

# UMKC SCHOOL OF DENTISTRY HONOR CODE

## STANDARDS OF PROFESSIONAL CONDUCT

(Approved by the Faculty of the School of Dentistry: 9/12/2002, 9/15/2011, 11/28/2011, 3/12/2018; Curator approval 4/2004; amended 8/2011; 7/2014/; and 4/2018, **Approved by the Faculty of the School of Dentistry: 5/6/2025; Curator approval 6/26/2025**)

### I. PREAMBLE

Through decades of experience, education, and service, the dental and dental hygiene professions have earned the trust of patients and the public at large. This trust represents a unique relationship which, when valued and upheld, establishes the very real bond that exists when a dental professional is asked to provide patient care. Trust demands the dentist and dental hygienist place the needs of the patient ahead of their own interests. The beginnings of this intrinsic trust are developed at the University of Missouri-Kansas City School of Dentistry.

The University of Missouri-Kansas City School of Dentistry (“School”) is committed to providing excellent dental care. Students\* in the dental, dental hygiene and advanced education residency programs are expected to conduct themselves in accordance with the ethical standards required of these health professionals. Graduates will be required to take responsibility for the health and well-being of their patients and are expected to demonstrate patterns of behavior that are consistent with professional standards and deserving of the public’s trust.

These Standards of Professional Conduct (“Standards”) are drawn from the Principles of Ethics and Code of Professional Conduct of the American Dental Association, and the American Dental Hygienists’ Association Code of Ethics. Students must aspire to meet the high ideals of their applicable professions, which may exceed their legal duties, and must meet these Standards. The School faculty will be effective advisors and mentors for students in the process of their growth in this vital area. The matriculation process affords the opportunity to learn together, support one’s colleagues and encourage growth through challenges.

These Standards articulate expectations of students during the time spent in School as they transition into their professional practices of dentistry or dental hygiene. Maturation, discernment, and wisdom will be needed as students assume the roles of dentists or dental hygienists. Violations of the Standards will be handled under the “Procedures for Violations of the Standards of Conduct” below.

### II. NONMALEFICENCE – DO NO HARM: the student strives to first do no harm.

- A. Patients are treated according to the School’s Standards of Care, and their preferences and desires must be considered in treatment decisions.
- B. No harm or potential harm is done to the patient either through intent, ignorance, lack of preparation for the patient encounter, lack of skill, or personal impairment of any kind.

- C. No patient is “abandoned,” which is defined as discontinuance of care without just cause and without giving the patient adequate notice and the opportunity to obtain the services of another provider.

**III. VERACITY AND FIDELITY:** the student maintains high standards of academic and professional honesty and integrity.

- A. The student is honest during didactic, preclinical, and clinical communications, assignments and evaluations. Examples of academic dishonesty include, but are not limited to, cheating, plagiarism, and sabotage.
- B. The student shall deal honestly with people including, but not limited to, colleagues, instructors, faculty, School representatives, patients, and other members of the health care team.
- C. The student will not engage in, facilitate, or permit an unfair advantage in an academic matter. This includes, but is not limited to: (i) during an examination utilizing unauthorized aids or assisting another student during a didactic, preclinical, or clinical evaluation in a manner not prescribed by the instructor; (ii) during an examination have, use, or solicit any unauthorized information or material (written or oral), copy from another student’s paper, or discuss the examination with any other person; (iii) acquiring by any means knowledge of the contents of an examination yet to be given; and (iv) fraudulently claim for credit any classroom, clinical, laboratory, or other procedure or assignment performed by another person, including a fellow student.
- D. The student will not alter, forge, falsify, or fabricate information, documentation, or patient services.
- E. The student maintains confidentiality and privacy of patient protected health information in accordance with applicable laws and policies of clinical sites. Any patient identifiers or photographs of patients shall not be disclosed in any manner, including posting on social media, unless authorized. Email communications with patients shall only be via the UMKC email system, and shall be encrypted when sent to any individuals at non-UMKC email addresses.
- F. The student strives to attain high levels of competence, admit errors and faulty treatment to faculty, and does not knowingly mislead others or promote oneself at the expense of others.
- G. The student comes to class, lab, and clinic prepared so that the time can be maximized, and patient care is optimally provided.
- H. The student shall assure the accuracy and completeness of their documentation in medical records.

**IV. RESPONSIBILITY AND SENSE OF DUTY:** the student fulfills duties and obligations of the profession of dentistry or dental hygiene, as applicable, which are expected by the public.

- A. The student becomes familiar with and adheres to the ethical codes of the American Dental Association, or the American Dental Hygienists' Association, as applicable.
- B. The student's responsibility parallels the responsibility of professional practitioners who maintain professional standards by holding each other accountable.
- C. The student maintains professional provider-patient relationships.
- D. The student is dedicated to helping patients, colleagues, the profession, and society to reach their maximal potential.
- E. The student maintains quality of care while addressing conflicts of interest.
- F. The student engages in personal and professional conduct that reflects positively on the School and the profession.
- G. The student strives to uphold the dignity and respect of the profession of dentistry by his or her dress, personal appearance, conduct, and conversation.
- H. The student must acquire and demonstrate competencies with the appropriate concepts, knowledge, and skills which faculty determine to be essential.
- I. The student must be familiar with and follow the Rules, Regulations, Policies, and other guidance documents of the University, UMKC, School, and clinical sites where they are assigned.
- J. The student shall not use University or School logos and trademarks, which are intellectual property, in print, emails, text messages, or social media without authorization.
- K. The student will not use alcohol or drugs, or practice while under them or with a physical or mental health condition, if such impairs the student's ability to perform the work of student's profession, or results in compromised patient care, or disrupts the classroom or clinical environment or activities.

