

School of Dentistry Code of Conduct

I. CODE OF CONDUCT

Students¹ preparing for entry into the dental profession are expected to govern their conduct toward patients, other students, faculty, and other professionals with integrity, mutual respect, and honor. This Code of Conduct for the School of Dentistry is based on the following guidelines:

- A. Students must treat patients with the realization that the health and welfare of the patients are paramount, and the students must respect the dignity and feelings of their patients in working with them.
- B. It is axiomatic that students be honest in didactic and laboratory assignments, examinations, attendance sheets, use of equipment and supplies, entries in patient records and pre-clinical and clinical grade records, and in all aspects of treating patients.
- C. Students must conduct themselves in a mature, courteous, and professional manner in lecture classes, clinics, and laboratories, and in other areas of the School of Dentistry and associated teaching environments.
- D. Students must not display or participate in threatening, harassing or assaultive behavior or behavior that can reasonably be perceived by others as threatening, harassing or assaultive behavior. Threatening, harassing, or assaultive conduct means engaging in conduct that endangers or threatens to endanger the health, safety, or of physical or emotional welfare of another person or group.

1 "Students" in this document includes students enrolled in any program directed by the School of Dentistry. These include dental, dental hygiene, and dental therapy students as well as postgraduate certificate and advanced degree-granting programs.

II. INFRACTIONS OF THE CODE OF CONDUCT

Each student recognizes any academic misconduct is unacceptable behavior for students in a professional school and is a violation of the Code. "Academic misconduct" is any unauthorized act that may (1) give a student an unfair advantage over other students, (2) interfere with the educational pursuits of others, (3) jeopardize the good name and reputation of the School of Dentistry, (4) involve attempts to mislead, misrepresent, and/or falsify documents, papers, charts, and/or any information given to faculty or administrative officials or (5) place patients under unnecessary risk. These acts may include but are not limited to:

- A. **Cheating**, or assisting another student to cheat, on written examinations, assignments or practical examinations.
- B. **Plagiarism**: presenting the scholarly work of another as one's own.
- C. **Misrepresenting** someone else's project or clinical work as one's own.
- D. **Falsifying or Forging** or attempts to forge or falsify patient records and charts, classroom attendance, or student pre-clinical and clinical records.
- E. **Abuse of Equipment** and wasting supplies, including the use of School of Dentistry equipment and supplies for non-school purposes.
- F. **Disruptive Behavior** in lecture halls, clinics, or laboratories.
- G. **Dishonesty** in any form including but not limited to the presentation of patient fees and collection of these fees.
- H. **Patient Mismanagement or Misconduct** such as starting treatment without a starting check, working without supervision, verbal or sexual harassment, physical abuse, or abandonment.
- I. **Unethical Behavior** such as treating patients while under the influence of alcohol and/or illicit drugs and

over-treatment of patients.

Additional disciplinary offenses actionable by the School or University are stated in the University of Minnesota Student Conduct Code at http://www1.umn.edu/regents/policies/academic/Student_Conduct_Code.html.

III. PROCEDURES FOR DISPOSITION OF ALLEGED VIOLATIONS OF CODE OF CONDUCT

A. Reporting of Alleged Violations

When a faculty member, course director, staff member or student has reason to believe that a violation of the Code of Conduct has been committed, that individual must provide written notification to the School of Dentistry's Code of Conduct Officer. The Code of Conduct Officer reviews the allegation and determines if a resolution should be attempted without a hearing or if the alleged violation requires a hearing.

All records of allegations and investigation are retained in the Office of Academic Affairs.

B. Accused Student Rights

During the interview with the Code of Conduct Officer, the accused student(s) is informed in writing of the nature of the complaint against him/her and his/her rights. These accused student(s) rights include the following:

1. To be informed in writing during the meeting with the Code of Conduct Officer of the nature of the complaint against him/her and the specific provisions(s) of the Code of Conduct allegedly violated.
2. To work with an individual (faculty member, student, representative from the University Conflict Resolution Center, attorney, etc.) who can act as an advocate for the accused student(s) throughout the complaint process.
3. To be able to present his/her case personally or with the assistance of an advocate (refer to Section B, subtext 2).
4. To be able to hear and examine all evidence and testimony against him/her.
5. To have all information related to the complaint kept confidential by those bringing the complaint and by all parties involved in the hearing and disposition of the complaint.
6. To be notified in writing of the recommendation for the disposition of the complaint.
7. To have a written record of the case kept in the accused student(s)' file in the Office of Academic Affairs.
8. To appeal for sufficient cause his/her case to the University Provost's Appeal Committee.

