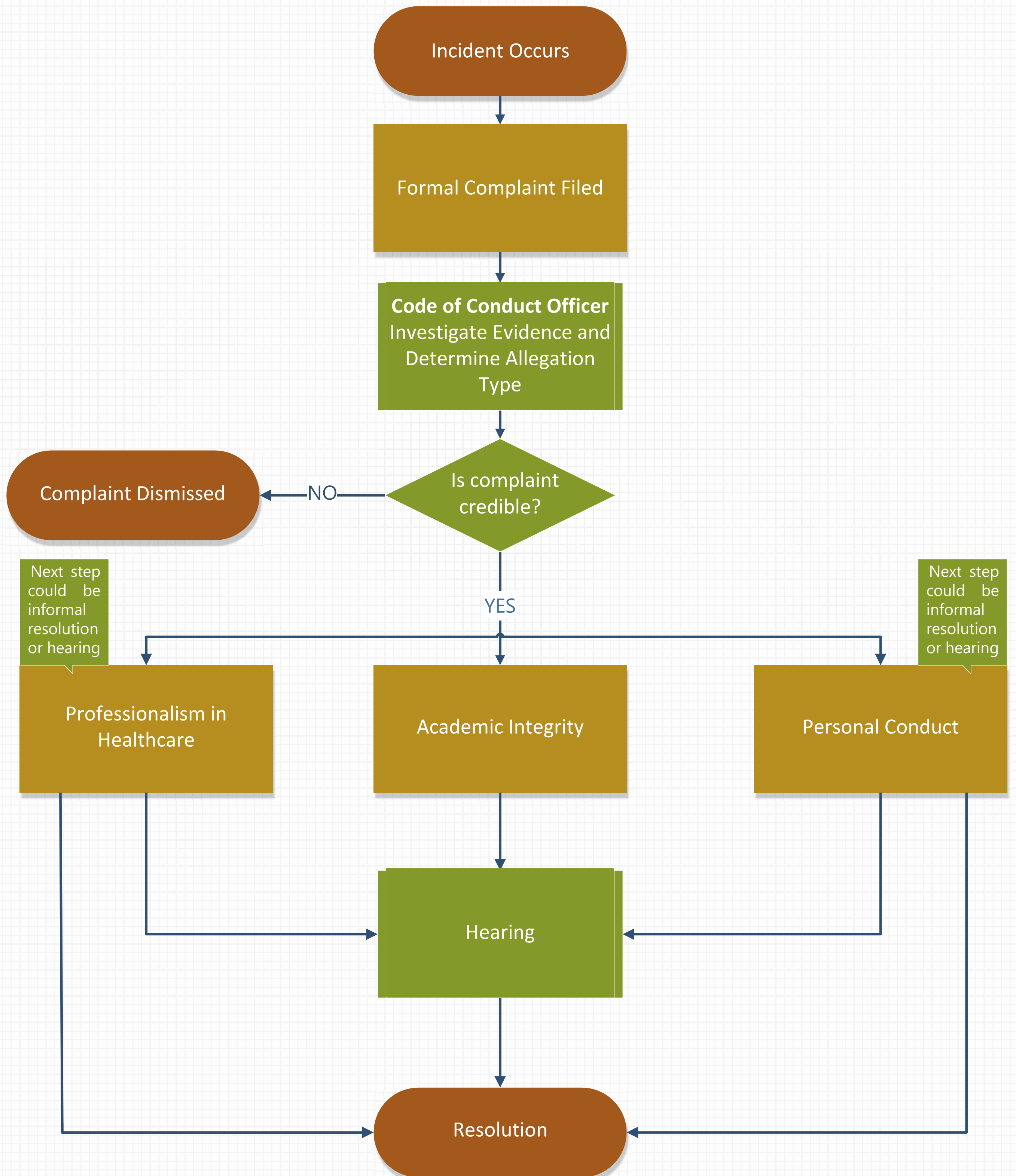


# Process for Managing Student Conduct Complaints



## **Code of Conduct Policy**

### **I. Purpose:**

To describe the types of infractions and resolution process for students enrolled in the School of Dentistry who violate or observe a violation of the School of Dentistry Code of Conduct.