**V. JUSTICE AND RESPECT FOR THE RIGHTS OF OTHERS:** the student respects the rights, privileges, and property of other members of the School of Dentistry, UMKC, University, and the professions of dentistry and dental hygiene. While the University and School of Dentistry are committed to the rights of students to free expression, they also have the right to restrict certain conduct which violates the law or University policy, or otherwise directly interferes with the functioning of the University or School of Dentistry and/or its clinical affiliates. Students are expected to be knowledgeable of and comply with the limits on free expression as set forth in the University "Commitment to Free Expression," available at <https://freespeech.missouri.edu/commitment-to-free-expression/> .

- A. The student deals with faculty, staff, peers, and patients in a dignified, considerate manner and with a spirit of cooperation.

- B. The student views and treats all people encountered in an academic, clinical, or cyberspace capacity equally in regards to liberties, rights, respect, acceptance, and opportunities. It is against University regulations to discriminate against any person, either in person, via email or text, or on social media, on the basis of race, color, religion, pregnancy, sex, sexual orientation, gender expression, gender identity, ancestry, national origin, age, disability, protected veteran status, or any other basis under applicable law. CRR 600.010. University also has an AIDS Policy Statement that prohibits discrimination against any person with AIDS, AIDS Related Complex (“ARC”), or who is HIV positive. CRR 280.030. It is also against University regulations to engage in sexual harassment. CRR 600.020.
- C. The student places the patient’s welfare (i.e., the provision of competent and timely delivery of dental care within the bounds of clinical circumstances as presented by the patients, such as needs, desires and values) as paramount, taking precedence above all else. This also includes the obligation to (i) identify and report perioral or other signs of abuse and neglect, and to consult with faculty to report suspected cases to proper authorities as required by law; and (ii) report instances of faulty treatment, whether intentional or not, to the appropriate faculty member.
- D. All standards and requirements of patient care established by the School are followed at all times.
- E. The student submits his or her own original work in a manner prescribed by the instructor and with the expectation that the grade reflects only that student’s achievement.
- F. The student is respectful toward the learning process and to those involved with it.
- G. No student shall create a disruption in the learning process through behaviors that are not conducive to an academic or patient care environment. Inappropriate behaviors include, but are not limited to: (i) use of vulgar, offensive, lewd, obscene, profane, or unprofessional language, gestures, images, or videos; or (ii) cyberbullying.
- H. The student respects the ideas and words of others by attributing the quoted or paraphrased portions to the student’s original sources.

**VI. SOCIAL MEDIA:** The student shall be responsible when using personal and professional social media accounts. “Social media” includes any interactive internet-based technologies that facilitate the creation, sharing, and aggregation of content amongst communities and networks including, but not limited to, Facebook, Twitter, LinkedIn, YouTube, Snapchat, Instagram, GROUPME, X, Reddit, Tumblr, and blogs.

- A. Students shall use appropriate judgment and be respectful and professional in all social media communications.
- B. Information shall be truthful and not misleading or deceptive.
- C. The student shall understand how the use of social media can negatively reflect upon the student’s professional image and shall weigh the risks and benefits of self-disclosure.

- D. The student shall respect copyright laws when using social media, and reference or cite sources appropriately.
- E. The prohibition on plagiarism applies to social media.
- F. The student shall clearly state that views expressed on social media are the student's and do not represent the views of, nor is the student speaking on behalf of, the University, UMKC, or the School.
- G. The student is prohibited from communicating with patients, and with their authorized representative and family members on social media. Exceptions are allowed when communicating about non-patient related items with family members and personal friends who are also patients.
- H. Information posted on social media sites must comply with University policies and applicable laws.

## VII. THE UNIVERSITY OF MISSOURI STANDARD OF CONDUCT

- A. In addition to the conduct detailed above, students are subject to the University of Missouri Standard of Conduct, CRR 200.010. substantiated.
- B. Prohibited conduct for which students are subject to the School of Dentistry Procedures for Honor Code Violations fall into the following categories as of April 2025:
  - 1. **Academic dishonesty**, including but not limited to cheating, plagiarism, unauthorized use of artificially generated content, or sabotage. The Board of Curators recognizes that academic honesty is essential for the intellectual life of the University. Faculty members have a special obligation to expect high standards of academic honesty in all student work. Students have a special obligation to adhere to such standards. In all cases of academic dishonesty, the instructor shall make an academic judgment about the student's grade on that work and in that course, which shall not be considered a sanction for prohibited conduct under this rule. The instructor shall, consistent with other policies, report the alleged academic dishonesty to the Primary Administrative Officer.
    - a. The term **cheating** includes but is not limited to: (i) use of any unauthorized assistance in taking quizzes, tests, examinations or other assessments; (ii) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; (iii) acquisition or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; or (iv) knowingly providing any unauthorized assistance to another student on quizzes, tests, examinations, or other assessments.
    - b. The term **plagiarism** includes, but is not limited to: (i) use by paraphrase or direct quotation of the published work of another source without properly crediting the author with footnotes, citations or bibliographical reference; (ii) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or (iii) unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators.

c. The term **unauthorized use of artificially generated content**, includes, but is not limited to (i) use of artificial intelligence tools or other tools that generate artificial content in taking quizzes, tests, examinations, or other assessments without permission from the instructor; (ii) submitting work for evaluation as one's own that was produced in material or substantial part through use of artificial intelligence tools or other tools that generate artificial content without permission from the instructor; (iii) using artificial intelligence tools or other tools that generate artificial content in a manner contrary to instructions from the instructor; or (iv) using artificial intelligence tools or other tools that generate artificial content in a manner that violates any other provision of these rules concerning academic dishonesty. Use of commonly available tools such as spelling or grammar checking software or features of software that propose anticipated words or phrases while text is being written will not be considered unauthorized use of artificially generated content unless such use is contrary to instructions from the instructor.

d. The term **sabotage** includes, but is not limited to, the unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.

