



## LEARNER ACADEMIC AND PROFESSIONAL CONDUCT POLICY

### I. ACADEMIC AND PROFESSIONAL CONDUCT

Florida A&M University is committed to academic honesty and its core values, which include scholarship, excellence, accountability, integrity, fairness, respect, and ethics. These core values are integrated into this academic honesty policy. Being unaware of the Academic Honesty Policy is not a defense for violations of academic honesty.

The College has the responsibility of preparing learners to enter professions in which honesty is of the utmost importance. All learners within the college are expected to demonstrate the principles of honesty and integrity as expected in their chosen fields. Accordingly, the penalty for academic and professional misconduct can be severe and may include permanent dismissal from the BSPS, PharmD, and graduate programs in the college. Learners suspected of academic or professional misconduct may be referred to the College's [Professional Learner Conduct Committee \(PLCC\)](#).

#### NON-ACADEMIC CONDUCT

Any learner suspected of non-academic misconduct will be referred to the University's Office of Student Conduct and Conflict Resolution. (See University Regulations 2.012: Student Code of Conduct and 2.013: Due Process, Other Rules, and Responsibilities.)

This academic and professional conduct policy shall be adhered to by all learners and applies to all academic and professional work, both inside and outside of class.

### II. SCOPE OF POLICY

The College expects all learners to conduct themselves in a professional manner. Misconduct, as outlined by this policy, may be academic, non-academic, and professional in nature and applies to all learners enrolled in the College's academic programs and participation in programs, events, and activities affiliated with, sponsored by, or sanctioned by the College (regardless of whether such activities take place on or off campus). This policy applies to learners in the BSPS, PharmD, and graduate programs.

### III. TYPES OF MISCONDUCT

The College recognizes the following types of learner misconduct:

#### A. Academic Misconduct

##### 1. Definition of Academic Misconduct

The College identifies academic misconduct as any deliberate attempt to gain an unfair advantage in academic work. Being unaware of the Academic Honesty Policy is not a defense for violations of academic honesty. For the purpose of this policy, academic misconduct is further defined as, but is not limited to:

- a. Unfair advantage: receiving, stealing, reproducing, or circulating exam or quiz materials prior

- to assessment; receiving, stealing, destroying, defacing, or concealing materials for the purpose of depriving others of their use; Unauthorized collaboration on an academic assignment; failure to return assignments or an exam as instructed; intentionally obstructing or interfering with another learner's academic work; or engaging in any activity with the purpose of creating or obtaining an unfair advantage over other learners
- b. Cheating: unauthorized use of information, notes, study aids, or electronic devices on or during an exam; altering graded assignments; exchanging information with peers during testing; use of forbidden electronic devices during an exam and/or an assessment.
  - c. Falsification of information: intentionally furnishing false or misleading information; altering documents; forging signatures or impersonating someone in an exam and/or assessment.
  - d. Plagiarism: presentation or submission of work by someone else, as if it were one's own, including drafts of assignments.
  - e. Unauthorized access to academic records: viewing, altering, or dispensing academic, administrative, or computer records; modifying academic, administrative, or computer records, computer programs, or systems; or interfering with the use or availability of academic, administrative, or computer records or computer systems.
  - f. Violation of testing protocol. Bringing unauthorized items into a testing environment. Such items include but are not limited to cell phones, laptops, calculators, electronic devices, smartwatches, watches, pagers, photographic devices, recording devices, purses, briefcases, notebooks, testing aids, notes, papers, published materials, backpacks, or other bags. Unauthorized changes to assigned seats. Attempting to return to the testing room after unauthorized departure. Testing in unauthorized locations or locations not designated by the instructor.
  - g. Other: providing information, material, or other assistance with the knowledge that such assistance could be used in violation of the University's Student Code of Conduct or other University policies or providing false information in connection with any inquiry regarding academic dishonesty.