### **II. Policy:**

#### Types of Infractions

The School of Dentistry believes all oral healthcare providers must possess the highest level of integrity and ethics. School of Dentistry students are expected to govern conduct toward patients, other students, faculty, staff and others with integrity, mutual respect and honor. Students enrolled in a School of Dentistry educational program must follow the guiding principles of the School of Dentistry Code of Conduct as articulated in the *Code of Conduct Student Handbook Statement*.

Alleged violations of the Code of Conduct are defined by three categories: Academic Integrity, Professionalism in Healthcare and Personal Conduct. These categories are defined in the *Code of Conduct Student Handbook Statement*.

In addition to these violations, the Board of Regents policy guides and governs conduct for members of the University community  
[http://regents.umn.edu/sites/default/files/policies/Student\\_Conduct\\_Code.pdf](http://regents.umn.edu/sites/default/files/policies/Student_Conduct_Code.pdf)

#### Process

Alleged conduct violations are reported using the *Code of Conduct Incident Report*. Faculty, staff and students may submit a report for any other faculty, staff or student in the School of Dentistry. Complaints reported against faculty or staff will be given to the School of Dentistry Office of Human Resources for resolution. Complaints reported against students will be investigated by the School of Dentistry Code of Conduct Officer.

The Code of Conduct Officer will investigate complaints following the steps defined in *Code of Conduct Officer Investigation*. The Code of Conduct Officer will determine the type of allegation and next steps. Professionalism in Healthcare and

Personal Conduct violations may be resolved through informal resolution or a hearing. Academic Integrity violations must be referred to a hearing.

Hearings mandated by the Code of Conduct Officer will be conducted following *School of Dentistry Code of Conduct Hearing Rules of Procedure*.

The Office of Academic Affairs will maintain all records associated with investigation and resolution of complaints. The Office of Academic Affairs is also responsible for enforcement of sanctions determined through informal resolution or by a hearing board.

### **III. Definition(s):**

Students: Any individual enrolled in any educational program directed by or associated with the School of Dentistry. These include dental, dental hygiene and dental therapy students as well as postgraduate certificate and advanced degree-granting programs.

Policy Owner:	Associate Dean for Academic Affairs
External References:	
Related Policies:	
Approved by:	Council of Chairs
Approval Date:	
Effective Date:	
Revision Date:	

## **School of Dentistry Code of Conduct Student Handbook Statement**

The School of Dentistry believes all oral healthcare providers must possess the highest level of integrity and ethics. The trust placed in students as healthcare providers by patients, the University, and communities is a privilege that must be continually fostered. School of Dentistry students are expected to govern conduct toward patients, other students, faculty, staff and others with integrity, mutual respect, and honor.

The guiding principles of the School of Dentistry Code of Conduct are that students and residents';

- Must engage faculty, staff, patients, other students, and the community with respect and dignity in a culturally sensitive manner at all times.
- Must engage patient treatment with the patient's overall health and welfare as the highest priority.
- Must maintain the highest academic integrity when dealing with all didactic and laboratory assignments, examinations, attendance sheets, electronic health record entries, preclinical and clinical grading records, use of equipment and supplies, and academic and patient records.
- Must conduct themselves in a mature, courteous, and professional manner in lecture classes, clinics, and laboratories, outreach facilities, and in other areas of the School of Dentistry and its associated teaching environments.
- Must not behave in a threatening, harassing, or assaultive manner toward other students, faculty, patients, or other individuals or groups encountered while enrolled at the University of Minnesota.
- Must not display or participate in threatening, harassing, or assaultive behavior (perceived or real) that endangers, or threatens to endanger, the health, safety, or well-being of any person or group, regardless of whether it is physical, emotional, psychological harassment, or cyber bullying.

**Academic Integrity** violations of the Code of Conduct include, but are not limited to:

- **Scholastic Dishonesty** – Cheating on written examinations, assignments or practical examinations or engaging in unauthorized collaboration on any academic work.
- **Plagiarism** – presenting the scholarly work of another as one's own.
- **Dishonesty** – of any type
- **Falsifying or Forging** – attempts to forge or falsify patient records and charts, classroom attendance, or student pre-clinical and clinical records.
- **Misrepresenting** – presenting someone else's project or clinical work as one's own.

