



UNIVERSITY OF KANSAS SCHOOL OF PHARMACY
**ACADEMIC, PROFESSIONAL,
SCHOLARLY, AND RESEARCH
MISCONDUCT POLICY**



KU SCHOOL OF PHARMACY

The University of Kansas

KU is an EO/AA institution.

Updated: 08/2020

This policy pertains to all students in the School of Pharmacy, including those enrolled in or auditing undergraduate and graduate courses. Each student shall complete all assignments, quizzes, exams, papers, assessments and activities individually with no assistance from any other person or source unless otherwise instructed by the faculty member teaching that section. Instructors shall make clear at the beginning of each course any modifications or instructions for the preparation of classroom assignments, required reading, notebooks, or other outside work that differ from individual completion.

This policy does not supersede nor is it intended to duplicate the School of Pharmacy Student Honor Code and Honor Council System (see Student Handbook – <http://policy.ku.edu/pharmacy/student-handbook>).

A. Definitions of academic or professional misconduct: The School of Pharmacy defines (but does not limit to) the following activities, in either face-to-face, distance, or online courses or any school-sanctioned activity, as academic or professional misconduct:

1. Cheating:
 - a. Possessing and/or using any unauthorized aid before, during, or after quizzes, examinations or assessment activities (e.g. clinical assessment, TOSCE/OSCE).
 - b. Giving or receiving unauthorized aid before, during, or after quizzes, examinations or assessment activities.
 - c. Allowing others to see one's work during quizzes, examinations and/or assessment activities.
 - d. Using electronic devices to store or receive answers, notes or other materials that provide unauthorized aid on quizzes, examinations or assessments. Examples of these devices include but are not limited to calculators, pagers, telephones, smart phones/watches, or tablet devices.
 - e. Obtaining quizzes, examinations or assessments before the exam period, without the knowledge and approval of the instructor, including exams, quizzes, assessments or other material from past course offerings.
 - f. Copying, distributing, or re-creation of a quiz, examination, lab, or assessment activity, in any form.
 - g. Using data from a previous lab, class, or assessment (or fabricating data) and submitting it as if performed during the lab period or assessment.
 - h. Altering answers on any assessment being submitted for re-grading after it has been returned to the student.
 - i. Misrepresenting your attendance or another's in a lab, class, seminar, or assessment activity.
2. Plagiarism: submitting the work of another as one's own or failing to provide proper citation for content or thoughts in a work submitted as one's own.
3. Falsifying documents, reports, or records of any kind or providing false information to University personnel.
4. Theft or destruction of library materials, computer hardware or software, or other academic resources or University property.
5. Violation of patient confidentiality in any clinical practice and/or learning setting.
6. Threatening or endangering patients, faculty, staff, preceptors, or fellow students or damaging their property.
7. Harassment of fellow students, faculty, or preceptors, or disruptive behavior in any setting.
8. Any action which inhibits the ability of others to participate in class or other academic exercise/activity.
9. Violation of regulations or ethical codes for the treatment of human and animal subjects or otherwise acting dishonestly in research.
10. Intentional false accusation of academic or professional misconduct.
11. Conduct deemed unprofessional under or otherwise in violation of policies, guidelines, or the code of ethics of the American Pharmacists Association or Kansas Board of Pharmacy regulations (*see 65-1627* <https://pharmacy.ks.gov/statutes-regs/statutes-regs>)
12. Conduct resulting in the Kansas Board of Pharmacy taking action to limit, suspend, or revoke a pharmacy intern registration or deny an application for issuance or renewal of an intern registration (*see 65-1676* <https://pharmacy.ks.gov/statutes-regs/statutes-regs>)
13. Sabotage of experiments or other class-related work.
14. Possession, sale, or use of an illicit substance.
15. Use of any prescription medication (legend or scheduled) prescribed for someone else (e.g. Adderall, Ritalin).
16. Distribution (for sale or otherwise), or administration of prescription medication to someone for whom it is not prescribed (e.g. a student selling or sharing medication prescribed to them)
17. Participating in any form of information exchange, including the use of social media, that threatens the University of Kansas, School of Pharmacy, any instructor, staff member, faculty member, student, preceptor or agent of the University or that causes a substantial disruption in the educational environment or administration or operation of the School of Pharmacy.