## 2. Faculty Member/Instructor's Responsibility.

In response to Academic misconduct, the faculty member can choose to reprimand the student within the course OR to refer to the professional conduct committee. Instructors have the power to issue a written warning or reprimand or give a penalty grade - either for the exam/assignment in question or for the entire course. All instructor-imposed sanctions must be immediately communicated to the Office of Student Affairs and to the learner. **If a faculty member chooses to reprimand the student within the classroom and such sanction(s) are accepted by the learner, the option of appeal (grade or misconduct) with the College on that issue is voided due to acknowledgment of the misconduct. This acknowledgment will be written and signed by the course instructor, learner and Associate Dean of Student Affairs. In the event** ~~If a faculty member chooses to reprimand the student within the classroom and such sanction(s) are not accepted by the learner,~~ the misconduct must be referred to the **PLCC**, and the instructor must follow the procedure as outlined in Section IV of this policy.

## 3. Penalties for Academic Dishonesty/Misconduct Upon Referral to the **PLCC**

For a learner engaging in academic dishonesty/misconduct, penalties levied by the **PLCC** may range from and to the following:

- a. A written warning or reprimand issued to the learner's record

- b. Lowering a score on an exam or assignment
- c. Failing the course
- d. Suspension from the College
- e. Dismissal from the College.

#### 4. Degrees of Sanctions

A learner found responsible for a violation or violations of this Policy shall be subject to sanctions commensurate with the offense with consideration given to any aggravating and mitigating circumstances, including but not limited to, the learner's file. The degrees of sanctions, based on egregiousness and past conduct, are:

- a. First Level Sanctions shall consist of: (i.) written and/or verbal apology to the affected party, (ii.) notation in learner's file held by the Office of Student Affairs, (iii.) Code of Ethics training, (iv.) penalty as per syllabus, and/or (v.) presentation on policy violation before the appropriate audience.
- b. Second Level Sanctions shall consist of any and all sanctions listed above as in the first level sanctions, and additionally: (i.) removal from learner held elected or appointed offices within College, and/or (ii.) termination of College provided scholarships.
- c. Third Level Sanctions shall consist of all sanctions listed in the first and second level sanctions and will additionally include suspension or dismissal at the discretion of the **PLCC**.

#### 5. Learner's Responsibility Regarding Academic Misconduct

Learners who believe that academic misconduct has taken place are encouraged to bring their concerns to the attention of the instructor for the course, other faculty, or administrators of the College as deemed appropriate.

#### 6. Personnel Involved in Reports of Academic Dishonesty

- a. Faculty member/Instructor
- b. Learner(s) responsible for the alleged charges
- c. Associate Dean of Student Affairs or designee
- d. **PLCC**
- e. Dean, College of Pharmacy

### B. Professional Misconduct

#### 1. Definition of Professional Misconduct

The College identifies professional misconduct as the commission or omission of any act that is detrimental or harmful to the college and its reputation specifically those which violate the high standards of honesty, ethical integrity, and responsibility to maintain the health, safety, and welfare of the academic or professional community and the public. For the purpose of this policy, professional misconduct may include, as listed below, but not limited to:

- a. Violating Classroom decorum, as listed below but not limited to violations of expected terms of conduct described in course policies or syllabi or as otherwise articulated in writing by the instructor.
- b. Behavior (i.e. unnecessary talking, etc.) that disrupts the learning environment of other learners.
- c. Exhibiting unprofessional behavior. Addressing faculty, staff, learners, preceptors, practitioners, or patients in an unprofessional, disrespectful, or inconsiderate manner.

- d. Sending harassing speech, obscenity-related material, or misuse of social media and/or any other communication.
- e. Refusing to comply with requests issued by faculty or administrators related to academic issues.
- f. Violations of codes of conduct described in the university's learner handbook, department, or course policies articulated by faculty/instructors in writing.
- g. Violations of any codes of conduct/policies in any place or practice setting affiliated with the college and/or FAMU (e.g. rotation sites, internships, etc.).
- h. Violation of patient confidentiality in any practice and/or learning setting.
- i. Knowingly providing false information or evidence to college faculty or administrators.

## **2. Instructor's and Administrator's Responsibility.**

Instructors and Administrators may issue a written reprimand or refer the learner to the **PLCC** for learner professional conduct violations and must immediately communicate such sanction to the Office of Student Affairs.

