be responsible for providing an electronic copy of the Policy to their respective teaching faculty and to all students at the start of each course, clerkship or rotation.

## Policy and Guidelines for the Evaluation and Promotion of Medical Students

The primary responsibility for the evaluation and promotion of students rests with the academic departments of the Medical School. The faculty has an obligation to the students, to the school, and to society to evaluate students and promote and graduate only those who have demonstrated their suitability for the practice of medicine both in cognitive and in noncognitive areas such as clinical ability, interpersonal relations, and personal conduct and professional characteristics. This obligation continues from matriculation to graduation. The evaluation of performance in noncognitive areas is particularly important in the clinical years. A student whose performance in noncognitive areas is deemed by the faculty to be unacceptable, even if grades on tests and other evaluations are satisfactory, will be subject to dismissal.

The Dean and the faculty reserve the right to dismiss any student who, in their best judgment, is not qualified to continue the study of medicine.

The grading system used by the medical school includes the following:

Honors	H
High Pass	HP
Pass	P
Below Pass	BP
Fail	F

**Below Pass** and **Fail** grades will remain on the transcript; the grade earned on remediation or repetition of the course will also be listed.

The faculty of the Medical School has the responsibility for identifying students who are in academic difficulty and determining whether the deficiency can be remediated or the student should be dismissed. This responsibility is administered through the Student Evaluation and Promotions Committee (SEPC) as the representative body of the faculty-at-large. Grades and other information relative to a student's academic performance are transmitted to the SEPC which reviews the cumulative record of the student and, based upon an overall consideration of the student's grades, demonstrated knowledge, clinical performance and **suitability to practice medicine**, decides whether a student should be promoted, continued with remedial work assigned, or dismissed. Any student whose record indicates that he/she is not qualified to continue the study of medicine will be dismissed. The SEPC may dismiss a student after a review of his/her complete record, if the student's performance in noncognitive areas such as clinical ability, interpersonal relations, personal and professional characteristics makes him/her unsuitable for the practice of medicine. The SEPC shall also determine when it is appropriate for a student who has been required to do remedial work to progress to the next level.

Any student who accumulates a total of **four Fail** grades or **six non-passing grades** during the course of his/her medical education (regardless of whether remediated) fulfills the criteria for dismissal. A student cannot fail the same course twice. In the event that occurs, the student will have met the criteria for dismissal. Any student who receives a Fail grade in a course because of his/her performance in the treatment and care of patients may be dismissed.

Students must be eligible to begin their core clerkships no more than three years after matriculation. Students must graduate within no more than six years after matriculation, with the exception of MD/PhD students. Additionally, students are not permitted to be dual-enrolled with another institution other than formal McGovern Medical School dual degree programs.

Each student is responsible for notice of and compliance with these standards and all other provisions of The University of Texas System and UTHealth. A student who engages in conduct that calls into question his/her suitability to practice or study medicine or whose performance is otherwise unsatisfactory is subject to assessment and action by the Medical School SEPC, up to and including dismissal, whether such conduct or performance takes place in the context of the Medical School program or any other educational program of the UTHSC-H.

The SEPC will notify a student in writing of any action taken pursuant to this policy. The student may appeal an action according to procedures outlined in these Policies and Guidelines. The appeals process allows for the consideration of mitigating circumstances.

Students must successfully complete all first-year course work before proceeding to the second year, and likewise, students must successfully complete all second-year preclinical course work before proceeding to the core clerkships. Core clerkship work should be completed before students begin the Career Focus Tracks.

### **Required to Update Contact Information**

Students are **required** annually to update their contact information, including emergency contact, mailing address and phone numbers, on MyUTH. This ensures that they can be reached throughout the year. Students may be disenrolled for failure to respond to communications from the school.

## Guidelines for Use with the Grading System

### Guidelines for the Application of Sanctions for Unacceptable Performance for **First-Time Entering** Students

Students who earn **Fail** or **Below Pass** grades will fall into one or more of these categories:

**A. Remedial Work:** The student who earns a Below Pass grade must perform additional work in that course. The appropriate course director will prepare a written statement outlining the additional work required, which will be reviewed for suitability by the SEPC. Upon completion of appropriate remediation, students will be re-evaluated and given another grade; both grades will remain on the transcript. If the grade on re-evaluation is not at least a Pass grade, a Fail grade will be recorded and the action appropriate to the Fail grade, as specified in the guidelines, will be taken.

**B. Repeat Course:** The student who earns a Fail grade must repeat the course. Students who do not achieve at least a Pass in the repeated course will receive a Fail grade in the course AND will meet the criteria for dismissal.

**C. Repeat Year:** Students in this category must repeat the year in its entirety.

**D. Dismissal:** Students in this category have met the criteria for dismissal.

**First semester performance in Foundations of Medicine and Doctoring I:**

Students who Fail either Foundations of Medicine or Doctoring I will not be allowed to proceed to the spring semester and will be required repeat the first year. Students who fail both courses during the first semester meet the criteria for dismissal.

**Guidelines for the Application of Sanctions for Unacceptable First Semester Performance for First-Time Entering Students**

Action	Foundations of Medicine	Doctoring I
Repeat Year	Pass	Fail
	Fail	Pass
Dismiss	Fail	Fail

**Guidelines for the Application of Sanctions for Unacceptable Second Semester Performance for First-Time Entering Students**

Action	Fail	Below Pass
Remediate in summer	0	2
Repeat Failed course / Remediate BP in summer	1	0-1
Repeat Year	0	3
	1	2
	2	0
Dismiss	1	≥ 3
	2	≥ 1
	> 2	≥ 0

## Guidelines for the Application of Sanctions for Unacceptable First-Year Performance for Students Required to Repeat the First Year

Students who earn **Fail** or **Below Pass** grades will fall into one or more of these categories:

- A. Remedial Work:** The student who earns a Below Pass grade must perform additional work in that course. The appropriate course director will prepare a written statement outlining the additional work required, which will be reviewed for suitability by the SEPC. Upon completion of appropriate remediation, students will be re-evaluated and given another grade; both grades will remain on the transcript. If the grade on re-evaluation is not at least a Pass grade, a Fail grade will be recorded and the action appropriate to the Fail grade, as specified in the guidelines, will be taken.
- B. Repeat Course:** The student who earns a Fail grade must repeat the course. Students who do not achieve at least a Pass in the repeated course will receive a Fail grade in the course AND will meet the criteria for dismissal.
- C. Repeat Year:** Repetition of the year is not an option; students in this category have met the criteria for dismissal.
- D. Dismissal:** Students in this category have met the criteria for dismissal.