2. **Forgery, alteration, or misuse of University documents, records or identification, or furnishing information to the University that the student or student organization knows or should know is false.**
3. **Physical abuse or other physical conduct which threatens or endangers the health or safety of any person.**
4. **Stalking** another by following or engaging in a course of conduct with no legitimate purpose that puts another person reasonably in fear for one's safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
5. **Violation of the University's Equal Employment and Education Opportunity and Nondiscrimination Policy** located at Section 600.010 of the Collected Rules and Regulations.
6. **Violation of the University's Sexual Harassment under Title IX Policy located at Section 600.020 of the Collected Rules and Regulations.**
7. **Threats**, defined as communication of a serious expression of intent to commit an act of unlawful violence against an individual or identifiable group, such that the individual or group would reasonably fear violence, regardless of whether the communicating individual actually intends to carry out the threat.
8. **Participating in attempted or actual taking of, damage to, or possession without permission of property of the University or of a member of the University community or a campus visitor.**
9. **Unauthorized possession, duplication or use of keys or other means of access to any University facilities or unauthorized entry to or use of University facilities, property or resources.**
10. **Misuse of University or personal property in a manner that creates a safety hazard or unauthorized use of safety equipment.**

11. **Deliberately setting off a fire or other emergency alarm without justified reason or knowingly giving a false report of a crime or emergency.**
12. **Violation of the available written policies, rules or regulations of the University or any of its units applicable to the student under the circumstances or of material conduct standards identified in contracts or agreements the student has entered into with the University,** including, but not limited to, those governing residence in the University-provided housing, or the use of University facilities, or student organizations, or the time, place or manner of public expression.
13. **Violation of applicable federal, state, foreign or local law or ordinance,** that directly impacts the University's activities, programs, property, students, employees, or volunteers or indicates that the individual poses a risk to the safety, welfare, or well-being of the University's students, employees, or volunteers.
14. **Manufacture, use, possession, sale or distribution of alcoholic beverages or any controlled substance under state or federal law without proper prescription or required license or as expressly permitted by law or University regulations,** including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the state of Missouri. To the extent there is any inconsistency between state and federal law as to circumstances in which manufacture, use, possession, sale or distribution of a substance is expressly permitted, federal law will govern to the extent appropriate to facilitate the University's compliance with the Drug Free Schools and Communities Act and any other applicable federal law.
15. **Substantially disrupting, or inciting others to substantially disrupt:**
  - a. University operations, functions or activities including, but not limited to classes or other teaching, research, study, lectures, performances, meetings, interviews, living or learning communities, administrative business, or ceremonies or other public events, regardless of whether such operations, functions or activities are conducted in-person or through information technology resources; or
  - b. Authorized or permissible non-University activities that occur at a location owned or controlled by the University or through information technology resources provided by the University.
16. **Failure to comply with lawful directions of University officials acting in the performance of their duties or failure to identify one's self to University officials acting in the performance of their duties when reasonably requested to do so and upon reasonable explanation of the reason for the request for identification.**
17. **Failure to comply with and complete all sanctions and remedial actions applied under Section 200.020 or Chapter 600 within the time frame specified.**
18. **The possession or use of firearms, explosives, other weapons, or hazardous chemicals that violates federal or state law or applicable foreign law or University rules.**
19. **Hazing,** defined as any intentional, knowing, or reckless act committed (whether individually or in concert) against another person or persons regardless of the willingness of such other person or persons to participate, that:
  - a. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in a group or organization; and

- b. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the University or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including:
    - i. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
    - ii. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - iii. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    - iv. Causing, coercing, or otherwise inducing another person to perform sexual acts;
    - v. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
    - vi. Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; or
    - vii. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law. Failure by a group's or organization's executive officers to intervene to prevent, discourage, and/or report hazing of which they are aware or reasonably should be aware also will be deemed a violation of this policy.
20. **Misuse of information technology resources in accordance with University policy,** including but not limited to:
- a. Actual or attempted theft or other abuse;
  - b. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose;
  - c. Unauthorized transfer of a file;
  - d. Unauthorized use of another individual's identification and password;
  - e. Use of information technology facilities to interfere with the work of another student, faculty member, or University official;
  - f. Use of information technology facilities to interfere with normal operation of any University information technology system;
  - g. Knowingly causing a virus, malware, or other means designed to disrupt, damage or gain unauthorized access to become installed in any information technology system or file; or
  - h. Violation of Section 110.005 of the Collected Rules or Regulations or other University policy governing use of computing resources.
21. **Retaliation, False Reporting, Witness Intimidation or Harassment, and Interference.**
- a. Retaliation is any adverse action taken against a person because of that person's participation or refusal to participate in the process set forth in CRR 200.020, provided that the exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section. Any person who engages in such retaliation shall be subject to disciplinary action, up to and including expulsion or termination, in accordance with applicable procedures. Any person who believes they have been subjected to retaliation is encouraged to notify the Primary Administrative Officer. The University will promptly respond to all claims of retaliation in accordance with this policy.



