



University of Missouri-Kansas City School of Medicine Standards of Professional Conduct and Honor Council Procedures

STANDARDS OF PROFESSIONAL CONDUCT

Approved by the University of Missouri Board of Curators: December 1994; revised January 31, 2013 and updated December 2014; revised September 2020

I. Preamble

Health care professionals are characterized by: 1) a prolonged specialized training in a body of knowledge and skills; 2) ethical principles; 3) a service orientation; and 4) judgment. These professions determine their own standards of education, training, licensure, and practice, and have long subscribed to a body of ethical statements developed primarily for the benefit of the patient. As a potential future member of these professions, a student must recognize responsibility and an obligation not only to patients, but also to society, other health care professionals, and self to behave in a manner compatible with the health care profession's standards of conduct.

One of the goals of a medical school is to educate a student during the transition to a professional life. The University of Missouri-Kansas City ("UMKC") School of Medicine has an obligation to evaluate our students pursuing the M.D. and other health professions degrees administered by the School of Medicine as thoroughly as possible for their cognitive abilities, their academic and professional knowledge and skills, their integrity, and their suitability for the practice of their health care professions. Accordingly, the Standards of Professional Conduct detailed in this document have been developed to guide the pre-professional behavior of students in health professions degree programs of UMKC School of Medicine, and to prepare the students to meet the ethical standards of these professions.

All students in the UMKC School of Medicine, including students enrolled in either the M.D. or graduate health professions programs involving direct patient care, are subject to the jurisdiction of the Standards of Professional Conduct and Honor Council Procedures for Violations of the Standards of Professional Conduct upon enrollment. The presentation of these documents shall be an integral part of the orientation of newly accepted students at UMKC School of Medicine.

II. UMKC School of Medicine Standards of Professional Conduct

A. Professional Integrity

1. Honesty

A student shall deal honestly with people including, but not limited to, colleagues, instructors, representatives of the University, patients, attending physicians, and other members of the health care team. Students are expected to demonstrate honesty and integrity in all aspects of their interactions with patients and staff — particularly in assuring accuracy and completeness of their documentation in medical records. The student shall be willing to admit errors and must not mislead others or promote himself/herself at the patient's expense. Students shall strive to report, by utilizing the Honor Council Procedures for Violations of the Standards of Professional Conduct, those students who violate these Standards of Professional Conduct ("Standards").

The basic principle underlying all research is *honesty*. Scientists and students who participate in research have a responsibility to provide research results of the highest quality; to gather facts meticulously; to keep impeccable records of work done; to interpret results realistically, not forcing them into preconceived molds or models; and to report new knowledge through appropriate channels. Co-authors of research reports must be sufficiently acquainted with the work of their co-workers so they can personally vouch for the integrity of the study and validity of the findings, and must have been active in the research itself.

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. The instructor shall also report the alleged academic dishonesty to the Chair of the Honor Council.

Examples of academic dishonesty include, but are not limited to, the following:

Cheating — 1) use of any unauthorized assistance including, but not limited to, notes, textbooks, unauthorized electronic devices or prohibited internet resources, in taking quizzes, tests, or examinations; 2) dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; 3) acquisition or possession without permission of tests or other academic material belonging to a member of the University faculty or staff; 4) in any way giving assistance to others who are participating in any of the three preceding types of behavior; 5) falsifying attendance records or other official documents; or 6) submitting the same paper, project, or document for a grade or credit in multiple courses.

Plagiarism — 1) use by paraphrase or direct quotation of the published or unpublished work of another person without fully and properly crediting the author with footnotes, citations or bibliographical reference; 2) unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials; or 3) unacknowledged use of original work/material that has been produced through collaboration with others without release in writing from collaborators. The detection may involve the use of commercially available software.

Sabotage — unauthorized interference with, modification of, or destruction of the work or intellectual property of another member of the University community.