**Professionalism in Healthcare** violations of the Code of Conduct include, but are not limited to:

- **Patient Management and Conduct**
  - Starting treatment without a start check,
  - Working without supervision,
  - Verbal or sexual harassment, physical abuse,
  - Patient abandonment,
  - Treating patients while under the influence of alcohol and/or illicit drugs,
  - Over-treatment of patients.
- **Patient Encounter** – being late for a patient appointment, failing to be present for a patient appointment without an approved absence.
- **Attendance** – failure to follow school attendance policies and procedures, including missing a clinic session without an approved absence.
- **HIPAA** – failing to adhere to regulations specified in the federal Health Insurance Portability and Privacy Act (HIPAA).
- **Patient Appointment** – falsely scheduling a patient appointment.
- **Clinical Protocols** – failure to follow designated clinical protocol and supervisor instructions.
- **Communication** – using inappropriate language with patients, students, faculty, or staff, as well as, using an inappropriate tone/demeanor with patients, faculty, or staff.
- **Social Media** – inappropriate use of any and all forms of social media, which includes using disparaging language, posting or transmitting photographs of patients or teeth, and casting disparaging images of students, faculty, or staff in electronic form.

**Personal Conduct** violations of the Code of Conduct include, but are not limited to:

- **Disruptive Behavior** – in lecture halls, clinics, or laboratories.
- **Abuse of Equipment** – wasting supplies, including the use of School of Dentistry equipment and supplies for non-school purposes.
- **Threatening, Harassing, or Assaultive behavior** – stalking, bullying, sexual assault, or any behavior toward any person or group

In addition to these violations, the Board of Regents Policy guides and governs conduct for members of the student community.

[http://regents.umn.edu/sites/default/files/policies/Student\\_Conduct\\_Code.pdf](http://regents.umn.edu/sites/default/files/policies/Student_Conduct_Code.pdf)

Specific procedures to follow when Code of Conduct violations occur can be found on the School of Dentistry student intranet.

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<sup>i</sup>“Students and residents” in this document include any individual enrolled in any program directed by or associated with the School of Dentistry. These include dental, dental hygiene, and dental therapy students as well as postgraduate certificate and advanced degree-granting programs.

**Code of Conduct Officer's  
Investigation  
Of Alleged Violations of the Code of  
Conduct**

When a Code of Conduct Incident Report or other formal complaint is submitted to the Code of Conduct Officer, the Officer is obliged to investigate the matter in a manner that is, to the extent possible, confidential and respectful of the need for individual privacy. This investigation includes confirming that the reported incident falls within the Officer's jurisdiction and any or all of the following:

1. Interviewing the person(s) filing the complaint and the person(s) alleged to have violated the Code
2. Interviewing any witnesses or other persons relevant to the alleged violation
3. Examining any evidence deemed relevant to the alleged violation
4. The Code of Conduct Officer will notify the accused student of the outcome of the investigation.

The initial purpose of the investigation is to determine whether the complaint is credible. For credible allegations that do not require a hearing, the Code of Conduct Officer shall

1. Attempt to resolve the matter through mediation with the parties,
2. Arrive at an independent decision and recommend a disciplinary action to the Associate Dean for Academic Affairs, or
3. Dismiss the Report, when such action is warranted by the facts of the matter.

The Code of Conduct Officer may include probation as part of mediation or disciplinary action. Mediated agreements or recommendations for disciplinary actions or dismissal will be filed with the Associate Dean for Academic Affairs.

The above actions may be appealed to the Associate Dean for Academic Affairs or the Dean of the School of Dentistry.

When a hearing is mandated, the Code of Conduct Officer files the investigative report with the Associate Dean for Academic Affairs. The report is a record of the investigation, including such facts and evidence as has been revealed. The Code of Conduct Officer does not determine if a violation has occurred. The report sets forth the Officer's reasoning that there are two credible arguments to be made and the matter is sufficiently complex that a broader discussion of the merits of the case is needed.

The Code of Conduct Officer will notify the reporting party of the outcome of the matter to the extent permitted under student privacy law.