- b. False reporting is making an intentional false report or accusation in relation to this policy as opposed to a report or accusation, which, even if erroneous, is made in good faith. False reporting is prohibited.
  - c. No individual, directly or through others, may take any action which attempts to or actually intimidates any potential Party or witness in the student conduct process, or which may interfere with the student conduct process.
  - d. All University employees and students must be truthful and candid when making any statement or providing any information or evidence to the University throughout the student conduct process, and all documentary evidence must be genuine and accurate. The fact that a determination has been made that a student has or has not engaged in prohibited conduct is not sufficient grounds, by itself, to declare that a false statement or fraudulent evidence has been provided by a Party or witness.
  - e. Charging an individual with a policy violation for making a materially false statement in bad faith in the course of any proceedings under this policy does not constitute retaliation provided, however that a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement in bad faith.
- 22. Attempting to commit or intentionally and materially aiding or inciting others to commit any of the forms of prohibited conduct stated in this rule.**

The current Standard of Conduct and other University of Missouri Collected Rules and Regulations can be found at: 200.010 Standard of Conduct

[https://www.umsystem.edu/ums/rules/collected\\_rules/programs/ch200/200.010\\_standard\\_of\\_conduct/](https://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.010_standard_of_conduct/)

200.020 Rules of Procedures in Student or Student Organization Conduct Matters

[https://www.umsystem.edu/ums/rules/collected\\_rules/programs/ch200/200.020\\_rules\\_of\\_procedures\\_in\\_student\\_conduct\\_matters/](https://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.020_rules_of_procedures_in_student_conduct_matters/)

600.010 Equal Employment and Educational Opportunity and Non-Discrimination

[https://www.umsystem.edu/ums/rules/collected\\_rules/equal\\_employment\\_educational\\_opportunity/ch600/600.010-equal-employment-educational-opportunity-and-nondiscrimination/](https://www.umsystem.edu/ums/rules/collected_rules/equal_employment_educational_opportunity/ch600/600.010-equal-employment-educational-opportunity-and-nondiscrimination/)

\*Definition of student: any person having once been admitted to the School of Dentistry who has not completed a course of study and who intends to or does continue a course of study in or through the School of Dentistry. Student status continues whether or not the University's academic programs are in session. Violations of these Standards for advanced education residents or graduate students will be by the Associate Dean for Research & Graduate Programs and the Advanced Education Committee.

**Anyone who has reasonable cause to believe that a student has violated one or more of these Standards is obligated to take action by asking the violator to refrain from the behavior, and/or if not satisfactorily addressed by the violator or severity calls for further action, to report the matter to the Primary Administrative Officer ("PAO"), who is the Assistant Dean for Student Programs or his/her designee. The PAO is designated as the**

individual responsible for the handling of alleged violations of the Standards pursuant to the *Procedures for Violations of the Standards of Professional Conduct*.

*Portions of the above Standards language is adapted with permission from the Creighton University School of Dentistry Honor Code, ©2015-2016*

## **Procedures for Violations of the Standards of Professional Conduct**

*(Approved by the Faculty of the School of Dentistry: 9/12/2002, 3/12/2018; Curator approval 4/2004; 4/2018, 5/6/2025; Curator approval 6/26/2025)*

### **I. INTRODUCTION**

- A. These Procedures for Violations of the Standards of Professional Conduct (“Procedures”) will be followed when a pre-doctoral dental student or undergraduate dental hygiene student at the University of Missouri-Kansas City School of Dentistry (“School”) has been alleged to have violated one or more acts of misconduct in violation of the School’s Standards of Professional Conduct (“Standards”).
- B. The Standards identify areas of conduct that are judged unacceptable for students who aspire to be in the profession of dentistry or dental hygiene.
- C. The Standards are published in the School’s Academic and Non-Academic Policies (“Student Handbook”) which is distributed to all students when they initially enroll at the School, and is also available on the School’s Intranet.
- D. The Assistant Dean for Student Programs serves as the Primary Administrative Officer (“PAO”) and shall have the authority to investigate alleged violations of the Standards, whether such violations occur on the UMKC Campus, in classes, while participating in the School’s Dental Clinic or at affiliated sites, or outside of UMKC, enter into alternative resolutions, investigate alleged violations of the Standards, propose informal dispositions, and participate in formal hearings.
- E. The School’s Honor Council shall have the authority to conduct hearings and recommend sanctions upon Respondents who are determined to have violated the Standards.

### **I. DEFINITIONS**

- A. CRR: the University of Missouri Collected Rules and Regulations.
- B. Respondent: the student alleged to have violated one or more of the Standards.
- C. Preponderance of the evidence: determining whether the evidence shows that it is more likely than not that a violation occurred.

### **III. HONOR COUNCIL COMPOSITION AND PROCESSES**

- A. The Honor Council shall be composed of ten members that include four students and six faculty.
  - 1. Members consist of one student representative from the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> year dental classes, one student representative from the undergraduate senior dental hygiene class, and six full time faculty elected at-large including at least one member from within the three faculty units as defined in the Faculty Bylaws Article III, Section IV.