B. One or more of the following sanctions may be applied pursuant to a finding of academic or professional misconduct:

1. *Admonition*: An oral statement that the accused's actions constitute academic or professional misconduct.
2. *Censure*: A written reprimand for actions, which constitute academic or professional misconduct.
3. *Grade reduction for specific work*: The grade for the course work in question may be reduced to a grade of no points if deemed appropriate by the faculty member.
4. *Grade reduction for course*: The course grade may be reduced, including to a failing (F) or unsatisfactory (U) grade, if deemed appropriate by the faculty member. If the charged student dropped or withdrew from the course prior to the outcome of the adjudication, the course will be reinstated and assigned the grade as determined by the outcome of the hearing.
5. *Suspension from course*: The student may be suspended from the course if deemed appropriate by the faculty member.
6. *Disciplinary probation* recommended by the Dean.
7. *Suspension* from the School of Pharmacy.
8. *Dismissal* from the School of Pharmacy.
9. *Suspension* from the University recommended by the Dean to the Provost.
10. *Expulsion* from the University recommended by the Dean to the Provost.
11. *Other* sanctions deemed appropriate by the Faculty, Dean, or Provost may also be applied.

C. Procedural information for academic or professional misconduct charges - Reports by Faculty and Staff:

1. For charges of academic or professional misconduct observed or discovered by a faculty member, the faculty member who observes or discovers academic or professional misconduct will document the misconduct in writing **as soon as possible but in no case later than 14 calendar days** of the discovery of the infraction by completing the School of Pharmacy Academic and Professional Misconduct Reporting Form (APMRF) *for faculty*. If academic or professional misconduct is observed or discovered by a staff member, the staff member should promptly report the misconduct to the faculty member involved in the respective course/activity/student organization, with subsequent completion of the APMRF by the faculty member.
2. All forms are to be submitted to the Associate Dean for Academic Affairs who oversees conduct related issues to ensure their compliance with policy and serves as an informational resource for students and faculty regarding conduct issues. If the accusation concerns a student on the Wichita campus a copy of this form will also be provided to the Associate Dean of the Wichita Campus.
3. The Associate Dean for Academic Affairs, in consultation with the Deans Committee and the faculty member(s) involved, will review the charges and evaluate the level of severity of the infraction and possible need for sanctions. Minor infractions, unlikely to require sanctions, may be referred to the Student Honor Council. All other cases will proceed as described in paragraphs 4-9 below.
4. After consulting with the Associate Dean for Academic Affairs, the faculty member should meet with the accused student in person, provide them a copy of the report form, and verbally levy the sanction specified on the report form. This meeting should occur **as soon as possible but in no case later than 14 calendar days** of the discovery of the infraction.
5. The accused student will be provided the report form and has **14 calendar days** to sign and return the form (choosing from 1 of 4 options) to the Associate Dean for Academic Affairs.
6. Students who choose to appeal the sanctions levied by a faculty member should prepare a written appeal letter to the Department Chair (from which the faculty member has an appointment that is initiating the charge of academic or professional misconduct), followed by a subsequent meeting with the Chair. The student's appeal letter must **be in writing, signed, and submitted as soon as possible, but in no case later than 30 calendar days** of the initial notification of the charge of academic or professional misconduct (when the faculty member provided the student a copy of the form). E-mail appeals will not be considered. The appeal letter should include all documents and other information the student would like to be considered.
7. The appeal meeting with the Department Chair is to discuss the charge(s) and sanctions in an attempt to resolve the issue. If the sanctions are upheld by the Department Chair, the student may elect to no longer pursue the appeal and accept the sanctions.