Action	Fail	Below Pass
Remediate	0	1-2
Repeat Failed course or Remediate Failed course	1	1
Dismiss	0-1	≥ 2
	≥ 2	≥ 0

## Guidelines for the Application of Sanctions for Unacceptable Pre-Clerkship **Second Year** Performance for Students **Not** Required to Repeat the First Year

Students who earn **Fail** or **Below Pass** grades will fall into one or more of these categories:

- A. Remedial Work:** The student who earns a Below Pass grade must perform additional work in that course. The appropriate course director will prepare a written statement outlining the additional work required, which will be reviewed for suitability by the SEPC. Upon completion of appropriate remediation, students will be re-evaluated and given another grade which will be added to the BP grade and both grades will remain on the transcript. If the grade on re-evaluation is not at least a Pass grade, a Fail grade will be recorded and the action appropriate to the Fail grade, as specified in the guidelines, will be taken. Remedial work may prevent the student from enrolling for some or all of the courses of the third-year curriculum.
- B. Repeat Course:** The student who earns a Fail grade must repeat the course. Students who do not achieve at least a Pass in the repeated course will receive a Fail grade in the course AND will have met the criteria for dismissal.
- C. Repeat Year:** Students in this category must repeat the year in its entirety.
- D. Dismissal:** Students in this category have met the criteria for dismissal.

Action	Fail	Below Pass
<b>Remediate</b>	0	1-2
<b>Repeat Failed course / Remediate Below Pass course</b>	1	0-1
<b>Repeat Year</b>	0	3
	1	2
	2	0
<b>Dismiss</b>	1	≥ 3
	2	≥ 1
	> 2	≥ 0

### Guidelines for the Application of Sanctions for Unacceptable Pre-Clerkship Second Year Performance for Students Required to Repeat the First Year or are Repeating the Second Year

Students who earn **Fail** or **Below Pass** grades will fall into one or more of these categories:

- A. Remedial Work:** The student who earns a Below Pass grade must perform additional work in that course. The appropriate course director will prepare a written statement outlining the additional work required, which will be reviewed for suitability by the SEPC. Upon completion of appropriate remediation, students will be re-evaluated and given another grade; both grades will remain on the transcript. If the grade on re-evaluation is not at least a Pass grade, a Fail grade will be recorded and the action appropriate to the Fail grade, as specified in the guidelines, will be taken. Uncompleted remedial work will prevent the student from enrolling in the core clerkships.
- B. Repeat Course:** The student who earns a Fail grade must repeat the course. Students who do not achieve at least a Pass in the repeated course will receive a Fail grade in the course AND will meet the criteria for dismissal.
- C. Repeat Year:** Repetition of the year is not an option; students in this category will have met the criteria for dismissal.
- D. Dismissal:** Students in this category have met the criteria for dismissal.

Action	Fail	Below Pass
<b>Remediate</b>	0	1-2
<b>Repeat Failed course / Remediate Below Passed course</b>	1	1
<b>Dismiss</b>	0	≥ 3
	1	≥ 2
	≥ 2	≥ 0

### Guidelines for the Application of Sanctions for Unacceptable Student Core Clerkship Performance

Students who earn **Fail** or **Below Pass** grades will fall into one or more of these categories:

- A. Remedial Work:** One month of remedial work will be required for each course in which a Below Pass grade was achieved with the exception of Family Medicine and Neurology, for which two weeks of remedial work will be required. The remedial work will be prescribed by the course director and approved by the SEPC. Remedial work for Below Pass grades cannot be used to fulfill elective requirements. If the grade on re-evaluation is not at least a Pass



grade, a Fail grade will be recorded and the action appropriate to the Fail grade, as specified in the guidelines, will be taken.\*

**B. Repeat Course:** The clerkship in its entirety must be repeated. Repetition of courses cannot be used to fulfill elective requirements and must be taken when the student is not enrolled in any other academic work for credit.\* Repeated courses must be completed with a grade no lower than Pass. A grade lower than Pass will be recorded as Fail and will result in dismissal.

**C. Remedial Work/Repeat Course:** Repetition of a Failed clerkship and remedial work for a Below Pass may prevent students from graduating on schedule.\*

**D. Repeat Year:** Repetition of the year is not an option; students in this category will have met the criteria for dismissal.

**E. Dismissal:** Students in this category have met the criteria for dismissal.

\* Students may **not** be enrolled in **two clerkships simultaneously** in the medical school curriculum

Action	Fail	Below Pass
<b>Remediate</b>	0	1-2
<b>Repeat Failed course or Remediate Below Pass course</b>	1	1
<b>Dismiss</b>	0	≥ 3
	1	≥ 2
	2	≥ 0

### Guidelines for the Application of Sanctions for Unacceptable Student Performance in the Career Focus Track

Students who earn **Fail** or **Below Pass** grades during the Career Focus Track will be required to meet with the Student Evaluation and Promotions Committee, which may recommend the following or another action after review of the student’s complete record:

**A. Remedial Work:** One month of remedial work will be required for each course in which a Below Pass grade was achieved. The remedial work will be prescribed by the course director and approved by the SEPC. Remedial work for Below Pass grades **cannot** be used to fulfill fourth-year elective requirements. If the grade on re-evaluation is not at least a Pass grade, a Fail grade will be recorded and the action appropriate to the Fail grade, as specified in the guidelines, will be taken.\*

**B. Repeat Course:** The rotation in its entirety must be repeated. Repetition of rotations cannot be used to fulfill elective requirements. Repeated rotations must be completed with a grade no lower than Pass. A grade lower than Pass will be recorded as Fail and will result in dismissal. Repetition of rotations may prevent the student from graduating on schedule.\*

**C. Remedial Work/Repeat Course:** Students who are required to repeat and/or remediate rotations must do so during their vacation period to be able to graduate on schedule.\*

**D. Repeat Year:** Repetition of the year is not an option; students in this category will have met the criteria for dismissal.

**E. Dismissal:** Students in this category have met the criteria for dismissal.

\* Students may **not** be enrolled in **two rotations simultaneously** in the fourth year of the medical school curriculum

Action	Fail	Below Pass
Remediate	0	1-2
Repeat Failed course or Remediate Below Pass course	1	1
Dismiss	0	≥ 3
	1	≥ 2
	2	≥ 0

## Comprehensive Clinical Competency Examination (CCCE) Policy

All students **must take and pass** the Comprehensive Clinical Competency Examination (CCCE) prior to graduation. The examination is administered at the end of the core clerkships. Students who are unable to take the CCCE at that time may take the exam later by prior approval and arrangement with the committee chair.