C. School of Dentistry's Code of Conduct Officer

A regular faculty member, appointed by the Dean, and not in the administrative branch of the School of Dentistry, serves as the School's Code of Conduct Officer for a minimum 3 year term and is eligible for reappointment. He/she

1. Receives the written report of an alleged violation.

2. Insures that the complainant(s) and the accused student(s) are made aware of the process and procedures that are followed in dealing with an alleged violation.
3. Insures that the accused is made aware of the allegations against him/her and informed of his/her rights in the hearing and appeals process.
4. May refer the accused student(s) and complainant(s) to resources for counsel and advice.
5. Attempts a resolution without a hearing following the procedures described in Section H, subtext 1 when the alleged violation does not require a hearing.
6. Refers the case to a Hearing Board when attempts to resolve the allegation in an informal manner are unsuccessful or the type of alleged violation requires a hearing. Procedures describing the formation of a Hearing Board are described in Section H, subtext 2.
7. May, in consultation with the Dean of the School of Dentistry, refer the case to the Office for Student Conduct and Academic Integrity for resolution within the University-wide disciplinary system instead of pursuing resolution within the School.
8. Does not participate in the proceedings of the Hearing Board.
9. Meets annually with faculty and each class to discuss the School's Code of Conduct and the procedures followed to investigate an alleged violation.
10. Makes an annual report to the Dean, Associate/Assistant Deans, Department Directors and Division Directors summarizing activities related to violations of the School's Code of Conduct.

If the Code of Conduct Officer is involved in an alleged violation, an interim Code of Conduct Officer is appointed by the Dean.

D. Director of Student Affairs

1. The Director may assist the accused student(s) in identifying resources related to resolution of the allegation; interpreting policy; and assessing additional need for resources.
2. The Director does NOT make judgments on the complaint nor act as an advocate for the accused student(s) during the complaint process.

E. Dental Therapy and Dental Hygiene Division Directors and Course Directors

1. All written reports of alleged violations are reviewed by the Code of Conduct Officer. The Officer consults the Dental Hygiene Division Director or Dental Therapy Division Director during an attempt to informally resolve an alleged violation when the alleged violation does not require a hearing and the accused is from one of these divisions. The Officer also consults the respective course director, if applicable, during an attempt to informally resolve an alleged violation when the alleged violation does not require a hearing.
2. The division director and the course director do not participate in the hearing unless called as a witness.

F. Advocate for Accused Student(s)

1. The advocate for the accused student(s) may act on behalf of the student(s) during the complaint process. The advocate may assist the accused student(s) in the informal resolution process if the Code of Conduct Officer determines informal resolution should be attempted. The advocate may represent the accused student(s) before the Hearing Board, including presenting witnesses and evidence on the accused student(s)' behalf and questioning the complainant(s) and complainant(s)' witnesses.

G. School Presenter

1. A member of the faculty or administrative staff of the School of Dentistry is appointed by the Dean to represent the school when the case is referred to a School of Dentistry Hearing Board. The Dean may appoint an individual for a specific case or may appoint this person for a specified time period (one year, etc.).
2. The School Presenter reviews the evidence against the accused student(s), interviews the complainant(s), determines the proposed witness list for the hearing in support of the complaint and acts as a resource and advocate for the complainant(s).
3. The School Presenter presents the evidence to the Hearing Board, calls approved witnesses and is allowed to question the accused student(s), all witnesses presented and the complainant(s) during the hearing.
4. If the accused is represented by an attorney during the hearing, the school presenter is replaced by an attorney from the Office of the General Counsel.

H. Resolution of Alleged Violations

Resolution of an alleged violation may occur through an informal person-to-person manner as described in the following Section H, subtext 1, or through a more formal Hearing Board as described in Section H, subtext 2.

There are some alleged violations that, because of their seriousness, automatically require a hearing if the Code of Conduct Officer determines that there is adequate supporting evidence. The informal person-to-person attempt at resolution described in subtext (1) below is not used for these alleged violations. These violations include cheating; plagiarism; misrepresenting someone else's project or clinical work as one's own; falsifying or forging records, charts or attendance, pre-clinical or clinical records; dishonesty; patient mismanagement; sexual harassment of patients, faculty, staff or other students; threatening or harassing conduct toward others; impairment while providing patient care.