Examples of dishonesty related to clinical practice include, but are not limited to, the following:

Falsification of Patient's Medical Record — writing progress notes regarding the patient's status that are false including, but not limited to, clinical observations or results in the patient's chart when the student has not seen or evaluated the patient, or using incorrect times of data entry.

Falsification of Patient's Medical Information — reporting medical information such as physical examination findings, lab values, test results, and any other relevant patient information to other students, residents, attending physicians, preceptor, the patient, the patient's family, or other relevant medical personnel that has been fabricated by the student.

2. **Responsibility**

A student must acquire competencies with the appropriate concepts, knowledge, and skills which the faculty determines to be essential. These competencies shall be utilized to care for the sick and to promote the health and welfare of society. A student shall recognize a responsibility to participate in activities contributing to an improved community.

Students in the care of patients must not be harmful, dangerous, or negligent to the mental or physical health of a patient or the public. Negligent means the failure to use that degree of skill and learning ordinarily used under the same or similar circumstances by other students.

Students must pay tuition and other University fees, such as the medical equipment or disability fees, on time. Students must complete required forms of evaluation, degree forms, examination applications, etc. on time.

Students must be familiar with and follow the rules and regulations of UMKC School of Medicine, the University, and the applicable health care professional organizations. Students shall be familiar with and comply with the policies and procedures of clinical sites where they are assigned.

While the University and UMKC School of Medicine 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 UMKC School of Medicine 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/> .

Students shall be responsible in their use of personal and professional social media accounts. "Social media" includes any electronic communication or networking using an online service, platform, or site to share information, ideas, personal messages, images, photographs, or other content including, but not limited to, emails, Facebook, Twitter, LinkedIn, YouTube, Snapchat, Instagram, GROUPME, TikTok, Reddit, Tumblr, and blogs. Students shall use appropriate judgment and be respectful and professional in all social media communications. Information shall be truthful and not misleading or deceptive. Content on social media is considered to be published material and therefore must comply with Federal copyright laws.

B. Professional Behavior

1. Prohibition Against Discrimination, Harassment, and Sexual Misconduct

A student shall be dedicated to providing supervised, competent health care services with compassion, respect for human dignity, and without discrimination.

It is against University regulations to discriminate on the basis of race, color, religion, pregnancy, sex, sexual orientation, gender identity, gender expression, ancestry, national origin, age, disability, protected veteran status, or any other status protected by applicable State or Federal law. The University has an AIDS policy statement consistent with Missouri law that prohibits discrimination against persons with AIDS, AIDS Related Complex ("ARC"), or who are HIV positive.

Students shall not harass, discriminate against, or engage in sexual harassment, sexual discrimination, or sexual misconduct with any other individual, either in person or on social media.

2. Representation

A student shall accurately represent himself/herself to others including, but not limited to, colleagues, instructors, representatives of the University, patients, attending physicians, and other members of the health care team.

Examples of misrepresentation include, but are not limited to, the following:

- a. A student shall never use the title of "Doctor" or M.D., as this clearly misrepresents the student's position, knowledge, and authority.
- b. Use of fraud, deception, lies, or bribery in securing any certificate of registration or authority, diploma, permit or license issued, or in obtaining permission to take any examinations.
- c. Impersonation of any person holding a certificate of registration or authority, permit, license or allowing any person to use his/her certificate of registration or authority, permit, license, or diploma from any school.
- d. Forgery, alteration, or misuse of a patient's medical records or knowingly furnishing false information to the health care team and/or professional organizations.

Representations on social media shall accurately reflect that any opinions voiced are those of the student and the student is not speaking on behalf of the University, or UMKC School of Medicine and/or its clinical affiliates.

3. Confidentiality and Privacy

A student shall respect the rights of patients, colleagues, and other health care professionals, and shall safeguard the confidentiality and privacy of patient communications and protected health information within the constraints of the law. The patient's right to privacy in regard to his/her medical record, which includes privacy of personal and social history, is a fundamental tenet to health care.