**Grading:** The exam is listed as a Pass/Fail item on the transcript. All students will receive a letter regarding their performance on the examination.

### I. Remediation Phase I

- a. **First Attempt:** If a student does not pass on the first attempt:
  - CCCE Committee will notify the Office of Admissions and Student Affairs and the SEPC.
  - No grade is issued.
  - The student will receive a letter from the CCCE Committee.
  - The student is required to view the videotape of the exam encounters in a supervised environment; viewing of this videotape must occur within one week of the date on the notification letter.
  - The student is required to meet with a CCCE Committee Member about the deficiencies identified; the meeting with the CCCE Committee Member must occur within four weeks of the date on the notification letter.
- b. **Second Attempt:** If a student does not pass on the second attempt:
  - The exam will be listed as a Fail grade on the transcript.
  - The Student Evaluation and Promotions Committee will determine the appropriate action in the context of the student's overall performance and record in medical school.

### II. Remediation Phase II

If the failing student is allowed by the SEPC to remediate the deficiency, the following procedure will be followed:

- The student will meet with a CCCE Committee Member.
- The student will be assigned to a faculty preceptor, chosen by the committee chair, for additional clinical skills training, which will include twice weekly meetings for a total of 8 sessions.
- After the remediation process, the student will be observed by a faculty member performing a complete history and physical on a real patient.

- The remediation must be completed by December 31 following the submission of the initial Fail grade.
- Students who pass the test receive a Pass/Fail grade on their transcript as is normally noted for remediated courses.
- The remediation may not take place during any required or elective course and may not interfere with the duties and obligations of the student during any concurrent elective or other activity. Remediation is to take place during vacation or off months and must be complete by December 31.
- Students receiving a failing grade after this remediation process meet the criteria for dismissal from school.

## Appeals Procedure

1. On behalf of the SEPC, the Office of Admissions and Student Affairs will inform students of course grades lower than Pass.\*
2. When the SEPC takes action dismissing a student or requires a student to undertake remedial work, the student will be notified by the Office of Admissions and Student Affairs at least five days in advance of the date of the SEPC meeting at which an APPEAL will be considered.\*
3. A student may appeal to the SEPC for reconsideration within five (5) days after the date of notification of action of the Committee. The APPEAL must consist of a written statement of any mitigating circumstances that the student contends may have affected his/her performance. In addition to the written statement, the student may elect to appear in person before the Committee when the APPEAL is considered.
4. The SEPC will again review the cumulative record (blue book) of the student, all relevant information, and the student's statement. After deliberation the SEPC will determine whether the guidelines should be upheld. Exceptions to the sanctions indicated by this policy will be made only under extraordinary circumstances upon the vote of a majority of the members of the SEPC.
5. After the SEPC reaches a decision on an APPEAL the affected student will be sent a written notice of the decision within three (3) working days.\*
6. Within fourteen (14) days after the decision of the SEPC on an appeal for reconsideration, the student may submit a request in writing to the Dean to review the decision of the Committee. The decision of the Dean will be final.

\* Students are **required** annually to update their contact information, including emergency contact, mailing address and phone numbers, on MyUTH. This ensures that they can be reached throughout the year. Failure to do so will not extend the time limitations stated above.

## United States Medical Licensing Examination (USMLE) Policy

### USMLE Step 1

Students are required to sit for USMLE Step 1 prior to the start of the core clerkships. A student who does not pass is required to retake the examination within 90 days. If the student has already started a rotation, the student has the option of either finishing the rotation or withdrawing from the rotation immediately. If the student decides to complete the rotation, the 90-day window to retake the exam begins at the end of the rotation. The student will not be able to resume clinical rotations until the examination has been retaken. An extension to the 90-day deadline to retake the exam may be granted on application to the Office of Admissions and Student Affairs.

### USMLE Step 2

Students are required to take both USMLE Step 2 CK and USMLE Step 2 CS before they graduate.

See also the USMLE and National Board of Medical Examiners websites.

*\*Effective January 2021, Step 2 CS was discontinued by the National Board of Medical Examiners; therefore, the CS exam is no longer required for graduation.*

## Leave of Absence Policy

Students are expected to proceed through the McGovern Medical School curriculum to graduation, in a continuous, uninterrupted fashion.

However, a student may temporarily separate from the curriculum via an approved Leave of Absence for academic, personal, or other reasons.

### Policy

Students seeking a temporary separation from the medical school must obtain approval from the Office of Admissions and Student Affairs (OASA). Students are **strongly** encouraged to discuss the options and consequences of obtaining a Leave of Absence with one of the Deans for Admissions and Student Affairs prior to requesting the leave. **The Student Evaluation and Promotions Committee (SEPC) may also require or recommend a Leave of Absence for a student.**

A student may request a Leave of Absence for medical reasons, academic opportunities or personal reasons.

Examples include:

- **Medically related:** maternity leave, surgical procedure requiring a certain amount of recovery, treatment for a chronic medical condition, rehabilitation, etc.
- To conduct formal, independent **research**
- To complete **graduate coursework** in a degree seeking program
- **Other:** approvals considered on a one-on-one basis

The decision to approve or deny a request for a Leave of Absence will be at the discretion of the Vice Dean for Admissions and Student Affairs or designee.

A Leave of Absence will require:

1. Submitted Leave of Absence Form.
2. Student must be in good academic standing.
  - a. A request by a student whom is not in good standing (defined as a student with an un-remediated BP or F grade or one who is not passing coursework in progress as determined by the course director) will only be granted if approved by both SEPC and the Vice Dean for Admissions and Student Affairs (or designee).
3. A Leave of Absence is granted for no longer than a year.
4. Students granted a leave in the course of the first or second year are expected to return at the beginning of the next academic year unless the SEPC has specifically permitted them to do otherwise.
5. When a Leave of Absence is granted during the course of an academic period, all course work in the period during which the leave is begun must be repeated.
6. In the event conditions are imposed on the leave, the Committee will review the student's record before he or she is permitted to return from the leave.
7. Leaves of Absence will not interfere with the requirements that:
  - a. Students must be eligible to begin the core clerkships no more than three (3) years after matriculation.
  - b. Students must graduate within no more than six (6) years after matriculation, with the exception of MD/PhD students.
8. Students may appeal to the SEPC to request a waiver of these policies or re-consideration of denials of Leave(s) of Absence. For appeal of the SEPC decision, refer to appeals procedure in the Policies and Guidelines for Medical Students.