1. Resolution without a hearing

- a. The Code of Conduct Officer meets separately with the complainant(s) and the accused student(s) to describe the policies and procedures to be followed in attempting to resolve the accusation. The accused is presented with a clear statement in writing describing the alleged violation. The Code of Conduct Officer assists both parties in identifying resources related to resolution of the allegation, interpreting policy, and assessing additional need for support.
- b. The Code of Conduct Officer meets with the accused student(s), complainant(s), the course director and appropriate faculty, staff or students to investigate the issue and see if the meetings can result in an acceptable solution. These meetings are conducted separately or together, at the discretion of the Code of Conduct Officer.
- c. Upon conclusion of the meetings, if there is adequate evidence to find the accused student(s) guilty of the allegation, the accused student(s) receive written notification of this finding and a proposed sanction. If the accused student(s) accepts the finding of guilt and the sanction, or fails to appeal, the sanction is enforced and a report of the violation filed in the accused student(s)' record. The Associate

Dean of Academic Affairs and, if applicable, the course director are informed of the decision. If the accused student(s) wishes to challenge the guilty finding or sanction, she/he has ten working days to file a written appeal to the Code of Conduct Officer or the sanction is enforced.

- d. If the Code of Conduct Officer is unable to resolve the dispute or the accused student(s) does not accept the proposed sanction, the case is referred to a Hearing Board following the procedures described in Section H, subtext 2.

2. Resolution with a Hearing

- a. The Hearing Board evaluates evidence about the alleged violations of the code. The Hearing Board hears testimony from the parties and witnesses and receives written evidence. The Hearing Board endeavors to handle every alleged violation as justly and fairly as possible, to consider each case on its individual merits and to adjust each sanction to the nature and extent of the violation. After hearing all evidence and testimony, the Hearing Board votes to determine the outcome. If the Hearing Board finds a violation occurred, the board determines a sanction.
- b. Membership and Officers of the Hearing Board
 - i. Hearing Board Officer
 - a. Hearing Board members elect one of the faculty members to serve as Chairperson. The Chairperson is a non-voting member of the Hearing Board except in the case of a tie at which time he/she may cast the tie-breaking vote.
 - ii. The Hearing Board has at least five members with 2 students enrolled in the doctor of dental surgery, dental hygiene or dental therapy programs and 3 or more faculty persons with faculty appointments in these programs.
 - a. Student members of the Hearing Board are selected from the School's Student Affairs Committee with at least one being enrolled in the same program as the accused. If from the same program, student members are in a different year of the program than the accused whenever possible.
 - b. Faculty members of the Hearing board are selected from the School's Student Affairs Committee by its Committee Chair. Faculty members of the Hearing Board must not be party to or witness the alleged violation.
 - c. Either party to the complaint is given the right to challenge, with cause, seated members of the Hearing Board. The Chairperson rules on the merits of the challenge and decides whether or not the member(s) should be recused.
 - d. In the case of an accused advanced education or graduate student, an ad hoc committee composed of at least one advanced education or graduate student and two postgraduate faculty who serve as voting members. The Chair of the Advanced Education Committee selects these committee members.
 - e. The Associate Dean for Academic Affairs or his/her alternate as appointed by the Dean attends the hearing in a non-voting observer capacity and does not participate in the hearing unless called as a witness. The Associate Dean for Academic Affairs or his/her alternate does not make judgments on the complaint nor act as an advocate for the accused student(s) during the complaint process.

c. Meetings of the Hearing Board

- i. The Chairperson gives written notification to the complainant(s) and the accused informing them of the following:
 - a. The charge filed and by whom it was filed.
 - b. The time, date and place of the hearing.
 - c. The hearing agenda.
 - d. Their right to be accompanied by an advocate. If the accused is represented by an attorney, an attorney provided by the School of Dentistry through the Office of the General Counsel presents the case against the accused. The accused must notify the Chairperson well in advance of the hearing if represented by an attorney.
 - e. Their right to call witnesses and the procedure used to call them.
 - f. The range of sanctions available to the Hearing Board.
 - g. The procedure for an appeal, if guilt is determined.
 - h. The right to challenge for cause seated members of the Hearing Board.
 - i. Any other information deemed relevant and necessary by the Hearing Board Chairperson.
- ii. A preliminary plea of either “guilty” or “not guilty” is obtained by the Chairperson from the accused prior to the actual hearing. If the plea is guilty, the Hearing Board meets to receive this plea and decide the sanction. Witnesses may be called by either party to give testimony bearing upon the appropriate sanction.
- iii. The Hearing Board Chairperson requires the parties to identify their witnesses and written evidence before the hearing and to provide this information to each other and the Hearing Board by a set date. The witness lists includes a brief explanation of the purpose of each witness’ testimony. The Chair can limit the number of witnesses to avoid redundant testimony and can exclude written evidence deemed irrelevant or inappropriate.
- iv. Meeting Procedures
 - a. The hearing to investigate an alleged violation of the School’s Code of Conduct is not a legal trial and not subject to all the formalities and processes followed in a court of law. The purpose of the hearing is to fairly and objectively determine if a violation occurred. All participants in the hearing are expected to keep the hearing procedures confidential and to treat each other with respect. Information regarding hearings, names of complainant(s), witnesses, and the accused, and the proceedings of the Hearing Board are strictly confidential.
 - b. Quorum and Voting Procedures
 - i. Five voting members of the Hearing Board constitutes a quorum. A quorum must be in the hearing room during the hearing.
 - ii. Questions are decided by a simple majority of the voting members present.