## **3. Professional Misconduct Penalties Upon Referral to the PLCC**

For learners engaging in professional misconduct, penalties levied by the **PLCC** may consist of the following:

- a. Personal Counseling Assessment
- b. Financial Restitution
- c. Behavioral Contracts
- d. Required Letters of Apology
- e. Presentations to the College Community
- f. Service to the College or Community
- g. Professional mentoring
- h. Attendance at a Florida Board of Pharmacy hearing for student pharmacists
- i. Suspension or dismissal, at the discretion of the Dean of the College dependent upon the egregiousness of the conduct.

## **4. Degrees of Sanctions**

A learner found responsible for a violation or violations of this Policy shall be subject to sanctions commensurate with the offense as listed above with consideration given to any aggravating and mitigating circumstances, including but not limited to, the learner's conduct record. The degrees of sanctions are:

- a. First Level Sanctions shall consist of: (i.) written and/or verbal apology to the affected party, (ii.) notation in learner's file, (iii.) Code of Ethics training, (iv.) penalty as per syllabus, and/or (v.) presentation on conduct before the appropriate audience.
- b. Second Level Sanctions shall consist of any and all sanctions listed above as in the first level sanctions, and additionally: (i.) removal from learner held elected or appointed offices within College/ and/or (ii.) termination of College provided scholarships.
- c. Third Level Sanctions shall consist of all sanctions listed in first and second level sanctions and will additionally include suspension or dismissal at the discretion of the **PLCC**.

## **5. Learner Responsibility Regarding Professional Misconduct**

Learners who believe that professional misconduct has taken place are encouraged to bring their concerns to the attention of the instructor for the course, other faculty, or administrators of the College as may be appropriate.

## **6. Personnel Involved in Reports of Professional Misconduct**

- a. Faculty member/Instructor/Administrator
- b. Learner(s) responsible for the alleged charges
- c. Associate Dean of Student Affairs or designee
- d. PLCC
- e. Dean, College of Pharmacy

## **C. Non-Academic Misconduct**

### **1. Definition of Non-Academic Misconduct**

Non-Academic Misconduct is governed by the University Student Code of Conduct (See University Regulation 2.012) and these violations will be addressed by the University's Office of Student Conduct and Conflict Resolution. Therefore, the College will refer these matters to that office.

### **2. Non-Academic Misconduct Process**

If a faculty member, administrator, or party observing misconduct believes that a learner has engaged in an activity that constitutes Non-Academic Misconduct, he/she must refer the matter to the Office of Student Conduct and Conflict Resolution.

### **3. Learner Responsibility Regarding Non-Academic Misconduct**

Learners who believe that non-academic misconduct has taken place are encouraged to bring their concerns to the attention of an instructor or administrators of the College as may be appropriate.

### **4. Personnel Involved in Reports of Non-Academic Misconduct**

- a. Faculty member/Instructor/Administrator/Learners
- b. Learner(s) responsible for the alleged charges
- c. University's Office of Student Conduct and Conflict Resolution Personnel

## **IV. PROTOCOL AND PROCEEDINGS FOR ACADEMIC, PROFESSIONAL, AND NON-ACADEMIC MISCONDUCT**

1. ALL cases of learner misconduct should be reported as soon as the incident is observed.
2. The instructor, administrator, learner, or observing party is responsible for initially taking appropriate action. A course instructor or administrator who has reason to believe that a learner has engaged in an act of academic or professional misconduct shall immediately upon discovery, attempt to resolve the incident and may sanction the learner as per this policy. In all unresolved cases involving academic and professional misconduct, and in cases of non-academic misconduct, the instructor, administrator, learner, or observing party shall:
  - a. Report misconduct on the appropriate form from the Office of Student Affairs and relay the relevant information on the form (i.e. item of misconduct, proposed penalty, etc.) The faculty member(s) who believes a learner is responsible for academic dishonesty is to copy the learner when the submission is made to the Office of Student Affairs. He/she is to suggest the desired outcome on the form.
  - b. Submit the form to the Office of Student Affairs who will log the report and provide a copy to