- a. Student members shall be elected from a slate of candidates that have been nominated from each respective class or identified group. Term of membership for student members on the School of Dentistry Honor Council shall be fall semester, winter semester, and summer semester of that academic year.
- b. Elections of faculty members shall be initiated and conducted as specified in the School's Bylaws.
  - i. If the term of office has ended, a faculty member's term will be extended when participation in a matter has not been resolved during his/her regular term.
  - ii. The extension will terminate at the conclusion of that matter.
  - iii. Under these circumstances, the new electees will not participate in that matter.
- B. Each member shall have one vote except as follows:
  - 1. The Chair of the Honor Council will have no vote except in the event of a tie vote.
  - 2. The student member within the Respondent's class will have no vote but is to participate in the hearing and deliberations.
- C. The Chair of the Honor Council shall be a faculty member of the Honor Council and shall be elected by the members of the Honor Council.
- D. A minimum of five faculty members and three student members, or their approved substitutes, shall constitute a quorum.
  - 1. Substitutes for a member shall be approved by the Chair of the Honor Council.
- E. A majority vote of members present is required to approve an action.
  - 1. Votes shall be by written ballot.
  - 2. There shall first be a vote on whether a violation occurred.
  - 3. If a majority approve the violation occurred, then a second vote will be taken on the sanction.
  - 4. If there is not a majority vote supporting the sanction, the vote will be repeated until there is a majority vote.
- F. Any member absent from a hearing must listen to the recording of the hearing to participate in the deliberations of the matter.
- G. If any Honor Council member is involved in the alleged misconduct in any capacity, he/she shall be excused from participating in the matter in any manner, and a replacement may be appointed by the Chair of the Honor Council.
- H. The PAO shall not be present at the deliberations of the Honor Council or involved in any way with the decision of the Honor Council.
- I. Minutes of all meetings of the Honor Council shall be maintained and all deliberations of the Honor Council are to remain confidential.

#### **IV. PROCEDURES FOR REPORTS OF ALLEGED VIOLATIONS, INVESTIGATIONS, AND INFORMAL DISPOSITIONS**

- A. Reports of alleged violations of the Standards may be reported by anyone to the PAO.
  - 1. Reports should be made as soon as possible after an alleged violation.
  - 2. Reports may be made in person or by email.
  - 3. Except for purposes of any investigation, hearing or judicial proceeding, reports and the names of reporters shall be maintained confidential.
- B. The PAO shall review the report of the alleged violation and shall determine whether it needs to be referred to the UMKC Office of Equity and Title IX or the UMKC Office of Student Conduct and Civility.
  - 1. The PAO, Office of Student Conduct and Civility, and Office of Equity and Title IX may share information about possible violations to determine how the alleged violation may be handled.
  - 2. Students may be subject to discipline by the Office of Equity and Title IX, Office of Student Conduct and Civility, or the Honor Council.
  - 3. A student will not be subject to discipline for the same violation by multiple entities.
- C. If the PAO determines that the alleged violation will be handled by the PAO, the PAO shall devise and implement a response on how to proceed, based on relevant facts including, but not limited to: the severity of the potential misconduct; health, safety, or welfare of Respondent and members of the UMKC community; and impact on members of the UMKC community and the educational environment.
- D. At any time, the PAO may work with Respondent to negotiate educational solutions or other resolutions to address the alleged misconduct.
  - a. Educational solutions or other resolutions are encouraged, and statements made by Respondent or adviser during such negotiations shall not be used against Respondent in the hearings.
  - b. Respondent may refuse to participate in such negotiations and PAO shall proceed with the investigation.
- E. The PAO shall investigate the alleged violation.
  - 1. The PAO shall meet with Respondent.
    - a. The PAO shall inform Respondent of the place and date of the meeting, the details of the reported alleged violation, and the right of Respondent to have an adviser, who may be an attorney or any other person selected by Respondent, to attend and participate in the meeting.
    - b. Respondent shall also be advised of the right to bring witnesses and evidence to this meeting.
    - c. PAO may have witnesses attend the meeting and present evidence.

2. The PAO may review past reports of alleged violations of the Standards by Respondent, interview witnesses including the reporter of the alleged violation, consult with other pertinent individuals, and collect other relevant information.
- F, After conducting the investigation, the PAO shall consult with a “Conduct Advisory Group” (“CAG” to determine whether a violation of the Standards has occurred based upon the preponderance of evidence.
1. The CAG shall be an ad hoc body appointed by the Dean for the purposes of determining whether the Respondent has violated one or more of the Standards.
    - a. The CAG shall consist of the PAO and two School faculty or administrative leaders who are not members of the Honor Council.
  2. If the CAG determines that there was no violation, it may require educational solutions or other resolutions as set forth in Article IV, Section D.
  3. If the CAG determines that a violation has occurred, the PAO may propose an informal disposition consisting of a preliminary determination of the responsibility of Respondent for the alleged violation and proposed sanction.
    - a. The PAO is not required to offer informal disposition.
    - b. The PAO shall provide written notice of the proposed informal disposition to Respondent and adviser, if any.
      - i. The notice shall inform Respondent that failure to reject the proposed informal disposition in writing within ten business days of receipt of the notice shall be considered as acceptance of the proposed informal disposition and sanction.
    - c. The proposed informal disposition shall become final and effective if Respondent fails to timely reject the proposed informal disposition.

## **V. TEMPORARY ACTION FOR RESPONDENT**

- A. The Dean of UMKC School of Dentistry or his/her Designee may at any time temporarily suspend or place conditions on the attendance or participation of Respondent, pending completion of the Procedures, when the Dean/Designee finds and believes from available information that the presence of the Respondent would seriously disrupt the educational environment, or constitute a danger to the health, safety, or welfare of members of Respondent or the School community.
- B. The Dean/Designee will give Respondent notice of such temporary action and the detailed reason for it and that Respondent may submit a written response requesting reconsideration or modification of the temporary action within five (5) business days of delivery of the notice.
  1. The time for submitting the written response may be extended upon written request at the discretion of the Dean/Designee for good cause.
  2. After due consideration of the response and all relevant circumstances, the Dean/Designee will sustain, remove, or modify the temporary action and notify Respondent of that decision.