8. Conversely, if the student does not feel the issue has been fairly resolved with the Department Chair, the student should prepare a new written appeal letter to the Dean of the School of Pharmacy. The student's appeal letter must **be in writing and submitted within 14 calendar days** of meeting with the Department Chair. As noted before, e-mail appeals will not be considered. Additionally, the letter to the Dean must include all supporting documentation included with the original appeal to the Department Chair.
9. Upon receipt of the student's appeal, the Dean will request the Associate Dean for Academic Affairs transfer oversight of the case to the Associate Dean for Clinical and Medical Center Affairs along with all relevant documentation, and the case will proceed to a hearing as set forth in Section D below.

C. Procedural Information for Academic or Professional misconduct charges - Reports by Students:

1. Students may report academic or professional misconduct by completing the *APMRF for students*. Once submitted the Associate Dean for Academic Affairs will notify the faculty member responsible for the course or activity, who will then review the report and proceed as set forth above.
2. If charges of academic or professional misconduct do not involve a specific academic course or activity, the Associate Dean for Academic Affairs will review the report and possibly meet with the reporting student to obtain more information. The reporting student's identity will be protected until such time as an Academic and Professional Conduct hearing is held. The Associate Dean will then present information regarding the report to the Dean's Committee for evaluation and possible action. The presentation should occur within **30 calendar days** after receiving the student's report. If deemed appropriate by the Committee, the Associate Dean will complete the *APMRF for faculty*. The Associate Dean should then meet with the accused student in person within 14 calendar days after the Committee determination, provide them a copy of the report form, and verbally levy the sanction specified on the report form.
3. If the accusation concerns a student on the Wichita campus a copy of this form will also be provided to the Associate Dean of the Wichita Campus.
4. The Associate Dean for Academic Affairs, in consultation with the Deans Committee and the faculty member(s) involved, will review the charges and evaluate the level of severity of the infraction and possible need for sanctions. Minor infractions, unlikely to require sanctions, may be referred to the Student Honor Council. All other cases will proceed as described in paragraphs 5-7 below.
5. The accused student will be provided the report form and has **14 calendar days** to sign and return the form (choosing from 1 of 4 options) to the Associate Dean for Academic Affairs.
6. The accused student may appeal the charge or sanction to the Dean of the School of Pharmacy. The student's appeal letter must **be in writing and submitted within 30 calendar days** after receiving the report form.
7. Upon receipt of the student's appeal, the Dean will request the Associate Dean for Academic Affairs transfer oversight of the case to the Associate Dean for Clinical and Medical Center Affairs along with the report form and any other relevant documentation, and the case will proceed to a hearing as set forth in Section D below.

D. Hearing Procedures

1. The Associate Dean for Clinical and Medical Center Affairs will schedule a hearing before the Academic and Professional Conduct Committee at the earliest possible time (if possible, within 30 semester days) upon notification of case.

In accordance with University policy, all judicial proceedings shall conform to general accepted standards of due process set forth in the University Senate Code, Article XII. Judicial Functions.

2. At the meeting of the Academic and Professional Conduct Committee, the Dean will advise the Committee members of the charges. Members who consider themselves unable to objectively serve due to a close personal relationship with the student or faculty member shall be excused and an alternate member will be appointed by the Dean. At this point, the proceedings are turned over from the Dean to the Associate Dean for Clinical and Medical Center Affairs serving as Chair of the committee (*Ex-officio*).
3. At least **14 days** before the hearing, the faculty member and the student must submit to the Chair of the committee a list of all witnesses and copies of all other evidence they want the committee to consider at the hearing. Copies of any documents relevant to the charges of academic or professional misconduct

should be provided. Copies shall also be provided to the other party. Prior to the hearing, the Chair of the committee shall verify that each party has received a copy of the witness list and evidence submitted by the other party.

