

I. Pre-Hearing Procedures

1. The Honor Court members shall be divided by the president into two groups (A, B), balanced among the members of the Court, including the Honor Court Faculty members and excluding the president and Vice President.
2. The President of the Honor Court will preside over all cases, but will not have a vote. The Vice President will assist the President but will not have a vote.
3. One of the two groups (A, B) of Honor Court members will be chosen by the President to adjudicate the hearing.
 - a. Each group will consist of one-half of the remaining voting members of the Honor Council eligible to be involved in the hearing, not including the President, Vice President, and Case Investigator.
 - b. Quorum of each group will be a simple majority.
4. Upon receipt of an official accusation, the President shall meet with the Vice President to decide whether the alleged offense, if sustained would constitute a violation of the Honor Code. If a unanimous decision cannot be made by the officers, the President shall call a special meeting of the court to decide this question by a simple majority vote of the quorum. At no time during such a called meeting are the names of the accused or accuser to be divulged. Only the nature of the alleged offense relative to the jurisdiction of the court is to be discussed.
5. Should it be determined that the alleged offense constitutes a violation of the Honor Code if substantiated, the officers shall:
 - a. Select a time, date, and place for the hearing, which shall be within two weeks of the original receipt of the accusation by the President, except when delaying the hearing is necessary to insure all information pertinent to the case can be gathered.
 - b. Notify the accused by letter or email in advance of the hearing of:
 - i. The alleged offense and specifically how the offense violates the Honor Code as it pertains to Section II.
 - ii. Witnesses, accusers
 - iii. Time, date, and place of hearing
 - iv. The accused's right to select one person, not on the Honor

Court, to serve as an advisor if he so desires. (This advisor may aid the accused in the preparation of a defense, may be present with the accused at the time of the hearing, but will not be allowed to speak before the Court.)

- v. The accused has an option of a pre-hearing plea of responsible. (In such a case, the accused will deliver to the Honor Court President a signed plea of responsible to the alleged offense. The President shall notify the case investigator (Vic) of the plea. All parties shall then await the hearing for further disposition by the Court.)
 - c. Appoint a person, on the Honor Court from the group not on the hearing council, to serve as case investigator. This investigator does not participate on the hearing panel and is never allowed to vote during the actual hearing. He/she presents an objective account of the investigation to the members of the Court. Prior to the hearing, the investigator asks the accused to give an account of the events surrounding the alleged violation and explain that the accused may refuse to make a statement. The investigator then interviews other persons who might have been a part of or a witness to the alleged violation and collects all available evidence.
 - d. Notify in writing or email, the remaining Honor Court members of the date, time, and place of the hearing only. (No further information is to be made known to the court members who may hear the case.)
6. The Honor Court President shall be available to answer any questions which the accused, or accuser may have about the workings of the honor system.
 7. The Honor Court President should exercise his/her access to the Associate Dean for Student Affairs whenever necessary to help maintain proper procedure and interpretation.
 8. The Honor Court President shall make arrangements for separate waiting areas for the accused and the accuser(s) during the hearing.

II. Hearing Procedures

1. The Hearings shall be closed and all hearing proceedings shall be confidential. Deliberations of the court on findings or sentence shall be closed to all persons except members of the court. The hearing shall be closed to all persons except:
 - a. Members of the Honor Court
 - b. The accused with advisor, if asked by the accused
 - c. Witnesses and accusers, while testifying
 - d. Other persons may be admitted by agreement of the accused person and the Honor Court President.
2. All hearing proceedings, except deliberations of the court on findings and sentence, shall be recorded. This recording shall serve as the official record of the hearing and shall be filed with the office of the Dean, along with a brief written summary of evidence, findings, and sentence. Should the accused desire to appeal a verdict or sentence, a copy of the recording of the hearing will be made available to him. In the event of a finding of "not responsible", the following statement shall be filed with the office of the Dean: *"The Honor Court of the Medical College of Georgia met at (time) on (date) to hear evidence in the case of (person) who was accused of violating the Honor Code. After considering all available evidence, the Court found the accused not responsible."* This statement shall be signed by the President and Vice President of the Honor Court.
3. The accused should be present during all proceedings except deliberations of the Honor Court findings and sentence. However, any part or all of the hearing may be conducted in the absence of the accused if:
 - a. The accused voluntarily fails to appear for or absents him/herself from the hearing.
 - b. The accused willfully obstructs the progress of the hearing to such a degree that the Court decides it is necessary to bar him from the hearing.
4. The accused shall be permitted to examine all evidence in the case. No evidence or testimony may be considered by the court unless such evidence or testimony has been presented in the presence of the