## **VI. HEARING PROCEDURES**

A. Setting of Hearing Date and Notice of Hearing

1. The PAO shall schedule a date for the hearing.
  - a. The PAO may work with the Respondent and any other individuals required for the hearing to identify a date for the hearing.
  - b. Any request to reschedule the hearing shall be made in writing to the PAO who is authorized to reschedule the hearing if the request is timely and made for good cause.
2. At least twenty (20) business days before the hearing, or sooner if the agreed-upon date for the hearing is less than twenty (20) business days, the PAO shall send a Notice of Hearing to Respondent, Respondent's adviser (if identified), Chair of the Honor Council, and any attorneys designated for PAO and Honor Council which shall include:
  - a. Detailed description of the alleged violation of the Standards and of any other applicable policies or laws that have been alleged to have been violated;
  - b. Description of the procedures for the hearing, which may be provided with a link to these Procedures, including the right to have an adviser, who may be an attorney, attend and participate in the hearing;
  - c. The potential sanctions that may be imposed;
  - d. Statement that the Respondent is permitted to inspect, copy, and review all information or evidence obtained as part of the investigation that directly relates to the alleged violation;
  - e. Statement that the Parties and their witnesses must be truthful when making any statements or providing any information or evidence throughout the hearing, and documentary evidence must be genuine and accurate;
  - f. Statement that nothing in the hearing procedures is intended to alter any rights that the Respondent may have under applicable Federal or Missouri laws or the US Constitution;
  - g. Names of the members of the Honor Council and the designated Chair;
  - h. That an objection to any member of the Honor Council can be made to the Associate Dean for Academic Affairs within five (5) business days after receipt of the Notice of Hearing;
  - i. Time, date, and location of the hearing;
  - j. That if the Respondent fails to appear at the hearing, the hearing will be conducted without the Respondent; and
  - k. That the Parties may request a virtual hearing with technology enabling participants simultaneously to see and hear each other, and/or necessary accommodation.
3. The Notice of Hearing shall be emailed to Respondent's UMKC-issued email.

B. Pre-Hearing Disclosures and Procedures

1. At least ten (10) business days before the hearing, the PAO shall provide the Respondent, the Respondent's adviser (if identified), any attorneys designated for the PAO and Honor Council, and the Chair of the Honor Council with:
  - a. The investigative report that summarizes the relevant evidence related to the alleged

- violation, either in electronic form or hard copy;
  - b. List of proposed witnesses to be called at the hearing;
  - c. Copies of all proposed documentary, photographic, video, and audio evidence, and
  - d. How the Respondent can access all of the evidence collected during the investigation directly related to the alleged violation.
2. At least five (5) business days before the hearing, the Respondent shall provide the PAO and Chair of the Honor Council, and any attorneys designated for the PAO and Honor Council, with:
    - a. A written response to the investigative report;
    - b. List of proposed witnesses to be called at the hearing; and
    - c. Copies of all proposed documentary, photographic, video, and audio evidence.
  3. If the PAO identifies any rebuttal witnesses or evidence to be called or submitted after receipt of the Respondent's information, the PAO shall provide notice of such witnesses or evidence to the Respondent, the Respondent's adviser, any attorneys designated for the PAO and Honor Council, and Chair of the Honor Council within at least two (2) business days before the hearing.
  4. The PAO, Chair of the Honor Council, and Respondent may agree that certain witnesses do not need to be physically present if their testimony can be adequately summarized in the investigative report or during the hearing by other witnesses.

C. Rights of Respondent

1. Be present at the hearing, which may be waived by either written notification to the Chair of the Honor Council or by failure to appear at the hearing.
2. Have an adviser who may be, but is not required to be, an attorney present at the hearing and who may actively participate in and assist the Respondent during the hearing.
  - a. Prior to the hearing, the adviser may communicate with the Chair of the Honor Council, including raising questions or objections, or making requests regarding the hearing procedures.
  - b. At the hearing, the adviser may request clarification of a procedural matter or object to a procedure by addressing the Chair of the Honor Council.
  - c. The adviser may make presentations and speak on behalf of the Respondent and may consult with Respondent during the hearing or outside of the hearing during breaks.
  - d. The adviser may examine and cross-examine witnesses.
3. To testify at the hearing.
4. Hear and examine evidence presented to the Honor Council.
5. Question and cross-examine witnesses testifying at the hearing.

6. Present evidence by witnesses or affidavits.
7. Make a statement in mitigation or explanation of the alleged misconduct.

#### D. Rights of PAO

1. Be present at the hearing.
2. Have an attorney from the Office of the General Counsel who may actively participate and assist the PAO.
3. State the facts of the investigative report.
4. Hear and examine evidence presented to the Honor Council.
5. Question and cross-examine witnesses testifying at the hearing.
6. Present evidence by witnesses or affidavits.
7. Receive written findings and the sanction imposed by the Honor Council.