- the **PLCC** within 10 business days of receiving the form.
- c. The Associate Dean of Student Affairs or designee shall:
    - i. Notify in writing, the learner and, the Chair and members of the **PLCC** of the impending misconduct allegation within 10 business days of receiving the form from Student affairs.
    - ii. Convene a separate meeting with the reporting instructor (and Division Director as applicable) and the learner to assemble all relevant information within 10 business days. A joint meeting may be held if warranted.
    - iii. Report the findings to the Chair of the **PLCC** within 10 business days. If resolved, a statement of resolution will be placed into the learner's academic file. If not resolved, the matter should be forwarded to the **PLCC** for adjudication (hearing).
3. Learner Notification
- a. The learner who has been alleged of a charge of misconduct referred to the **PLCC** will be notified in writing of the incident from the Associate Dean of Student Affairs or designee to ensure due process.
  - b. The letter shall:
    - i. Identify the specific misconduct charge(s) and information from the faculty member, administrator, etc. to support it/them.
    - ii. Specify the proposed sanction(s) recommended by the faculty member or administrator if applicable
    - iii. Specify a time for a meeting to discuss allegations and a possible rebuttal.
    - iv. Instruct the learner to contact the Chair of the **PLCC** to either accept in writing the proposed penalty or, discuss the procedure for initiating a hearing. The Chair of the **PLCC** will also contact the learner within 10 business days of referral.
  - c. This notification shall be sent via university email to the learner's most recent address of record on file in the Office of the Registrar within 10 business days of referral of the matter to the **PLCC**.

## V. DUE PROCESS

No learner may be sanctioned or dismissed from a course, program of study, without due process as outlined in the Florida A&M University Student Code of Conduct (See University Regulation 2.013: Due Process, Other Rules, and Responsibilities).

## VI. HEARING GUIDELINES

1. The learner may inspect all information that will be presented at least three (3) business days before the disciplinary hearing.
2. The learner may present information on his/her own behalf during the hearing.
3. The faculty/staff/administrator will then present information during the hearing.
4. The learner may have an advisor of their choice at the hearing who is authorized to have access to the learner's academic files as designated on a properly executed FERPA form. The learner must provide notice of the attendance of such person at least 72 hours (3 business days) prior to the hearing. If no notice is given, the hearing will be rescheduled to allow proper notice of attendance by an outside party, if necessary. This allowance will not be abused.
5. An advisor is not allowed to address the committee during the hearing and shall not be allowed to attend an initial meeting between the faculty member and/or administrator and the learner. He/she is not allowed to deliberate or delay the proceedings.

6. If the learner presents with legal counsel, official notice must be provided in writing to the University's General Counsel and the Office of Student Affairs of CoPPS, IPH at least three (3) business days before the disciplinary hearing. A copy of such notice must also be sent to the Office of the Provost by the learner.
7. After the committee hears all evidence, a resolution will be determined and communicated to the learner and their academic advisor within 10 business days.
  - a. A summary table of learners sanctioned for academic dishonesty is to be constructed by the committee and forwarded to the Dean, Executive Assistant to the Dean, and the Associate Dean of Academic Affairs by the **PLCC** Chair. The summary table should include the following:
    - i. Learner Name/Campus
    - ii. Degree program
    - iii. Year
    - iv. The allegation
    - v. Committee ruling

## **VII. COLLEGE APPEAL PROCESS**

The granting of an appeal is not automatic. A learner who wishes to appeal a penalty for misconduct rendered by the **PLCC** must write a formal business letter to the Dean of the College **with a copy to the Dean's Executive Assistant** outlining the reasons for and nature of the appeal. This letter must have an "Academic (or Professional or Non-Academic, as applicable) Dishonesty Letter of Appeal" in the subject line and be delivered to the Dean of the College within 10 business days from the date of the **PLCC** resolution letter. The **PLCC** Committee Chairperson is to be copied on the message and letter.

The letter should include instructions about appealing to the Dean and the requirement of a business letter. In addition, the learner's academic advisor is to immediately contact the learner to ensure that he/she knows of the components of a business letter (see Appendix C).