The discussion in public of the problems of an identified patient, without the patient's permission, by students violates patient confidentiality and privacy laws and is unethical. Under no circumstances can any medical record be removed from an institution. Copying of the entire medical record is never permitted for presentations or rounds; students are permitted to extract information, but not copy "wholesale" parts of a medical record. Names and any other identifiers of patients should be omitted from any documents used for these presentations.

Any protected health information of patients, or any patient identifiers, hospital room numbers, or photographs of patients or their hospital or clinic rooms shall not be posted on social media.

4. Disclosures of Information

While the student is a member of the health care team and under faculty supervision, a student shall continue to study, apply, and advance scientific knowledge, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health care professionals when indicated.

Sharing of health information appropriately with a patient and colleagues involved in the care of the patient is a fundamental ethical requirement. The patient must be well informed to make health care decisions and work intelligently in partnership with the health care team. Information that the patient needs for decision making shall be presented in terms the patient can understand. If, for some reason, the patient is unable to comprehend information, there shall be disclosure to the patient's authorized representative. Failure of a student to share health information relevant to a patient with the patient and colleagues involved in the care of the patient is unethical. Providing inaccurate health information with these individuals is also unacceptable.

Students are prohibited from communicating with patients and/or their authorized representatives or family members on social media. Any conversations regarding specific patient health care conditions, treatments, or particular processes in a clinical setting can be mutually beneficial for the professional community; however, these must only occur without identifying patients and when using professional social media sites that maintain the privacy and security of communications with registered users.

5. **Assessment of Personal Competence (Self-Evaluation)**

Students shall seek consultation and supervision whenever their ability to play their role in the care for a patient is inadequate because of lack of knowledge or experience.

Students are expected to respond to constructive criticism by appropriate modification of behavior.

It is unacceptable for a student to attempt procedures or to prescribe therapies without supervision.

6. **Professional Demeanor, Appearance, and Communications**

The student is expected to be thoughtful and professional when interacting with patients and their families, attending physicians, preceptors, supervising residents, and other students, and whenever his/her behavior may influence adversely the judgments of others about UMKC School of Medicine and/or its clinical affiliates, or the University. Students shall comply with the code of ethics for their applicable health care profession both on campus and at clinical affiliates, by conduct and speech, and when using social media.

Students shall maintain a neat and clean appearance, and dress in attire that is generally accepted as professional by the patient populations served and in compliance with any policies of clinical affiliates.

Inappropriate behaviors may include, but are not limited to, either in person or on social media: 1) the use of offensive, vulgar, lewd, obscene, profane, or unprofessional language, gestures, images, or videos; or 2) cyberbullying. Any conduct or speech that materially and substantially interferes with the educational process of other students or violates the rights of others is prohibited.

Attempting, directly or indirectly, by way of intimidation, coercion or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation is not appropriate.

7. **Informed Consent**

Students are to understand the obligations of health care professionals to obtain informed consent from patients, but students are **not** responsible for obtaining consent. It is the responsibility of health care professionals to ensure that the patient or his/her surrogate be appropriately informed as to the nature of the patient's medical condition, the objectives of proposed treatments, treatment alternatives, and risks involved. The patient's or surrogate's consent must be obtained without coercion.

8. **Avoidance of Conflicts of Interests**

If a conflict of interest arises, in which the student has competing interests or loyalties that could potentially undermine their ability to act in an impartial manner, the student will disclose this information as soon as possible through the appropriate channels. For example, gifts, hospitality, or subsidies offered by manufacturers and distributors of medical and pharmaceutical equipment/goods shall not be accepted if acceptance would influence the objectivity of clinical judgment.