Return from a Leave of Absence will require:

1. Contact with OASA at least 30 days in advance, to ensure scheduling and enrollment clearance; **and**
2. Documentation that all conditions of return have been satisfied.

Any student who fails to return from a Leave of Absence by the designated date shall be considered to have resigned from McGovern Medical School. Any Leave of Absence will be noted on the Medical Student Performance Evaluation (MSPE) – Dean’s Letter.

## Grade Grievance Procedure

In attempting to resolve any student grievance regarding grades or evaluations, it is the obligation of the student first to make a serious effort to resolve the matter with the faculty member with whom the grievance originated. Course directors retain primary responsibility for assigning grades and evaluations.

Students wishing to appeal a grade must submit a letter to the course director through the Office of Admissions and Student Affairs within one month of the issuance of the grade. The course director must respond within ten working days.

## Pre-Clerkship Grade Grievance

Students wishing to formally protest a grade must submit a letter to the course/module director through OASA within one (1) month of the issuance of the grade. The course/module director, in conjunction with the associate dean of educational programs, must respond within ten (10) working days.

If the matter cannot be resolved with the course/module director, the student may appeal through OASA to the vice dean of educational programs, or his/her designate, who must respond within ten (10) working days. This judgment is final unless compelling evidence suggests discrimination, differential treatment or mistake.

## Core Clerkship or Career Focus Track Grade Grievance

Students wishing to formally protest a grade must submit a letter to the clerkship director through OASA within one month of the issuance of the grade. The clerkship director must respond within ten (10) working days.

If the matter cannot be resolved with the clerkship director, the student may appeal through OASA to the department chair of the core clerkship or CFT elective, or his/her designate, who must respond within ten (10) working days. This judgment is final unless compelling evidence suggests discrimination, differential treatment or mistake. If there is evidence that an additional appeal is warranted, the student must submit a request in writing with supporting evidence to the vice dean for admissions and student affairs or designee, who, upon receipt of the request, will review the case and submit a written recommendation to the dean of the medical school within ten (10) working days. The determination of the dean is final, and there is no further appeal.

## Rules for the Prevention of Academic Dishonesty

### Honor Pledge

Students are required to sign the statement below after all tests, including National Board examinations, on which collaboration is not permitted. In some cases the statement will be printed with a space for the student's signature; in other instances the statement is electronic. If the statement is not preprinted, the student must write out the pledge and sign it.

*"On my honor, I pledge that I have neither given nor received aid on this work."*

The signed statement must be maintained by the course director or designee for five years.

### Examination Procedures - Students

1. Students are to arrive at least 30 minutes prior to the start time of the exam. Students arriving after the starting time will **not** be admitted and will be referred to the Office of Admissions and Student Affairs.
2. A student may have in his/her possession only those items necessary for the exam. All purses, backpacks, phones, other electronic devices, caps or other headgear, sunglasses, unnecessary items of clothing, or other such items must be left at the front or sides of the room. Unauthorized items in student's possession during a test will be removed by a proctor.
3. Students must be seated in their assigned seats prior to the distribution of examinations.
4. Students may not leave during the examination except to go to the restroom. When they leave, their papers/white boards must be surrendered to a proctor who will make written note of the time. A student

may not be absent more than ten minutes.

5. Absolutely no talking or disturbing behavior will be permitted.
6. No questions are permitted during the examination.
7. No beverages or food items are permitted in the examination room during the examination.
8. As appropriate under individual circumstances, a student found in violation of any of these guidelines will be subject to provisions of the **REGENTS' RULES AND REGULATIONS** pertaining to student discipline. The Vice Dean for Admissions and Student Affairs may also refer a student alleged or found to have engaged in dishonest behavior to the Student Evaluation and Promotions Committee (SEPC) and may request input from a student jury convened by the Student Committee on Professionalism and Ethics (SCoPE).

### Examination Procedures - Faculty

1. Students should be spaced as far apart as possible. A student who does not sit in his or her assigned room or seat is considered in violation of these Rules.
2. Students must be seated prior to distribution of exams.
3. Students arriving late must not be admitted and must be referred to the Office of Admissions and Student Affairs.
4. The only persons who may serve as chief proctors are the faculty of the Medical School. Staff assistants, paid proctors and residents may be present to assist in proctoring the examination. Each room shall have at least one chief proctor. There shall be at least one proctor for every 30 students.
5. Students will be presented with clipboard and cover sheet for practical examinations. The students will be widely separated and **whenever possible** should proceed through the practical individually. No one will be allowed to return to a station during routine procedure. If practical examination sessions must be staggered, a system to prevent communication between students should be instituted and rigidly enforced.

### Handling of Suspected Academic Dishonesty

1. Any person with knowledge of academic dishonesty should submit a written statement of such allegations to the Vice Dean for Admissions and Student Affairs, who has authority and responsibility for administration of student discipline. It shall be his/her duty to investigate allegations that a student has violated the **REGENTS' RULES AND REGULATIONS**.
2. If the conduct of an examinee interferes with the testing conditions of other examinees and the examinee fails to respond to a warning, the chief proctor should escort the disruptive examinee from the testing room so that standardized conditions may be maintained.
3. If an examinee is suspected of giving, copying, or otherwise receiving unauthorized information about the content of the examination while it is in progress, the following actions should be taken:

- a. Allow the examinee to complete the examination. Unauthorized items in the student's possession during a test will be removed.
  - b. Confirm the observation with at least one other proctor.
  - c. If the examinee is scheduled for an additional part of the examination in the same location, discreetly move the examinee during the break to another location where it will not be possible for the examinee to observe the examination papers of any other examinee. If the examinee questions the reason for the move, explain that the seating change is being made to ensure the appropriate administration of the examination.
  - d. If the incident involves written materials or recording, filming, or other electronic devices that may pose a risk to the security of the examination materials, do not permit the examinee to remove the materials or recording/filming devices from the room.
4. Hearing procedures subsequent to allegations of academic dishonesty are governed by the **REGENTS' RULES AND REGULATIONS**.
  5. In the event that a student's disciplinary record includes a finding of academic dishonesty that indicates that he/she is not qualified to continue the study of medicine, it is the policy of the Medical School to seek a penalty of **dismissal** of the student from the Medical School.