No person may hear or decide an appeal if they conducted or participated in the conduct proceeding being reviewed on appeal. Deference is given to the original hearing body's outcome; thus, the burden is on the learner filing an appeal to demonstrate cause to alter the decision of the hearing body.

The written appeal must specify the reason(s) why consideration should be granted and are limited to the following:

1. The learner's due process rights, as outlined in University Regulation 2.013, were violated in the conduct proceeding;
2. New information exists that was not known to the learner and could not have reasonably been known or discovered at the time of the original proceeding and which would have substantially affected the outcome of the proceeding. This does not include statements from an individual or learner who did not appear for a proceeding;
3. The information presented during the proceeding does not support the decision; or
4. The sanction(s) imposed is not commensurate with the violation(s), with consideration given to any aggravating and mitigating circumstances.

The Dean of the College, **or designee**, may uphold the decision and/or sanction(s); modify the decision and/or sanction(s); remand the case to the original hearing body for reconsideration of the decision and/or sanction(s) subject to any instructions, or remand the case for a new hearing.

The Dean, or designee, will respond to a letter of appeal to acknowledge receipt of the letter of appeal from the learner within three (3) business days, then schedule and hold an appeal meeting within ten (10) business days of acknowledgement of receipt of the letter of appeal, or If the Dean or designee denies the appeal, this decision will be communicated to the learner in writing within five (5) business days of the acknowledgement. This decision shall be communicated to the learner, Executive Associate Dean, Associate Dean of Academic Affairs, Associate Dean of Student Affairs, professor/instructor involved, and the Associate Provost. If the learner does not accept the appeal denial, he or she may appeal this decision to the Provost and Vice President for Academic Affairs within 10 business days.

Upon receipt of the appeal, the PLCC Chair is to send to the Dean, or designee, all information used in its hearing. Scheduling occurs only after the receipt of an appeal in the form of a business letter with an acceptable basis for the appeal. The following factors will determine the scheduling of learners:

1. Order of committee ruling.
2. The proximity of APPE or NAPLEX examination – this is a compelling factor that will shift a learner ahead of others.
3. Date and time of appeal submission.
4. Should a hearing be scheduled for a learner becomes affected by legitimate factors such as graduation certification and matriculation, the Dean may then schedule another learner whose case is ready to be heard.

A final decision concerning the decanal appeal shall be communicated to the learner, Executive Associate Dean, Associate Dean of Academic Affairs, Associate Dean of Student Affairs, professor/instructor involved, and the Associate Provost within 10 business days of the scheduled meeting with the Dean. If the learner does not accept the resolution, he or she may appeal this decision to the Provost and Vice President for Academic Affairs within 10 business days.