9. **Appropriate Conduct with Patients**

The student will demonstrate respect for others, act without discrimination, treat patients politely and considerately, respect their views, respect their privacy and right to confidentiality. The student will communicate effectively and appropriately, and will understand, accept, and agree to be bound by the principle of confidentiality of patient data, and also of information concerning staff and fellow students. The student will not engage in romantic, sexual, or other non-professional behaviors with a patient — even upon the apparent request of a patient — while the student is involved with the patient's care. Any involvement or communications with former patients must meet the professional standards of conduct of the student, and shall not breach the patient's right of privacy of protected health information.

10. **Awareness of Impairments**

The student will not use alcohol or drugs or practice while under a physical or mental health condition if such impairs his/her ability to perform the work of the profession or results in compromised patient care. It is also the responsibility of every student to strive to protect the public from an impaired colleague and to assist that colleague whose capability is impaired because of alcohol or drug use, or a physical or mental health condition. Students are strongly encouraged to self-report and/or seek assistance if they are aware of any potential self-impairment. Additionally, any student who displays signs of impairment should be reported by a peer or UMKC School of Medicine faculty or staff member. Any retaliation against a student for good faith reporting of a peer suspected of impairment shall constitute a violation of professional conduct.

11. **Civility with Colleagues**

Professional relations among all members of the medical community shall be marked by civility. Scholarly contributions shall be acknowledged and each person shall recognize and facilitate the contributions of others to this community; slanderous comments and acts are not acceptable. Students shall deal with professional, staff, and peer members of the health care team in a considerate manner and with a spirit of cooperation.

It is unethical and harmful for a student to disparage, in person or on social media, without sufficient evidence, the professional competence, knowledge, qualifications, or services of a colleague to anyone. It is also unethical to imply without reliable evidence — by word, gesture, or deed — that a patient has been poorly managed or mistreated by a colleague.

12. **Duty To Teach**

It is incumbent upon students entering health care professions to teach other students what they know of the science, art, and ethics of their professions. It also includes communicating clearly and teaching patients so that they are properly prepared to participate in their own care and in the maintenance of their health.

III. **The University of Missouri Standard of Conduct for Students**

In addition to the conduct detailed above, a student is subject to the University of Missouri Standard of Conduct for Students, as administered by the UMKC Office of Student Conduct and Civility in the Division of Student Affairs, in Section 200.010. of the Collected Rules and Regulations of the University (http://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.010_standard_of_conduct). Students in the UMKC School of Medicine may be subject to discipline by either the UMKC Office of Student Conduct and Civility or the Honor Council, or by the Title IX Coordinator in the Office of Affirmative Action for allegations related to sexual discrimination. A student will not be subject to discipline for the same violation by multiple entities. The Honor Council, the Office of Student Conduct and Civility, and the Office of Affirmative Action may share information about possible violations to determine which entity will handle the matter, and about violations that have been substantiated.

As of February 7, 2017, conduct for which students are subject to sanctions falls into the following categories:

1. **Academic dishonesty**, including, but not limited to, as cheating, plagiarism, 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. The instructor shall report the alleged academic dishonesty to the Primary Administrative Officer.
2. **Forgery, alteration, or misuse of University documents, records or identification, or knowingly furnishing false information to the University.**
3. **Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus.**
4. **Physical abuse or other conduct which threatens or endangers the health or safety of any person.**