## Policy for Requesting an Excused Absence

### Pre-Clerkship Curriculum

1. The student **must** notify the Office of Admissions and Student Affairs via the Excused Absence Portal and must complete and submit the request form before the absence.
2. The Office of Admissions and Student Affairs will consider each request and inform the student and course director of the student's approved absence. If the absence is denied, the student will receive notification, however, no further notifications will be made to academic personnel. Failure to notify the Office of Admissions and Student Affairs will jeopardize the student's eligibility for an excused absence.

### Core Clerkships and Career Focus Tracks Curriculum

1. The student **must** notify the Office of Admissions and Student Affairs via the Excused Absence Portal and must complete and submit the request form **AND** the Clerkship Director prior to the absence.
2. The Office of Admissions and Student Affairs will consider each request and inform the student and Clerkship Director of the student's approved absence. If the absence is denied, the student will receive notification, however, no further notifications will be made to academic personnel. Failure to notify the Office of Admissions and Student Affairs will jeopardize the student's eligibility for an excused absence.



## Demeanor and Dress Standards

Demeanor shall be in all respects consistent with the high standards of trust, confidence, and dignity on which the physician-patient relationship is based. The following guidelines regarding conduct and appearance derived from those of the Memorial-Hermann Healthcare System apply to our students at all McGovern Medical School clinical facilities.

### Courtesy

- Greet others in hallways, elevators, and at work stations with a kind word or smile.
- Assist people in finding their way.

### Respect

- Respect privacy and dignity.
- Knock and wait for a response before entering areas.
- Discuss confidential or sensitive information about patients only with those having a valid need to know and do so privately, never in public places.
- Be tolerant of cultural differences.

### Professionalism

- Present a positive image.
- Wear name badge or name tag so that name is clearly visible at all times.
- Limit eating, drinking, and smoking to designated areas.
- Avoid personal conversations with co-workers when providing patient care.
- Make no inappropriate or negative comments about patients, co-workers, or physicians.

### Appearance

#### Hair

- Hair should be clean and neat.
- Hair may not be dyed unnatural colors.
- Hair ornaments shall be moderate and in good taste.
- Shoulder length or longer hair shall be pulled back or covered.
- Well-groomed, closely trimmed beards, sideburns, and mustaches are allowed, but may not interfere with personal protective gear.

#### Daily Hygiene

- Daily hygiene must include clean teeth, hair, clothes, and body, including use of deodorant.
- Clothing should be clean, pressed, and in good condition.

#### Nails

- Nails must be conservative in length (not longer than 1/2 inch beyond the fingertip) and must be neatly manicured.

- If polish is used, it may not be black, blue, green, purple or yellow shades. All nails must be solid in color and the same color. No artificial nails, nail jewelry or nail art is allowed.

### **Scents**

- Men's and women's scents are permitted if mild and not used to mask body odor.

### **Make-up**

- Make-up should be used to enhance a natural look and should not detract from a person's appearance.
- Extreme or excessive make-up will not be allowed.

### **Permissible Jewelry**

- A wedding set and one ring
- One simple chain bracelet
- A watch
- No more than two earrings per ear
- Body piercing is permitted in ears only; no other visible body piercing is permitted.

### **Skirts**

- Skirt length shall be no shorter than three inches above the top of the knee and may not be tight fitting.
- Split skirts and dress shorts are permitted, provided they are not tight fitting and fall within the skirt guidelines.

### **Pants**

- Pants shall not be tight fitting.
- Denim pants of any color, spandex, leggings, athletic wear, and sweat suits shall not be worn.

### **Shoes**

- Shoes must be clean and in good condition.
- Heels shall be no higher than three inches.
- Casual sandals and canvas sneakers shall not be worn.
- Leather tennis shoes are permitted in a conservative color.

### **Other**

- Revealing clothing is not permitted and proper undergarments shall be worn.
- Appropriate socks or hosiery must be worn. Ornamental or textured hosiery is not permitted (i.e., lace, rhinestones, bows, etc.).
- Sunglasses are to be worn indoors only if prescribed by a physician or required for the job.
- All tattoos shall be appropriately covered so as not to be visible.

## Essential Functions and Technical Standards

All individuals, including persons with disabilities, who apply for admission to McGovern Medical School must be able to perform specific essential functions. Essential functions are the basic activities that a student must be able to perform to complete the generalist medical school curriculum. An applicant who cannot perform the medical schools essential functions, either with or without reasonable accommodations, will not be considered for admission. A candidate for the MD degree at McGovern Medical School must be able to perform these essential functions:

### Observation

Candidates must be able to accurately observe demonstrations and patients close up and at a distance to learn skills and to gather patient data (e.g., observe a patient's gait, appearance, posture, etc.). Candidates also must possess functional use of the senses of smell and vision and somatic sensation.

### Communication

Candidates must be able to communicate orally and in writing with patients and members of the health-care team. Candidates also must be able to read and comprehend written material.

### Psychomotor Skills

Candidates must have sufficient motor function to obtain data from patients using tactile, auditory, and visual maneuvers. Candidates must be able to execute motor movements to provide general care and emergency treatment that are reasonably required of a physician.

### Intellectual and Cognitive Abilities

Candidates must be able to measure, calculate, reason, analyze, synthesize, integrate and apply information. Problem solving, a clinical skill required of physicians, requires all these intellectual abilities. In addition, candidates must be able to comprehend three dimensional relationships and to understand the spatial relationships of structures.

### Behavioral and Social Attributes

Candidates must possess the emotional health required to use their intellectual abilities fully, such as exercising good judgment, promptly completing all responsibilities attendant to the diagnosis and care of patients, and developing mature, sensitive, and effective relationships with patients.

Candidates must be able to tolerate physically taxing workloads and to function effectively under stress.

Candidates must be able to adapt to changing environments, to display flexibility, and to learn to function in the face of uncertainties and ambiguities inherent in the clinical problems of many patients.

Compassion, integrity, concern for others, interpersonal skills, interest, and motivation are all personal qualities that will be assessed during the admissions and education process.

### Ethical Standards

A candidate must demonstrate professional demeanor and behavior, and must perform in an ethical manner in all dealings with peers, faculty, staff and patients.

## Family Educational Rights and Privacy Act (FERPA)

The Family Education Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the University official responsible for the record decides not to amend the record as requested, the student may submit their request to the Registrar. Following consideration by the Registrar, if the University decides not to amend the record, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with a legitimate educational interest. School officials may include a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel, health staff, and National Student Loan Clearinghouse); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the UT-Houston Health Science Center to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

## Directory Information

At its discretion, the University may release Directory Information which shall include:

1. name, address (all addresses including UT e-mail address), telephone numbers
2. date of birth
3. major field of study
4. dates of attendance
5. most recent previous educational institution attended
6. classification
7. degrees and awards received
8. date of graduation
9. class schedules

Students may have Directory Information withheld by notifying the Office of the Registrar in writing each semester during the first 12 days of class of a fall or spring semester or the first four class days of a summer session. Request for non-disclosure will be honored by the institution as a permanent request unless notified otherwise.