4. A hearing will be conducted, during which the committee meets with the student and faculty member(s) to evaluate and consider the charge(s) of Academic or Professional Misconduct.
5. The Chair of the committee, at his/her discretion, may place reasonable time limits on each party's presentation of evidence and arguments. The Chair of the committee shall have the authority and responsibility to keep order, rule on questions of evidence and relevance, and shall possess other reasonable powers necessary for a fair and orderly hearing.
6. The hearing shall not be governed by formal rules of evidence, but the Chair of the committee may exclude evidence he/she deems irrelevant, unnecessary, or duplicative.
7. Key procedural elements essential for due process include, but are not limited to, the following:
 - a) All involved parties, and their counsel, are allowed to be present during all phases of the hearing, not including deliberations.
 - b) Each party to a proceeding shall have the right to introduce into evidence all relevant testimony and documents. Each party to a proceeding shall be entitled to a full examination of the evidence presented by the other parties, including the opportunity to cross-examine witnesses. The committee may question all witnesses. The committee shall base its recommendations solely on the evidence received at the hearing.
 - c) Committee members shall avoid communication with a party or witness pertaining to the substance of the hearing unless all the parties have been duly notified of the nature and content of the contact.
 - d) In reaching its decision, the committee will use the preponderance of the evidence standard to decide the case—meaning the facts must be proven more likely to be true than not true.
8. **All hearings must be audio recorded.** Audio recordings of misconduct hearings must be preserved for at least sixty days following the decision of the committee unless the decision is appealed, in which case the recording must be retained until the student's final appeal is completed. Committee discussions and deliberations should NOT be recorded.
9. Upon hearing testimony from both the faculty member(s) and students and their witnesses (if any) and reviewing any provided evidence and documentation, the committee deliberates and then advises the Dean, in writing, as to its findings on the charges of academic or professional misconduct and the appropriate sanction, if any. The committee may:
 - a. Fully support the decision made in previous steps of the appeal
 - b. Recommend that the Dean overturn the current decision
 - c. Recommend to the Dean a compromise or other appropriate resolution.

The Academic or Professional Conduct Committee will submit its recommendation to the Dean and the parties as soon as possible and no later than 14 calendar days after the end of the hearing.

10. The Dean considers the committee's recommendation and rules on the charges. The Dean may accept, modify, or reject the recommendation of the committee. The Dean notifies the parties and the Chair of the committee of the decision. The Dean will provide the written decision within 14 days of receiving the committee's recommendation.
11. All sanctions of Reduction of Grade for Specific Work, Reduction of Grade for the Course, Exclusion from Activities, Transcript Citation for Academic Misconduct, Suspension from a Specific Course, Suspension, and Expulsion that are applied by the Dean will be communicated to the Office of the Provost.
12. Records of the Academic or Professional Conduct Committee appeal hearing resulting in sanctions will be maintained in the Office of the Dean in accordance with the University's records policies.
13. The student may appeal the Dean's decision to the University Judicial Board per the University Senate Rules and Regulations (Defined in Article II, Section 6, of the Rules and Regulations of the University Senate).

E. Composition and Appointment to the Academic and Professional Conduct Committee

The Academic and Professional Conduct Committee shall consist of (8) members appointed by the Dean. The term of appointment shall be one (1) calendar year. Committee members may be reappointed. A quorum of 5 out of the 8 committee members must be present before any official business may be transacted, with simple

majority (>50%) required for decisions. Committee membership will include:

- Associate Dean for Clinical and Medical Center Affairs – *Ex Officio (Chair)*
- One full-time faculty member from MDCM, P&TX, PHCH, and two from PHPR representing KUL/KUMC and KUW campuses, with one of the PHPR faculty members serving as a preceptor.
- A pharmacy student in good standing originating from a **different class** than the accused student (student will be excused if the case involves background check issues).
- A licensed pharmacist from the community representing institutional or community practice, whichever most closely corresponds to the setting from which the charges originated (*Ex Officio – nonvoting*)

F. Research Misconduct

Research Misconduct is governed by University Senate Rules and Regulations (USRRs) *Article IX. Guidelines for Dealing with Allegations of Research Misconduct* (<https://policy.ku.edu/governance/USRR#ArticleIX>). Sanctions for scholarly misconduct will be determined by the Vice Chancellor for Research. Accusations of scholarly misconduct will be referred to the Vice Chancellor for Research for review and resolution as described in Article IX of the USRRs. Scholarly misconduct does not include honest error or differences of opinion. Accusations by students, staff, and faculty will be treated equally. The School of Pharmacy considers results of these procedures binding.