- accused or in accordance with (3a.) or (3b.) above.
5. Hearing proceedings shall be conducted by the President of the Honor Court under the guidelines listed below:
- a. The Honor Court shall be called to order by the Honor Court President. The Vice President shall call the roll. A quorum of a simple majority of the appointed court groups (either A or B) shall be required before the hearing can proceed.
 - b. The Honor Court President shall read the original letter of accusation to the court.
 - c. The Honor Court President shall ask the accused how he pleads. In the case of a "responsible" plea, the court shall proceed with (5f.), (5g.), and (5h.) below.
 - d. The case investigator shall be asked to present all witnesses and information gathered pertaining to the case. Following this presentation, questions will be allowed from the Honor Court President, Court members, and the accused. All questions relating to procedure shall be decided by the Honor Court President.
 - e. The accused shall then be asked to present any evidence and/or witnesses pertinent to the defense. Questioning shall follow a format similar to (5d.) above.
 - f. All persons except the Honor Court members shall be asked to leave the hearing room.
 - g. The Court shall then deliberate only the facts presented.
 - h. The court shall first deliberate whether the accused is "responsible" or "not responsible" and shall take a vote on the same. The standard of proof in determining the outcome of a hearing is based on simply how each member of the court, in

his/her own mind, determines guilt or innocence. It is of utmost importance that Honor Court members decide a verdict of responsible or not responsible without any regard whatsoever to possible subsequent penalties to the accused.

6. If a verdict of "responsible" is made, the Honor Court shall deliberate on the penalty, followed by a vote on the same.
 - a. A 2/3 majority of present members shall be required for a responsible verdict and for the subsequent penalty.
7. The accused or any witness may be recalled by the Honor Court before the verdict is reached. At that point, the hearing must be reconvened.
8. Following its vote, the Honor Court shall recall the accused for the purpose of notifying him of the verdict. If a "responsible" verdict has been reached, the accused shall be told the Honor Court's recommendation for penalty and shall be advised the Honor Court's decision may be appealed within 48 hours or two business days of the hearing. The actual date of the appeal will be set at the discretion of the Student Promotions Committee. The accused shall be advised that all Honor Court proceedings are kept in the strictest of confidence, regardless of the final verdict.
 - a. The Honor Court reserves the right to render the rationale for the finding of either innocent or responsible to the faculty as deemed appropriate.

III. Penalties

1. The Honor Court shall submit recommendations for penalties to the Student Promotions Committee who shall become responsible for the final decision and implementation of that penalty. The committee has the discretion to alter this penalty after reviewing the Honor Court proceedings with the President of the Honor Court.

2. All persons found responsible by the Honor Court of an Honor Code violation shall have a written statement of responsibility entered in the permanent record of that student. This written statement may only be removed if the first appeal, or Senior Associate Dean for Undergraduate Medical Education (UME), overturns the conviction.
3. In addition, one or more of the following recommendations may be made:
 - a. A failing grade in the clerkship or course in which the offense occurred. This shall involve the assigning of an Honor Court “F” which shall not be negated with make-up of the involved work.
 - b. Comprehensive re-examination, written and/or oral, over any or all of the work in the involved course which had been covered prior to the time of conviction. This shall require negation of previously assigned grades and require reassignment of grades based on the re-examination.
 - c. Immediate suspension for the remainder of the school year.
 - d. Immediate expulsion from the Medical College of Georgia.
4. The Honor Court may make any other recommendation which it feels would be an appropriate penalty.
5. If the Honor Court decides a grade change is warranted, this penalty shall be implemented through the office of the Registrar and overseen by the Senior Associate Dean for UME. There will be no notification made to the course director about the hearing or the penalty in order to protect the responsible student from further punishment.

IV. Appeals

1. New evidence may be presented at the Appeal if provided more

than 48 hours before the date of the appeal.

2. Order of Appeals

- a. The first appeal may be made to the Student Promotions Committee. The committee may uphold, alter or overturn the Honor Court decision.
- b. The second appeal may be made to the Senior Associate Dean for UME.
- c. The third appeal may be made to the Dean of the Medical College of Georgia.
- d. The fourth appeal may be made to the President of Augusta University.
- e. The fifth appeal may be made to the Board of Regents, per Bylaws of the Board of Regents, Section VIII.

3. Each of the appeals must be within 48 hours or two business days of the prior decision.

- a. Each level of appeal will have the function to determine whether to uphold, alter or overturn the decision of the Honor Court.
- b. Each level of appeal will have the opportunity to review all submitted evidence, audio recording from the hearing, and to interview any persons involved with the hearing.
- c. If during an appeal, the person is found responsible, but it is deemed that the penalty should be changed, a recommendation for an appropriate penalty can be submitted to the office of the Senior Associate Dean for UME for consideration. It will be the responsibility of the Senior Associate Dean for UME to decide to

implement the suggested penalty or not.