## Student Conduct and Discipline

**Policy number 186** from The University of Texas Health Science Center at Houston [Handbook of Operating Procedures \(HOOP\)](#).

### I. Policy and General Statement

All students are required to obey federal, state, and local laws and to comply with the University of Texas System ("UT System") Board of Regents' Rules and Regulations, the rules and regulations of The University of Texas Health Science Center at Houston ("university"), and directives issued by administrative officials of the university or UT System in the course of their authorized duties. Students are also required to obey standards of conduct appropriate for an academic institution.

Any student who engages in conduct that violates the Regents' Rules and Regulations, university or UT System rules, or federal, state, or local laws is subject to disciplinary action whether the conduct takes place on or off university property and whether or not civil or criminal penalties may be imposed for such conduct. A student is also subject to disciplinary action for prohibited conduct that occurs while participating in any activities sponsored by the university or UT System, including, but not limited to, field trips, study abroad programs, inter- and/or intramural athletic activities, student organizations registered with the university, and laboratory and other rotations or clinical assignments, whether on or off university property.

A student who receives a period of suspension as a disciplinary action is subject to further disciplinary action for prohibited conduct that occurs during the period of suspension. A student who is suspended or is expelled for disciplinary reasons is prohibited from being on any university or UT System property during the period of suspension or after expulsion without prior written approval of the appropriate student affairs officer of the academic unit at which the suspended or expelled student wishes to be present. In the written request for such approval, the student is required to disclose each school and/or prior institution from which the student has been suspended or expelled and the conduct leading to the action.

### II. Definitions

**Administrative Disposition:** A document signed by the student and the Dean that includes a statement of the disciplinary charges, the disciplinary penalty, a waiver of the disciplinary hearing procedures described in Appendix B, and a waiver of all appeals, except as otherwise provided in this policy.

**Day:** A calendar day except for days on which the university is officially closed or when regularly scheduled classes are suspended due to emergency situations.

**Dean:** The administrative officer(s) responsible for the administration of the disciplinary process at each school. Primary responsibility and authority for student discipline lies with the Dean of each school, who is responsible for coordinating an investigation of charges of misconduct and assessing disciplinary actions, if appropriate, within his or her own operating unit, notwithstanding any action taken by other authorities. The Dean may delegate the authority for the student disciplinary process at a school to one or more school administrative officers as the Dean's designee. All references to "Dean" herein also include the Dean's designee, if any.

**Disciplinary probation:** A penalty which involves observation and monitoring of a student's conduct for a period of time.

**Expulsion:** Permanent separation of a student from the university.

**Hearing Officer:** A fair and impartial individual selected by the Executive Vice President & Chief Academic Officer to hear disciplinary charges, make findings of fact, and, upon finding a violation of rule or policy, to impose one or more appropriate disciplinary penalties.

**Student:** A person who (1) is enrolled or registered at the university, (2) is accepted for admission or re-admission to the university, (3) was previously enrolled at the university in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows, or (4) who engaged in prohibited conduct at a time when he or she met any of these criteria.

**Suspension:** A temporary interruption in a student's enrollment and participation in academic activities at the university for a specific period of time, after which the student would be permitted to register/enroll and participate in academic activities, subject to such conditions as may be imposed as part of the disciplinary action and/or as a condition of the student's registration/enrollment and participation.

**University Property:** Any real property, buildings or facilities owned, leased, controlled or formally utilized by the university and/or UT System; also includes equipment and/or supplies owned and/or utilized by the university. For students enrolled or registered in the Graduate School of Biomedical Sciences, this may also include any real property, buildings, facilities or equipment owned, leased or formally utilized by UT M.D. Anderson Cancer Center.

### III. Procedure

#### A. Conduct

Conduct that would subject a student to disciplinary action includes, but is not limited to, the conduct described in Appendix A.

#### B. Disciplinary Actions

The following disciplinary actions may be assessed by the Dean or by a hearing officer:

- disciplinary probation;
- withholding of grades, official transcript, and/or degree;
- bar against re-admission;
- restitution or reimbursement for damage to or misappropriation of university or UT System property;
- suspension of rights and privileges, including participation in scholastic and/or extracurricular activities;
- assignment of a grade of zero for an examination or assignment or for a course, and/or cancellation of all or any portion of a prior course credit;
- denial of degree;
- suspension;

- expulsion;
- revocation of degree and withdrawal of diploma;
- other reasonable sanctions deemed appropriate under the circumstances.

If a student is suspended, he or she will be administratively withdrawn from all courses and refunds will not be issued. Suspension is noted on the academic transcript. The notation can be removed upon the request of the student when all conditions of the suspension are met. Expulsion creates a permanent notation on the student's academic transcript.

If a student is found responsible for the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum sanction assessed (even upon appeal) shall be suspension from the university.

### C. Process

#### 1. Investigation

The Dean is responsible for coordinating an investigation into allegations of misconduct, except in cases of sexual misconduct as defined in HOOP 59, Sexual Misconduct. In such cases, the Dean shall immediately refer the matter to the Title IX Coordinator.

Pending a hearing or other disposition of the allegations, the Dean may take such immediate action as is reasonably appropriate under the circumstances when such action is in the best interest of the university. This includes, but is not limited to, suspension and bar from the campus when it reasonably appears to the Dean from the circumstances that the continuing presence of the student poses a potential danger to persons or property or a potential threat for disrupting any activity authorized by the operating unit and/or university.

When an interim disciplinary action has been taken by the Dean, a hearing of the charges against the student will generally be held within 10 days after the interim disciplinary action was taken in accordance with the procedures described in Appendix B. However, at the discretion of the Dean, the 10-day period may be extended for a reasonable period.

Notwithstanding the above, the Dean may withhold the issuance of an official transcript, grade, diploma, or degree to a student alleged to have violated a rule or regulation of the university or of UT System which would reasonably allow the imposition of such action. The Dean may take such action pending a hearing, resolution by administrative disposition, and/or exhaustion of appellate rights if the Dean has provided the student an opportunity to provide a preliminary response to the allegations and in the opinion of the Dean, the best interests of the university or UT System would be served by this action.