5. **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.
6. **Violation of the University's Equal Employment/Education Opportunity Policy and Statement of Nondiscrimination** in Section 600.010 of the Collected Rules and Regulations. Discrimination is prohibited on the basis of race, color, national origin, ancestry, religion, sex, pregnancy, sexual orientation, gender identity, gender expression, age, disability, protected veteran status, and any other status protected by applicable State or Federal law.
7. **Violation of the University's Sex Discrimination, Sexual Harassment and Sexual Misconduct in Education/Employment Policy in Section 600.0020 of the Collected Rules and Regulations.** These violations include:
 - a. **Sex Discrimination.** Sex discrimination is conduct that is based upon an individual's sex, pregnancy, gender identity, or gender expression that adversely affects a term or condition of the individual's employment, education, living environment, or participation in a University activity. Sexual harassment, sexual misconduct, sexual exploitation, stalking on the basis of sex, and dating/intimate partner violence are forms of sex discrimination which are prohibited under this policy.
 - b. **Sexual Harassment.** Sexual harassment is defined as:
 1. Unwelcome sexual advances or requests for sexual activity by a person or persons in a position of power or authority to another person, or
 2. Other unwelcome verbal or physical conduct of a sexual nature by a person to another person, when:
 - a. Submission to or rejection of such conduct is used explicitly or implicitly as a condition for academic or employment decisions; or
 - b. Such conduct creates a hostile environment by being sufficiently severe or pervasive or objectively offensive that it interferes with, limits or denies the ability to participate in or benefit from the University's educational programs, activities, or employment.
 - c. **Sexual Misconduct.** Sexual misconduct includes: 1) Nonconsensual sexual intercourse; 2) Nonconsensual sexual contact involving the sexual touching of a body part (i.e., the lips, genitals, breast, anus, groin, or buttocks of another person) or the nonconsensual sexual touching of another with one's own genitals, whether directly or through the clothing; 3) Exposing one's genitals to another under circumstances in which one should reasonably know that the conduct is likely to cause affront or alarm; or 4) Sexual exploitation.
 - d. **Stalking on the Basis of Sex.** Stalking on the basis of sex is following or engaging in a course of conduct on the basis of sex with no legitimate purpose that puts another person reasonably concerned for his or her safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.
 - e. **Dating/Intimate Partner Violence.** Violence, threats of violence, intimidation, or act of coercion committed by a person who is or has been in a social relationship of a romantic or intimate nature with the recipient of the violent behavior.
 - f. **Sexual Exploitation.** Sexual exploitation occurs when one person takes nonconsensual or abusive sexual advantage of another person for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited and which behavior does not constitute any other form of sexual misconduct. Examples of sexual exploitation include, but are not limited to, the following activities done without the consent of all participants:
 1. Invasion of sexual privacy;
 2. Prostituting another person;
 3. Taping or recording of sexual activity;
 4. Going beyond the boundaries of consent to sexual activity (letting your friends hide to watch you engaging in sexual activity);
 5. Engaging in voyeurism;
 6. Knowingly transmitting an STI, STD, venereal disease or HIV to another person;
 7. Inducing another to expose their genitals;
 8. Nonconsensual distribution of intimate images; or
 9. Use or distribution of drugs or alcohol with the intent to facilitate sexual contact without consent (i.e., predatory drugs or alcohol).
 - g. **Retaliation.** Retaliation is any adverse action taken against a person because of that person's participation in protected activity. The University strictly prohibits retaliation against any person for making any good faith report to a Title IX Coordinator or for filing, testifying, assisting, or participating in any investigation or proceeding involving allegations of sex discrimination, sexual harassment or sexual misconduct.
 - h. **False Reporting.** 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.

8. **Threatening or Intimidating Behaviors**, defined as written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property or implied threats or acts that cause a reasonable fear of harm in another.
9. **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 of a campus visitor.**
10. **Unauthorized possession, duplication or use of keys to any University facilities or unauthorized entry to or use of University facilities.**
11. **Violation of University policies, rules or regulations or of campus regulations** including, but not limited to, those governing residence in University-provided housing, or the use of University facilities, or student organizations, or the time, place and manner of public expression.
12. **Manufacture, use, possession, sale or distribution of alcoholic beverages or any controlled substance 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.
13. **Disruptive conduct.** Conduct that creates a substantial disruption of University operations including obstruction of teaching, research, administration, other University activities, and/or other authorized non-University activities that occur on campus.
14. **Failure to comply with directions of University officials acting in the performance of their duties.**
15. **The illegal or unauthorized possession or use of firearms, explosives, other weapons, or hazardous chemicals.**
16. **Hazing**, defined as an act that endangers the mental or physical health or safety of a student, or an act that is likely to cause physical or psychological harm to any person within the University community, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent, failing to discourage, and/or failing to report those acts may also violate this policy.
17. **Misuse of computing 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 computing facilities to interfere with the work of another student, faculty member, or University official;
 - f. Use of computing facilities to interfere with normal operation of the University computing system; and
 - g. Knowingly causing a computer virus to become installed in a computer system or file.