**SCHOOL OF PHARMACY
ACADEMIC AND PROFESSIONAL MISCONDUCT REPORT FORM (FACULTY USE)**

Part One: (completed by the KU Faculty or Staff):

Accused Last Name:	First Name:	MI:	KUID#:
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DEPT:	Course #:	Course Title:	Semester: Date:
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Refer to the attached Academic, Professional, Scholarly and Research Misconduct Policy of the School of Pharmacy and see Article II, Section 6 of the University Senate Rules and Regulations for the questions pertaining to the Academic Misconduct. For all sanctions a copy of this form should be provided to the student and the Associate Dean for Academic Affairs within fourteen (14) calendar days of the date of the discovery of academic misconduct.

Provide the date and time of the occurrence and a brief description of the alleged academic or professional misconduct (attach additional pages if necessary):

To be completed by Professor	
Sanction(s) Imposed:	
<input type="checkbox"/> 1) Admonition <input type="checkbox"/> 2) Censure (please attach a copy of the note of censure) <input type="checkbox"/> 3) Reduction of Grade for specific work <input type="checkbox"/> 4) Reduction of Grade for the course <input type="checkbox"/> 5) Suspension from course	<input type="checkbox"/> 6) Disciplinary Probation <input type="checkbox"/> 7) Suspension from the School of Pharmacy <input type="checkbox"/> 8) Dismissal from the School of Pharmacy <input type="checkbox"/> 9) Dismissal from the University <input type="checkbox"/> 9) Other:

Signature of Faculty or Staff member Date Faculty or Staff name typed or printed

Part Two: (to be completed by the accused student): You must select an option box below, sign this form and return it to the Associate Dean for Academic Affairs **within fourteen (14) calendar days**. FAILURE TO COMPLETE AND RETURN THIS FORM ON TIME WILL BE INTERPRETED TO INDICATE YOUR AGREEMENT WITH THE ABOVE CHARGE OF ACADEMIC OR PROFESSIONAL MISCONDUCT AND YOUR WAIVER OF RIGHT TO APPEAL THE CHARGES.

- I admit to the above charge of academic or professional misconduct.
- I admit to the above charge of academic or professional misconduct but wish to appeal the proposed sanction.
- I deny the charge of academic or professional misconduct but waive my right to appeal.
- I deny the charge of academic or professional misconduct and wish to appeal.

Signature of Student Date

Part Three: Completed by Chair after appeal hearing (If no appeal, submit to Deans Office without Chair signature)

Signature of Department Chair Date Department Chair name typed or printed

This form will be maintained in the student record until graduation upon which time it will be removed and archived
Form updated 7/2019

SCHOOL OF PHARMACY
ACADEMIC AND PROFESSIONAL MISCONDUCT REPORTING FORM (STUDENT USE)

Instructions: **To be completed by the student reporting misconduct**

Accused Last Name:	First Name:	MI:	KUID#: (completed by Dean's office)
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DEPT:	Course #:	Course Title:	Semester: Date:
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Refer to the attached Academic, Professional, Scholarly, and Research Misconduct Policy of the School of Pharmacy and see Article II, Section 6 of the University Senate Rules and Regulations for the questions pertaining to the Academic Misconduct. To be completed by the student who witnessed the misconduct:

Provide the date and time of the occurrence and a brief description of the alleged academic or professional misconduct (attach additional pages if necessary):

Signature of Student Reporting Misconduct Date Reporting student name typed or printed

This form will be maintained in the student record until graduation upon which time it will be removed and archived
Form updated 7/2019