Any student may be contacted or may be summoned by written request of the Dean for purposes of the investigation and/or to discuss allegations of student misconduct. The written request shall specify a place for the meeting and a time at least 3 days after the date of the written request if the request is sent by regular mail, or at least 2 days after the date of the request if the request is sent by e-mail or hand delivered. The written request may be mailed to the address appearing in the records of the Registrar, emailed to the e-mail address on record with the university or hand delivered to the student. If the student fails to appear for such a meeting without good cause, as determined by the Dean, the Dean may bar or cancel the student's enrollment or otherwise alter the status of the student until the student attends the meeting. If the student failing to appear as requested by the Dean is the student against whom allegations are being reviewed, the Dean, in addition to the above, may proceed with disciplinary action based upon other available information using the disciplinary procedures described in Appendix B. A student's failure to maintain a current address with the Registrar, failure to read mail or e-mail, or refusal to accept delivery of the notice are not considered good cause for failing to respond to the Dean's request for a meeting.

The Dean will consider the available information, determine if it is sufficient to proceed with the disciplinary process, and, if so, determine one or more appropriate disciplinary actions. Before proceeding with disciplinary action, the Dean will offer the accused student the opportunity to meet and provide a response to the allegations and, upon request, to review the available evidence supporting the charges. If the student disputes the facts on which the charges are based, the Dean will initiate the hearing procedures described in Appendix B.

In cases involving potential criminal conduct, the Dean shall consult with the Office of Legal Affairs and The University of Texas Police - Houston and shall advise the alleged victim of his or her right to file a criminal complaint.

## 2. Waiver

In any case, except in a case involving sexual misconduct as defined in HOOP 59, where the accused student elects both not to dispute the facts upon which the charges are based and agrees to the disciplinary actions the Dean assesses, the student may execute a written waiver of the hearing procedures described in Appendix B. This administrative disposition shall be final and there shall be no subsequent proceedings regarding the charges.

In any case, except in a case involving sexual misconduct as defined in HOOP 59, where the accused student elects not to dispute the facts upon which the charges are based but does not agree with the disciplinary actions assessed by the Dean, the student may execute a written waiver of the hearing procedures specified in Appendix B yet retain the right to appeal the decision of the Dean only on the issue of the disciplinary action assessed. The appeal regarding the disciplinary action assessed will be made to the university President, as provided below.

In any case involving sexual misconduct as defined in HOOP 59, both the complaining witness/complainant and the accused student must agree to the terms of any administrative disposition or waiver of the hearing procedures; otherwise, the hearing and appeals will proceed in accordance with this policy.

## 3. Hearing

Disciplinary hearings will be conducted in accordance with the procedures described in Appendix B. In any case involving sexual misconduct as defined in HOOP 59, the complaining witness/complainant will be provided the same rights and responsibilities outlined in Appendix B as the accused student, including the right to notice of the hearing.

## 4. Appeal

Either the Dean or the student may appeal the decision of the hearing officer. In cases involving sexual misconduct as defined in HOOP 59, Sexual Misconduct, the complaining witness/complainant may pursue an appeal under the same procedure as the accused student.

The appealing party shall submit to the President a written appeal stating the specific reasons for the appeal and any argument with a copy to the other party(ies). The appeal must be received by the President's Office no later than 7 days after the appealing party has been notified of the disciplinary action assessed by the Dean or of the decision of the hearing officer. If the notice of the disciplinary action assessed by the Dean or decision of the hearing officer is sent only by mail, the notice will be considered to have been received on the third calendar day after the date of mailing, excluding any intervening Sunday. The non-appealing party, and in cases involving sexual misconduct as defined in HOOP 59, the complaining witness/complainant, may submit a response to the appeal which must be received by the President's Office by no later than 3 days after receipt of the appeal by the non-appealing party or the complaining witness/complainant, with a copy to the other party(ies).



An appeal of the hearing officer's decision will be reviewed solely on the basis of the record from the hearing, but at the discretion of the President, both parties may present oral arguments. The Dean will submit the record of the hearing to the President as soon as it is available to the Dean.

The President may approve, reject, or modify the decision in question, or may require a reopening of the original hearing for presentation of additional evidence and reconsideration of the decision.

An appeal of the disciplinary action assessed by the Dean following the student's waiver of the disciplinary hearing procedures will be reviewed solely on the basis of the documentation and written arguments provided to the President by the student and the Dean.

The action of the President will be communicated in writing to all parties to the appeal within 14 days after the President receives the appeal and related documents. The decision of the President is final.

**D. Records**

A permanent, written disciplinary record will be maintained for each student assessed a disciplinary action of suspension, expulsion, denial or revocation of degree, and/or withdrawal of diploma. The academic transcript of a student suspended or expelled for disciplinary reasons shall be marked accordingly. A record of scholastic dishonesty will be maintained for at least five years unless the record is permanent in conjunction with the above-stated disciplinary actions. A disciplinary record will reflect the nature of the charge, the disposition of the charge, the disciplinary action assessed, and any other pertinent information. This disciplinary record will be maintained separately from the student's academic record by the applicable Office of Student Affairs. It shall be treated as confidential and will not be accessible to or available for use by anyone other than the Dean or university officials with legitimate educational interests, except on written authorization of the student or in accordance with applicable state or federal laws, court order or subpoena.

**IV. Contacts**

Contact	Telephone	Email/Web Address
Office of the Executive Vice President & Chief Academic Officer	713-500-3082	<a href="https://www.uth.edu/evpara/">https://www.uth.edu/evpara/</a>
Office of Legal Affairs	713-500-3268	<a href="mailto:legal@uth.tmc.edu">legal@uth.tmc.edu</a> <a href="https://www.uth.edu/legal/contact-us.htm">https://www.uth.edu/legal/contact-us.htm</a>

**V. Exhibits**

- [Appendix A](#) - Student Conduct and Discipline - Unacceptable Student Conduct
- [Appendix B](#) - Student Conduct and Discipline - Student Disciplinary Hearing Process

**HOOP Policy 186 – Appendix A – Unacceptable Conduct**

Unacceptable conduct that would subject a student to disciplinary action includes, but is not limited to, the following:

- Engaging in scholastic dishonesty such as cheating, plagiarism, collusion, submitting another person's work or materials for credit, taking an exam for another person or having another person take an exam for the student, acting in a manner that would give unfair advantage to him- or herself or another student, or attempting to commit such acts;
- Illegally using, possessing, or selling a drug or narcotic on campus (also refer to HOOP 9, Alcoholic Beverages, HOOP 163, Fitness for Duty/Fitness for Participation and HOOP 173 Substance Abuse);