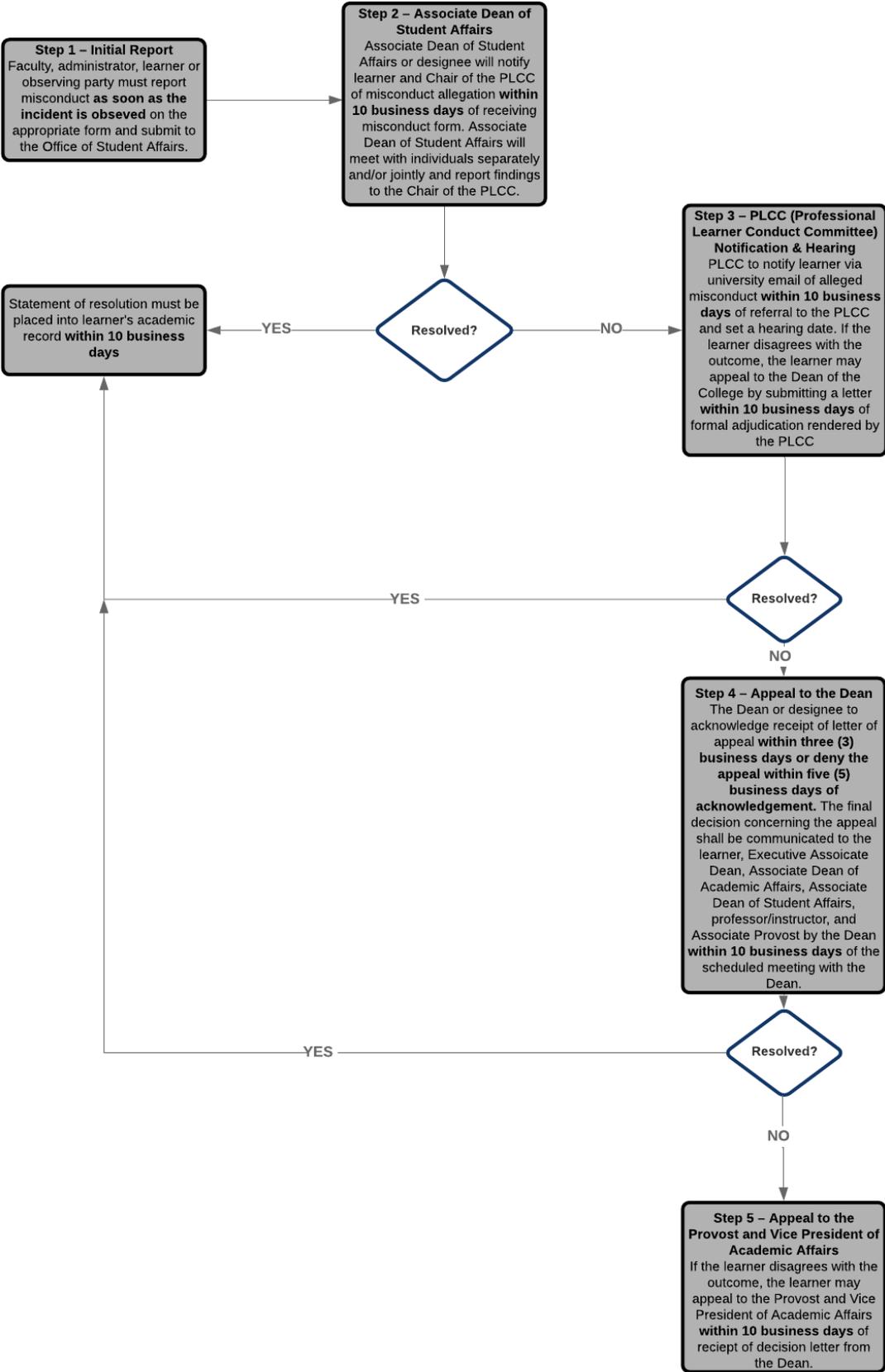
**VIII. PROFESSIONAL CONDUCT COMMITTEE RESPONSIBILITIES**

1. Conduct hearing after reviewing the documentation
2. Call and question witnesses
3. Levy penalties for misconduct charges upheld by the Committee
4. File Hearing Resolution form with the Office of Student affairs

*The College reserves the right to modify or make exceptions to this policy and apply any such modification, or exception applicable to any learner without regard to the date of application, admission, or enrollment. This policy is neither a contract nor an offer to enter into a contract. Each learner is responsible for knowledge of the College’s policies as well as for changes promulgated by the College as addenda to this Policy. This policy supersedes all previous versions of the Learner Misconduct Policy. Any changes made in the College’s Learner Handbook or University’s Honor Code will automatically be incorporated into this policy.*

<b>Policy and Procedure Review and Revision History</b>	
Creation Date:	8/17/2020
Reviewed Date:	8/17/2020
Revised Date:	-----
Approval Date:	8/17/2020
Effective Date:	8/18/2020

**APPENDIX A: Academic, Professional, and Non-Academic Misconduct Flow Chart and Response to Incident**



APPENDIX B: Academic, Professional, and Non-Academic Misconduct Form



Misconduct Reporting Form

Please select one of the following:  Academic  Professional  Non-Academic

Learner Name: \_\_\_\_\_

Course Name (if applicable): \_\_\_\_\_

The following describes the allegations of misconduct by the learner:

Multiple horizontal lines for writing allegations of misconduct.