- iii. The Chairperson of the Hearing Board casts the deciding vote if the initial vote by committee members results in a tie.
 - iv. All procedural decisions of the Chairperson may be changed by a majority vote of the Hearing Board members.
 - v. A formal record of the hearing is taken for appellate purposes by use of a tape recorder provided by the Hearing Board.
 - vi. A violation of the code occurs if a majority of the Hearing Board members find that the evidence and testimony meet the standard of "more likely than not" that a violation did occur.
 - vii. If the verdict is guilty, the Hearing Board determines the sanction according to the options identified in Section IV of this Code.
 - viii. After a decision has been reached, written notification is delivered to the accused and the Associate Dean for Academic Affairs promptly. This notification includes information on procedures for appeal. The course director is also be informed of the decision, if appropriate.
 - ix. The Associate Dean for Academic Affairs has the responsibility for carrying out the sanction determined by the Hearing Board. Except for grade changes, penalties are not imposed until after the appeal period expires or the appeal is concluded.
- c. The Hearing Board conducts its meeting using the following agenda:
- i. The charges are read by the Chairperson.
 - ii. The Chairperson asks for a plea from the accused.
 - iii. The accused enters his or her plea. If no plea is entered the proceedings continue as if a plea of "not guilty" had been entered.
 - iv. The Chairperson may recess the proceedings whenever deemed necessary or appropriate.
 - v. The complainant(s) may request a withdrawal of the charges at any time during the proceedings.
 - vi. The Chairperson calls the hearing to order and the hearing proceeds in the following order:
 - a. The school presenter gives an opening statement and summarizes the evidence against the accused student(s).
 - b. The accused student(s) or his/her advocate gives an opening statement summarizing the evidence in support of the accused.
 - c. The school presenter calls his/her approved witnesses including the complainant(s).
 - d. The accused or his/her advocate may question each of these witnesses and the complainant(s), followed by questions from the Hearing Board members.
 - e. The accused or his/her advocate calls his/her approved witnesses. The advocate may also call the accused.
 - f. The School Presenter may question each of these witnesses and the accused student(s), followed by questions from members of the Hearing Board.

- g. At the discretion of the Hearing Board, closing statements may be allowed. If so, the school presenter goes first with the accused student or his/her advocate giving the final closing statement.

The Hearing Board deliberates in closed session.

IV. POSSIBLE SANCTIONS FOR VIOLATIONS OF THE CODE OF CONDUCT

- A. In arriving at the decision of what sanction to impose for a violation of the Code of Conduct, each case shall be determined on its own individual merits, taking into consideration the nature of the infraction and the previous documented history of the student's conduct in the School of Dentistry. After the appropriate consideration has been given to a case of violation of conduct, the following are possible sanctions that may be imposed. This list is intended as a guideline and does not preclude the imposition of other possible sanctions.
 - 1. A verbal or written censure.
 - 2. Assigning additional studies and/or reports for violations related to classroom or clinical work.
 - 3. Lowering of a grade in a course in which a violation occurred.
 - 4. Assigning an F grade for the course in which a violation occurred. If an F grade is given, the decision must be made whether the F grade can be resolved through additional studies and retaking a final examination, for example, or whether the course must be retaken the next time it is offered.
 - 5. Disciplinary probation without the loss of class participation such as in lectures, laboratories, and clinics.
 - 6. Disciplinary probation with the loss of class participation for a specified period of time, such as in lectures, laboratories, and clinics.
 - 7. Suspension from the School of Dentistry for a specified period of time.
 - 8. Deferring graduation and requiring an additional term or terms of attendance.
 - 9. Expulsion from the School of Dentistry. This could be a permanent expulsion or expulsion for a period, such as a year, and could include certain rehabilitative functions mandated to take place in the interim.

V. APPEAL PROCESS

In the event the charged student is unwilling to accept the Hearing Board's decision, the student may appeal to the Provost, as outlined in the Student Conduct Code Procedure: Twin Cities
http://policy.umn.edu/Policies/Education/Student/STUDENTCONDUCTCODE_PROC01.html

To appeal a disciplinary decision, a student must submit a written appeal to the Provost's Appeal Secretary within five (5) weekdays of the student's receipt of the original disciplinary decision. The appeal must include a written statement setting for the ground(s) for the appeal, specifically identifying the ground(s) and explaining why the ground(s) for appeal are met.

*02/11 Approved by the School of Dentistry Student Affairs Committee
11/12 Updated per University change in appeal procedure*