- Endangering the health or safety of another person on university property or while participating in any activities sponsored by the university or UT System, including, but not limited to, field trips, study abroad programs, inter- and/or intramural athletic activities, student organizations registered with the university, and laboratory and other rotations or clinical assignments, whether on or off university property;
- Obstructing, disrupting or interfering, individually or in concert with others, with teaching, educational, research, administrative, disciplinary, public service or other activity or public performance authorized by the university to be held on university property or while participating in any activities sponsored by the university or UT System, including, but not limited to, field trips, study abroad programs, inter- and/or intramural athletic activities, student organizations registered with the university, and laboratory and other rotations or clinical assignments, whether on or off university property; such behavior includes, but is not limited to, making false threats, any act that interrupts, modifies or damages university utility service or equipment; communication service or equipment; and computer hardware, programs, records or networks accessible through university resources;
- Interfering with, obstructing, or refusing to participate in an investigation under HOOP 59, Sexual Misconduct;
- Engaging in speaking or writing that is directed to inciting or producing imminent lawless action and that is likely to incite or produce such action;
- Engaging in the unauthorized possession and/or use of university property;
- Engaging in hazing, singly or in concert with others. Hazing, with or without the consent of a student and on or off campus, is prohibited by state law, and both the person submitting to the hazing and the person inflicting the hazing are subject to discipline. Initiations or activities of organizations may not include features that are dangerous, harmful, or degrading to any student. Both the organization and participating individuals are subject to discipline.
- Sexual misconduct (refer to HOOP 59, Sexual Misconduct).
- Altering or assisting in the altering of any official record of the university or UT System, or submitting false information or omitting information required for or related to application for admission, award of a degree, or any official record. A former student who engages in such conduct is subject to disciplinary action, including but not limited to bar against re-admission, revocation of degree, and withdrawal of diploma;
- Defacing, mutilating, destroying or taking unauthorized possession of property university;
- Possessing or using any type of explosive, firearm, imitation firearm, ammunition, hazardous chemical or weapon as defined by state or federal law while on university property, unless authorized by law (also refer to HOOP 222, Concealed Handguns on Campus);
- Failing to report to an assigned training environment, without approval for an excused absence, including service as a Graduate Teaching Assistant or Graduate Research Assistant, where such service is an academic requirement.

## **HOOP Policy 186 – Appendix B – Student Disciplinary Hearing Process**

### **1. Notice of Hearing**

In cases other than those in which immediate interim disciplinary action has been taken, the accused student will be given at least 10 calendar days' notice of the date, time and place for the hearing, the name of the hearing officer, a written statement of the allegation(s), including the identity of the complaining witness/complainant, and a summary statement of the evidence supporting such allegation(s). The hearing notice will provide instructions and set a deadline by which the student must notify the Executive Vice President & Chief Academic Officer ("EVP/CAO") if the student intends to appear through counsel or other designated representative. The hearing notice will be delivered in person or mailed to the student at the address appearing in the registrar's records. A hearing notice sent by mail will be considered to have been received on the third calendar day after the date of mailing, excluding any intervening Sunday. The date for a hearing may be postponed by the hearing officer for good cause or by agreement of the parties and the EVP/CAO.

### **2. Impartiality of Hearing Officer**

A hearing officer will be selected by the EVP/CAO. The accused student may challenge the impartiality of the hearing officer up to 7 calendar days prior to the hearing by submitting the reasons for the challenge in writing to the hearing officer through the office of the EVP/CAO. The hearing officer is the sole judge of whether he or she can serve with impartiality. If the hearing officer disqualifies him- or herself, a new hearing officer will be appointed by the EVP/CAO. The appointment of a new hearing officer may have an impact on the hearing date.

### 3. Burden of Proof

On a hearing of the allegations, the Dean has the burden of going forward with the evidence and proving the allegations by the greater weight of credible evidence (a “preponderance of the evidence” standard).

### 4. Duties of Hearing Officer

The hearing officer is responsible for conducting the hearing in an orderly manner and controlling the conduct of the witnesses and participants in the hearing. The hearing officer will rule on all procedural matters and on objections regarding exhibits and testimony of witnesses. The hearing officer may also question witnesses and is entitled to have the advice and assistance of counsel from the UT System Office of General Counsel (“OGC”), who may attend but may not actively participate in the hearing. Within 10 calendar days of the conclusion of the hearing, the hearing officer will render and send to the Dean and the accused student, and in cases involving sexual misconduct as defined in HOOP 59, the complaining witness/complainant, a written decision that contains findings of fact, a conclusion whether the accused student committed one or more of the alleged violations, and any disciplinary actions imposed by the hearing officer.

### 5. Conduct of Hearing

The hearing will generally be conducted as follows:

At least 7 calendar days prior to the hearing, each party shall provide the hearing officer and the other party a list of witnesses, a brief summary of the testimony to be given by each such witness, and a copy of documents to be introduced at the hearing.

Each party has the right to appear, present testimony of witnesses and documentary evidence, cross-examine witnesses, and be advised by legal counsel or other designated representative, who may be present at the hearing. If the accused student's advisor is an attorney, the Dean's advisor may be an attorney from the UT System OGC. The accused student must provide written notice of the advisor's name, address, telephone number (and in the case of an attorney, a Texas State Bar license number) to the EVP/CAO no later than 7 calendar days prior to the hearing. An advisor may confer with and advise the Dean or accused student, but an advisor may not question witnesses, may not address the hearing officer, the Dean, the complaining witness/complainant, or another representative, and may not introduce evidence, make objections or present argument to the hearing officer. In sexual harassment/sexual assault cases, the complaining witness/complainant shall have the right to have irrelevant past sexual history with third parties excluded from the evidence and to have a hearing at which only the respondent, complaining witness/complainant, hearing officer, Dean, Title IX Coordinator, attorney for the Dean (if any) and representative(s) for complaining witness/complainant and/or respondent (if any) may be present.

During the hearing, the Dean may recommend and/or request one or more specific disciplinary actions be imposed by the hearing officer and may base the recommendation on any reasonable factors the Dean deems relevant. The accused student is entitled to respond to the Dean's recommendation.

The hearing will be recorded. If either party, and in cases involving sexual misconduct as defined in HOOP 59 the complaining witness/complainant, wishes to appeal the hearing officer's decision, the official record will consist of the recording of the hearing, the documents received in evidence and the written finding of facts and conclusions of the hearing officer. At the request of the President, the recording of the hearing will be transcribed and the parties will receive a transcript.