We acknowledge that a resolution  has  has not been obtained from this meeting.

I do acknowledge the allegations of misconduct and do accept the sanction(s).

I do not acknowledge the allegations of misconduct and do not accept the sanction(s). (Proceed to Step II)

Professor or Observing Party Name: \_\_\_\_\_ Date: \_\_\_\_\_

Learner Name: \_\_\_\_\_ Date: \_\_\_\_\_

Associate Dean of Student Affairs Name: \_\_\_\_\_ Date: \_\_\_\_\_

**APPENDIX C: Student Business Letter Template**

*[Insert return address of letter writer]*

*[Insert Date]*

Johnnie L. Early, II, PhD, RPh, Fellow NPhA  
Dean and Professor  
Florida A&M University  
College of Pharmacy and Pharmaceutical Sciences  
Institute of Public Health  
1415 S. Martin Luther King, Jr. Blvd.  
Tallahassee, FL 32307

Dear Dr. Early:

**RE: ACADEMIC [ADD APPEAL TYPE, I.E., SUSPENSION, DISMISSAL, DISHONESTY, ETC] APPEAL**

*[Insert the body of your letter. When writing a business letter, be careful to remember that conciseness is very important. In the first paragraph, consider a friendly opening and then a statement of the main point.]*

*[The next paragraph should begin justifying the importance of the main point.]*

*[In the next few paragraphs, continue justification with background information and supporting details.]*

*[The closing paragraph should restate the purpose of the letter and, in some cases, request some type of action.]*

*[Enclosures, if any]*

Sincerely,

*[Your signature goes here in blue ink]*

*[Insert your name]*

*[Insert your title]*

**APPENDIX D: Academic, Professional, and Non-Academic Misconduct Checklist**

<b>Task</b>	<b>Responsible Party</b>	<b>Completed</b>
1. Schedule initial meeting with learner, learner academic advisor, and faculty to discuss allegations of misconduct. <b>(Step 1)</b>	Faculty, administrator, or designee	
2. Misconduct Reporting Form to be submitted to the Office of Student Affairs. If resolved, statement of resolution is to be filed into learner’s academic file. If not resolved, forward to Associate Dean of Student Affairs.	Faculty, administrator, or designee	
3. Office of Student Affairs to log the Misconduct Reporting Form, provide a copy to PLCC, and schedule meeting with learner, learner academic advisor, faculty, Division Director, and Associate Dean of Student Affairs <b>within 10 business days</b> of receipt of Misconduct Reporting Form. <b>(Step 2)</b>	Associate Dean of Student Affairs	
4. Notification to learner to schedule meeting. If resolved, statement of resolution is to be filed into learner’s academic file. If not resolved, forward to the PLCC for adjudication <b>within 10 business days</b> following the meeting. <b>(Step 2)</b>	Associate Dean of Student Affairs	
5. Chair of PLCC to contact learner <b>within 10 business days</b> of referral to schedule hearing. <b>(Step 3)</b>	Chair of PLCC	
6. All evidence of misconduct to be submitted to learner for inspection at least <b>three (3) business days</b> prior to disciplinary hearing. If resolved, statement of resolution is to be communicated to learner and their academic advisor <b>within 10 business days</b> .	Chair of PLCC	
7. Learner to file an appeal to the Dean <b>within 10 business days</b> of receipt of the PLCC resolution letter. <b>(Step 4)</b>	Learner	
8. Dean or designee to acknowledge receipt of letter of appeal from learner <b>within three (3) business days</b> or deny the appeal <b>within five (5) business days of acknowledgement</b> .	Dean or designee	
9. Dean to schedule and hold an appeal meeting <b>within 10 business days</b> of receipt of letter of appeal.	Dean	
10. Notification of decision to Learner, Executive Associate Dean, Associate Dean of Academic Affairs, Associate Dean of Student Affairs, professor/instructor involved, and the Associate Provost <b>within 10 business days</b> of scheduled meeting with the Dean.	Dean	
11. Learner to file an appeal to the Provost and Vice President for Academic Affairs <b>within 10 business days after</b> receipt of decision letter from the Dean.	Learner	