**Request Follow-Up:**

- No further action required at this time.
- No further action needed unless determined necessary by the Associate Dean of Academic Affairs.
- This incident should be investigated by the Associate Dean of Academic Affairs and, upon determination of its accuracy, appropriate sanctions imposed.
- Other: \_\_\_\_\_  
\_\_\_\_\_  
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**SCHOOL OF DENTISTRY**  
**CODE OF CONDUCT HEARING PROCEDURES <sup>1</sup>**

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<b>A.</b>	<b>Introduction .....</b>	<b>2</b>
<b>B.</b>	<b>Parties to the Complaint .....</b>	<b>2</b>
<b>C.</b>	<b>Committee and Hearing Boards .....</b>	<b>2</b>
<b>D.</b>	<b>Cases of Physical Aggression/Assault and/or Sexual Assault/Harassment .....</b>	<b>3</b>
<b>E.</b>	<b>The Complaint and Scheduling.....</b>	<b>3</b>
<b>F.</b>	<b>Student Status During the Process.....</b>	<b>4</b>
<b>G.</b>	<b>Notification of Hearing .....</b>	<b>4</b>
<b>H.</b>	<b>The Hearing .....</b>	<b>5</b>
	<b>1. Decorum .....</b>	<b>5</b>
	<b>2. Record of Hearing .....</b>	<b>5</b>
	<b>3. Appearance .....</b>	<b>5</b>
	<b>4. Standard of Proof .....</b>	<b>5</b>
	<b>5. Case Presentation .....</b>	<b>5</b>
<b>I.</b>	<b>Hearing Board Deliberations and Decision.....</b>	<b>6</b>
<b>J.</b>	<b>Appeal.....</b>	<b>7</b>
	<b>Appendix A – Order of Proceedings .....</b>	<b>8</b>

## **UNIVERSITY OF MINNESOTA SCHOOL OF DENTISTRY HEARING PROCEDURES**

### **A. INTRODUCTION**

The School of Dentistry Hearing Board assists in implementing the School of Dentistry policy: *Student Code of Conduct* at the University of Minnesota on the Twin Cities Campus. The Board provides a fair hearing to determine if a student's behavior has violated the Student Code of Conduct and to determine what, if any, sanction should be imposed. Complaints of Student Code of Conduct violations are referred to the Board for a hearing by the School of Dentistry Code of Conduct Officer. The Associate Dean for Academic Affairs receives complaints referred to hearing and assists the Hearing Board Chair in managing the hearing process.

### **B. PARTIES TO THE COMPLAINT**

In Hearing Board cases, the School of Dentistry is the formal complainant and the accused student is the individual alleged by the School to be in violation of the Student Code of Conduct. For the purpose of these procedures, the parties are identified as the School Presenter and the Accused Student.

The Associate Dean of Academic Affairs of the School of Dentistry appoints a presenter to bring the School's case before the Hearing Board. If an Accused Student is represented by an attorney, the University's Office of the General Counsel will assign an attorney to serve as the School of Dentistry Presenter. Students may obtain the services of an advocate through the Student Conflict Resolution Center, who can help them prepare and present their case before the Hearing Board. The Director of Student Affairs nor the Code of Conduct Officer may serve as an accused student's advocate or as a presenter at a hearing. However, the Director of Student Affairs may assist students in identifying resources and interpreting policy.

The Accused Student must submit the name of any advocate or attorney to the Hearing Board Chair by the date one week after the hearing notification letter was sent and must give immediate notice to the Hearing Board Chair if there is any change in an advocate or attorney.

### **C. COMMITTEE AND HEARING BOARDS**

Hearing Board members will be appointed from a Hearing Board Subcommittee of the Student Affairs Committee. A faculty chair of the subcommittee will be appointed by the Associate Dean of Academic Affairs and serve for a minimum of two years. The Subcommittee Chair will also serve as Hearing Board Chair. In the case of a conflict of interest, the Hearing Board

Chair may delegate that role to another subcommittee member. The Hearing Board Chair does not vote except in the case of a tie. The School of Dentistry Code of Conduct Officer may not serve as Subcommittee Chair or Hearing Board Chair.

The faculty and student members of the Hearing Board Subcommittee will serve on Hearing Boards as voting members. A Hearing Board consists of the Hearing Board Chair and a panel of five (5) voting members. Each Hearing Board will include three faculty and two students. At least one student member must be from the same program (i.e., doctor of dental surgery, dental hygiene, dental therapy or advanced ed) as the Accused Student. If from the same program, students members must be in a different year than the Accused whenever possible.

In addition to Hearing Board members, the Associate Dean for Academic Affairs attends Hearing Board meetings as a non-voting member. The Associate Dean for Academic Affairs or their alternate is present to assist the Hearing Board Chair in managing the hearing process.