#### E. Rights of Honor Council

1. Hear together cases involving more than one Respondent which arise out of the same alleged violation; however, separate findings and determinations shall be made for each Respondent.
2. Permit a stipulation of facts by the PAO and Respondent.
3. Permit the incorporation by reference to any documentation, produced and desired in the Record of the Case by PAO or Respondent, provided the other Party has had an opportunity to review and respond to the documentation.
4. Question witnesses and challenge evidence introduced by either Party.
5. Hear from PAO about dispositions made in similar cases.
6. Call additional witnesses or require additional investigation by the PAO.
7. Dismiss the hearing at any time.
8. Permit or require amendment to the Notice of Hearing to include new or additional matters which may come to the attention of the Honor Council before final determination of the case; provided, however, that in such event the Honor Council shall grant to Respondent or PAO such time as the Honor Council may determine is reasonable under the circumstances to answer or explain such additional matters.
9. Dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Honor Council.
10. Suspend summarily Respondent from UMKC who, during the hearing, obstructs or interferes with the course of the hearing or persistently fails to abide by the rulings of the Chair of the Honor Council on any procedural question or request of the Chair for order.
11. Have an attorney from the Office of the General Counsel who may assist the Honor Council.

#### F. Rights of Witnesses



1. Students, faculty and/or staff of the School who serve as witnesses at the hearing shall be protected from retaliation or harassment from the Respondent at or apart from the hearing.
  - a. If retaliation or harassment of one or more witnesses by the Respondent does occur, this will be considered a separate violation of the Standards of Professional Conduct.
2. Witnesses may request to appear virtually at a hearing.
3. Witnesses may consult with the PAO or others regarding the hearing process.

#### G. Conduct of Hearing

1. All Parties shall have the opportunity to present the facts and arguments in full.
2. The Chair of the Honor Council shall preside at the hearing, call the hearing to order, call the roll of the Honor Council, ascertain the presence or absence of the Respondent, verify the receipt of Notices related to the hearing by the Respondent, report any continuances requested and granted, establish the presence of any advisers, explain any special procedures to be employed during the hearing, and permit the Respondent to make suggestions regarding, or objections to, any hearing procedures.
3. The Chair of the Honor Council shall determine the relevancy and admissibility of any evidence offered and shall respond to any procedural questions.
4. The Chair of the Honor Council shall not require, allow, or use any evidence that constitutes, or seek disclosure of, information that is protected under a legally recognized privilege unless the person holding the privilege has waived that privilege.
5. The Chair of the Honor Council may dismiss any person who interferes with or obstructs the hearing or fails to abide by any ruling of the Chair of the Honor Council.
6. Rules of common courtesy and decency shall be observed.
7. The Chair of the Honor Council may exclude any witness, document, or information that is irrelevant, immaterial, cumulative, or more prejudicial than informative.
8. Incidents or behaviors of Respondent that show a pattern of related violations, or character evidence of Respondent may be considered only if deemed relevant by the Chair of the Honor Council.
9. The Honor Council shall consider the trustworthiness of all oral and written statements, and no oral or written statement shall be considered if the source of the statement has not been disclosed.
10. The PAO shall make opening remarks outlining the general nature of the alleged misconduct.
11. The Respondent may make a statement after the opening remarks or at the conclusion of the presentation by the PAO.
12. The PAO may state the facts of the investigation and call witnesses and introduce evidence supporting the alleged misconduct.
13. The Honor Council may question the PAO and witnesses at any time.

14. The Respondent and the Respondent's adviser may cross-examine witnesses after they have been questioned by the PAO.
15. Upon conclusion of the evidence presented by the PAO, the Respondent may present evidence through witnesses and written documents or other materials.
16. The PAO and Honor Council may question the Respondent and the Respondent's witnesses at any time.
  - a. The Respondent has the right to remain silent, and such silence shall not be considered as evidence supporting the finding of misconduct.
17. After the conclusion of the evidence has been presented by the Respondent, the Chair of the Honor Council may allow either Party to offer rebuttal of the other Party's presentation.

#### H. Record of Hearing

1. There shall be an audio, video, digital, or stenographic record of the hearing maintained.
2. The "Record of the Case" shall include the notices, hearing record, exhibits from the hearing, and report of the Honor Council.
3. The Record of the Case shall be maintained in the Dean's office.

#### I. Report of Honor Council

1. The Honor Council shall carefully review all the materials and promptly render its report with its findings and recommendation.
  - a. The burden of proof and the burden of gathering sufficient evidence sufficient to reach a determination regarding responsibility rests on the PAO.
2. The report shall detail the following:
  - a. Identification of the allegations constituting a violation of the Standards and the determination of the Honor Council.
  - b. A description of the procedural steps taken.
  - c. Findings of fact supporting the determination and any information the Honor Council excluded from consideration and why.
  - d. Conclusions regarding the application of the Standards to the facts.
  - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; and
  - f. Any sanctions to be imposed on the Respondent.
3. Sanctions
  - a. The Honor Council shall determine the sanction to be imposed, if any, based upon its deliberations.
  - b. One of the following sanctions is to be recommended by means of a simple majority vote of the Honor Council members.

- c. Where there are multiple violations, there can be separate sanctions for each violation or one sanction for all violations.
- d. Requirements for education and/or training, or referral to a UMKC School of Dentistry Committee or other resource may be imposed on a Respondent irrespective of whether a violation of the Standards of Professional Conduct has been substantiated. Any such requirements do not constitute a sanction.
- e. The sanctions that may be imposed are as follows:
  - i. **No Sanction.** Given when the Respondent is not found in violation of any of the Standards of Professional Conduct.
  - ii. **Warning.** A written reprimand that Respondent has violated one or more of the Standards. A copy is to be placed in Respondent's file. There is no prohibition on a Respondent receiving more than one (1) warning; however, the fact that a Respondent has received one or more warnings may be taken into account if there are any subsequent violations of the Standards. A warning is not a reportable action.
  - iii. **Reprimand and Probation.** A written reprimand to the Respondent for one or more violations of the Standards of Professional Conduct that includes a designated period of time of probation, the probability of more severe sanctions if the Respondent violates any other Standards of Professional Conduct during the probationary period, and subject to any appropriate terms or conditions, such as loss of privileges, restitution, and discretionary assignments. A reprimand and probation is a reportable action.
  - iv. **Suspension.** An involuntary separation of the Respondent from UMKC School of Dentistry for a designated period of time or until special conditions have been met, with a statement whether suspension should relate back to the date of the violation, begin at the time imposed, or begin at a date specified in the future. At the conclusion of the period of suspension, the Respondent is automatically returned to student status. Conditions for readmission may be specified. A disciplinary suspension is a reportable action.
  - v. **Dismissal.** An involuntary separation from UMKC School of Dentistry for an indefinite period of time. The order of dismissal may specify a date before which the faculty will not consider a petition for readmission from the Respondent. A disciplinary dismissal is a reportable action.
  - vi. **Expulsion.** Permanent separation of the student from UMKC School of Dentistry. A disciplinary expulsion is a reportable action.
- f. The above sanctions only apply to the status of the Respondent at UMKC School of Dentistry.
- g. Any of the above actions that are reportable will be reported by UMKC School of Dentistry as needed on any future licensure certifications and verifications for the Respondent, and/or any official requests for information made from other UMKC entities. Respondents may also have an obligation to report sanctions on licensure or other applications.

4. The report of the Honor Council shall serve as recommendations to the Dean of the School of Dentistry.
  - a. The Report shall be transmitted in writing by the Honor Council Chair to the Dean within seven (7) consecutive calendar days following the decision of the Honor Council.
  - b. The Dean shall review the Report and the Record of the Case to determine to accept, modify, or reject the recommendation of the Honor Council.
  - c. The Dean shall notify Respondent and Chair of the Honor Council of his/her decision, and the right of Respondent to request a review or appeal, as applicable, and the process for doing so.

## **VII. GROUNDS FOR REVIEW OR APPEAL**

- A. The grounds for review or appeal are limited to the following:
  1. A material deviation from established procedures that affected the outcome of the matter.
  2. To consider new evidence that was not reasonably available at the time the decision was made that could affect the outcome of the matter.
  3. An Honor Council member or members demonstrated a conflict of interest or bias against Respondent that affected the outcome of the matter.
  4. The sanction falls outside that typically imposed for this violation, or the cumulative conduct record of Respondent.
- B. A review or appeal is not intended to be a full rehearing of the matter and is therefore deferential to the original findings.
- C. In most cases, reviews and appeals are confined to a review of the written documentation, Record of the Case, and relevant documents regarding the grounds for the review or appeal.
- D. A review or appeal granted based on new evidence should normally be remanded to the Honor Council for reconsideration.
- E. The Chancellor will render a written decision within ten (10) business days after receiving any reply, or after the deadline to reply has passed without a submission being made.
- F. If the Chancellor is unable to render a decision within ten (10) business days, the Chancellor will notify the Parties of the delay.
- G. The decision of the Chancellor on a review or appeal is final, and further appeals or grievances are not permitted.

## **VIII. PROCEDURE FOR PETITION FOR REVIEW**

- A. *If the sanction is for a warning or reprimand and probation*, Respondent may petition, in writing, the Chancellor, with a copy to the Dean, for a review of the

decision of the Dean within ten (10) business days after notification of the decision of the Dean.

- B. The Petition for Review must state the grounds in detail for the review.
- C. The Dean may provide a written response to the Petition for Review within ten (10) business days of receipt of the Petition for Review.
- D. Upon request, the Chancellor, for good cause, may extend the time for filing, or responding to, the Petition for Review.
- E. The Chancellor may review or refuse to review the decision of the Dean. If the Chancellor refuses to review the decision, the decision of the Dean becomes effective.
- F. If the review is granted, the Chancellor may affirm, reverse, or modify the decision of the Dean, or remand it back for further proceedings.
- G. The action of the Chancellor is final unless it is to remand the matter back for further proceedings.

#### **IX. PROCEDURE FOR RIGHT OF APPEAL**

- A. *If the sanction is for suspension, dismissal, or expulsion from the SOD*, Respondent may appeal the decision of the Dean by filing a written Notice of Appeal to the Chancellor, with a copy to the Dean, within ten (10) business days after receipt of the decision of the Dean. The Notice of Appeal may include a written memorandum explaining the details of the grounds for the appeal.
- B. The Dean may submit in writing a reply to the Notice of Appeal and any memorandum within ten (10) business days after receipt of the Notice of Appeal.
- C. Upon written request, the Chancellor may extend the time for the Notice of Appeal to be submitted or the reply, for good cause.
- D. The Chancellor shall review the Record of the Case and the appeal documents, and may affirm, reverse, or modify the decision of the Dean, or remand the matter back for further proceedings.
- E. The Chancellor shall notify the Parties in writing of the decision on the appeal.
- F. The action of the Chancellor is final unless the matter is remanded back for further proceedings.

### **AMENDMENTS TO THE STANDARDS OF PROFESSIONAL CONDUCT OR PROCEDURES FOR VIOLATIONS OF THE STANDARDS OF PROFESSIONAL CONDUCT**

Amendments of the Standards of Professional Conduct or Procedures for Violations of Standards of Professional Conduct may be proposed by petition of any twenty-five members of the student

body, the Honor Council on its own motion, or the School of Dentistry Faculty. Any proposed amendments must be approved by the Honor Council, faculty, the Dean of the School of Dentistry, the Chancellor, the Office of the General Counsel, and the University of Missouri Board of Curators.