Hearing Board members are not advocates for either side. Hearing Boards shall fairly consider the information presented at the hearing and may ask questions of the witnesses. The Hearing Board shall decide whether it is more likely than not that the Accused Student violated the Student Code of Conduct and, if so, what sanctions are appropriate. The Hearing Board may not talk privately (outside of the hearing room) about the complaint with the parties, their advocates or anyone else. All Hearing Board information must remain confidential.

**D. CASES OF HARM TO PERSON OR SEXUAL ASSAULT**

Alleged conduct violations involving sexual assault, sexual harassment, stalking, or relationship violence will be referred to the appropriate University offices for resolution. These alleged violations will not be heard by School of Dentistry Hearing Boards.

**E. THE COMPLAINT AND SCHEDULING**

When a complaint warrants a hearing, the School of Dentistry Code of Conduct Officer forwards the case to the Associate Dean for Academic Affairs for a hearing. The Associate Dean for Academic Affairs will notify the Hearing Board Subcommittee Chair, the School Presenter, and the Accused Student of the statement of the complaint. Where more than one student is alleged to have violated the Student Code of Conduct in a related incident, Hearing Board proceedings for all accused students generally will be held together. The Hearing Board Chair has discretion to hold separate hearings upon a student's request.

Hearing Boards will strive to complete a hearing within one month of notification to the Associate Dean for Academic Affairs, not including periods when the University is not in session. The Hearing Board Chair will be responsible for scheduling the hearing, taking into account the parties' academic schedules as appropriate.

**F. STUDENT STATUS DURING THE PROCESS**

An Accused Student is ordinarily allowed to continue the status of a student-in-good-standing pending the outcome of a hearing. However, in certain cases, the Associate Dean of Academic Affairs may suspend a student temporarily, pending the Hearing Board's hearing and decision, as provided in the University of Minnesota Student Conduct Code. In such situations, the School of Dentistry should hold a hearing as soon as possible.

In complaints of alleged scholastic dishonesty, any grade affected will be redacted from the transcript pending a disposition from the Hearing Board.

**G. NOTIFICATION OF HEARING**

The Hearing Board Chair will send a hearing notification letter to the Accused Student and School Presenter notifying them of the date and time that the hearing has been scheduled. Both parties must respond within one week of receiving the letter with an acknowledgement of or conflict with the hearing date and time.

The parties shall be informed of the names of the Hearing Board Chair and members of the Hearing Board. At that time, either party may ask that the Hearing Board Chair be recused from the hearing due to a direct relationship with the case or being a reporting party or witness. At that same time, either party may challenge Hearing Board member(s) on the ground of conflict of interest or bias. The Hearing Board Chair, after hearing arguments, will decide whether a board member should be removed. If a quorum is lost because of a successful challenge, an alternate Hearing Board Subcommittee member will be appointed from by the Associate Dean of Academic Affairs.

The parties will identify the witnesses and exhibits they intend to present at the hearing a minimum of five (5) academic working days prior to the hearing date. The Hearing Board Chair has discretion to determine what information should fairly be included or excluded. The Accused Student and School Presenter are to submit any list of witnesses and written or physical evidence to the Associate Dean of Academic Affairs's Executive Assistant.

The Accused Student may accept an informal resolution from the School of Dentistry Code of Conduct Officer up to 24 hours prior to the hearing.

## **H. THE HEARING**

### **1.) Decorum**

The Hearing Board Chair is responsible for maintaining an orderly, fair, and respectful hearing. The Chair has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding the offending person. All electronic devices must be turned off during the entire hearing.

### **2.) Record of Hearing**

Hearing Board complaints and hearings are closed to the public. Guests may be permitted to attend with agreement from both parties and the Hearing Board Chair. The Office of Academic Affairs shall keep an official recording of each hearing. No camera, TV, or other equipment other than that used by the Office of Academic Affairs to keep the official record of the hearing will be permitted in the hearing room.

A copy of the correspondence, the complaint and response, the exhibits presented at the hearing, the recording of the hearing, and the disposition shall be maintained in a file in the Office of Academic Affairs.

### **3.) Appearance**

If the accused student does not appear in person at the hearing, the Hearing Board may elect to either (1) vote to suspend the accused student until a hearing is held; or (2) vote to proceed with the hearing in the absence of the student. A student choosing not to appear may provide the Hearing Board with a written statement signed by the student.

### **4.) Standard of Proof**

To establish that an accused student violated the Student Code of Conduct, a majority of the Hearing Board must be convinced that it is more likely than not that the student committed the violation.

### **5.) Case Presentation**

The parties are expected to be prepared for a clear, complete yet thorough presentation of their cases. The Hearing Board Chair may impose reasonable time limits on any phase of the proceedings. The Hearing Board Chair may, at their discretion, exclude from the hearing

witnesses or exhibits not previously identified to the other party.

Each party may offer reliable information relevant to the issue and may object to the information offered by the other party. The Hearing Board Chair has discretion to determine what information should fairly be included or excluded.

Parties should offer witnesses in person whenever possible. Each party is responsible for getting its own witnesses to the hearing. If reasonable efforts to accommodate the schedules are not successful, the unavailability of a witness is not a ground for postponement of the hearing. If an important witness prefers not to testify, the parties may ask the Hearing Board Chair to assist in encouraging the witness to testify. When necessary, witnesses may present information by telephone or written statement. After a party's witness presents information, the other party may ask questions, and then board members may ask questions.

The Hearing Board Chair will exclude witnesses from those parts of the hearing in which they do not testify.

## **I. HEARING BOARD DELIBERATIONS AND DECISION**

At the end of the hearing the Hearing Board will retire to deliberate in closed session. The Hearing Board Chair, Associate Dean for Academic Affairs, Hearing Board members, as well as legal counsel to the Hearing Board, may attend.

The task of the Hearing Board is more than determining responsibility; it is one of assessing the qualifications of the accused student (if determined responsible for the conduct) for continuing membership in the School of Dentistry community in light of the individual's record of conduct and responsiveness to opportunities, advice, and counsel. The Hearing Board decides the issues based on the information presented by the parties at the hearing and determines whether the Accused Student more likely than not violated specified subdivisions of the Student Code of Conduct. The Hearing Board must be prepared to make a judgment based on the information provided even if it is not complete.

Each board member will vote on whether or not the accused student is responsible for violating the Student Code of Conduct for each alleged charge. A majority vote of Hearing Board members is required to find a violation. If an Accused Student is found responsible for one or more items, the Board will next vote on sanctions.

The recommendations of the Hearing Boards will be forwarded to the Associate Dean of

Academic Affairs. No one participating in the deliberations will give any party verbal information about the decision or the deliberations prior to issuance of the decision.

**J. APPEAL**

A student who is dissatisfied with the decision of the Hearing Board may file an appeal with the appellate officer according to the Administrative Procedure - Student Conduct Code Procedures: Twin Cities.

**SCHOOL OF DENTISTRY HEARING BOARD  
ORDER OF PROCEEDINGS**

1. Call to order by the Chair.
  - a. Reminder to turn off all electronic devices.
2. Announcements and opening remarks by the Chair.
  - a. Notice that the hearing is being recorded.
  - b. Identification of the parties attending the hearing.
  - c. Review of the standard of proof.
3. Opening the hearing by the Chair.
  - a. Presentation of the complaint and alleged specific rules violation.
  - b. Meeting called to order by the Chair.
4. Accused student responds to the complaint (responsible or not responsible).
5. School Presenter presents opening statement (summary of the alleged violation).
6. Accused student or advocate presents opening statement (summary of defense).
7. School Presenter may call their witness for questioning.
  - a. Accused Student or advocate or their advocate may question the witness.
  - b. The Hearing Board may question the witness.
8. Accused Student or advocate may call their witness for questioning.
  - a. School Presenter may question the witness.
  - b. The Hearing Board may question the witness.
9. Closing comments from the School Presenter.
10. Closing comments from the Accused Student or advocate.
11. The hearing is brought to a close by the Chair.
12. Hearing Board retires to deliberate (closed meeting, not recorded).
  - a. The board finds the accused responsible or not responsible for each Student Code of Conduct subdivision alleged in the complaint.
  - b. If responsible, the Hearing Board decides on appropriate sanctions.
  - c. The Board's decision will be reported to the Associate Dean for Academic Affairs. The Accused Student, Director of Student Affairs and Director, University Office of Student Conduct and Academic Integrity will be copied on the letter.



## **Possible Sanctions for Violations of the Code of Conduct**

Sanctions will be determined for violations of the Code of Conduct taking into consideration the nature of each infraction and the previous documented history of the student's conduct in the School of Dentistry. 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.