Details of current rules, sanctions, and due process for violations of the University of Missouri Standard of Conduct for Students are found at

http://www.umsystem.edu/ums/rules/collected_rules/programs/ch200/200.020_rules_of_procedures_in_student_conduct_matters and in the University of Missouri-Kansas City General Catalogue. Students shall be familiar with these rules and procedures.

HONOR COUNCIL PROCEDURES FOR VIOLATIONS OF THE STANDARDS OF PROFESSIONAL CONDUCT

Approved by the University of Missouri Board of Curators: December 1994; revised January 31, 2013; revised September 2020

I. Jurisdiction of the Honor Council

The Honor Council shall have the authority to address incidents of alleged violations by University of Missouri-Kansas City ("UMKC") School of Medicine students enrolled in either the M.D. or graduate health professions programs involving direct patient care of the UMKC School of Medicine Standards of Professional Conduct ("Standards"), whether such violations occur on the Volker campus or in classes or clinical experiences at affiliated hospitals and clinics through the UMKC School of Medicine. The Standards identify areas of conduct which are judged unacceptable for students either who are in or aspire to a health care profession. The Standards and Honor Council Procedures for Violations of the Standards of Professional Conduct ("Procedures") are published documents of UMKC School of Medicine and have been approved by the University of Missouri Board of Curators. When a student has been charged with one or more violations of these Standards ("Respondent"), the Honor Council shall adhere to the following Procedures. The Honor Council shall have the authority to recommend sanctions upon a Respondent appearing before the Honor Council. The disciplinary proceedings described are not to be construed as judicial trials. Care shall be taken, however, to comply as fully as possible with the spirit and intent of these Procedures.

II. Organization of the Honor Council

A. Composition

The Honor Council voting members shall consist of the Chair, six faculty/staff members (1 Docent, 1 Basic Scientist, 2 Clinical Scientists, 1 Humanities/Social Sciences representative, and 1 Graduate faculty member), and two student members (1 Years 3-6 and 1 graduate student). Four members constitute a quorum. Nonvoting Honor Council staff who assist the Chair in investigations and generation of reports may be present at the hearings to take minutes or assist with the hearing.

B. Eligibility and Appointment

The Chair, faculty/staff, and student members shall be appointed to the Honor Council by the Dean of UMKC School of Medicine.

C. Chair

The Chair shall count as one member of the Honor Council and shall be entitled to vote on all matters before the Honor Council.

D. Time of Appointment and Term of Office

The Chair and faculty/staff members of the Honor Council shall serve for the duration of their appointments. The student members of the Honor Council shall serve for one year.

A student is ineligible to continue as a member of the Honor Council if he/she is placed on academic or disciplinary probation, or if for any other reason his/her continued membership on the Honor Council may not be in the best interest of UMKC School of Medicine as determined by the Dean of UMKC School of Medicine.

III. Procedures for Report of Violation, Investigation, Informal Disposition, and Notice

A. Report of Violation

An alleged violation of the Standards should be reported to the Chair of the Honor Council, or his/her designee, as soon as possible after discovery of the incident. Reports may be made in person or by webform or email.

B. Preliminary Procedures and Investigation

The Chair of the Honor Council or his/her designee shall investigate any reported student misconduct and determine whether any violation(s) of the Standards occurred. The reporter may be requested to meet with the Chair or his/her designee to discuss the alleged violation.

The Chair is responsible for notifying the Respondent by UMKC email of the alleged violation prior to the commencement of the investigation. In addition, the Respondent shall receive a copy of these Procedures as an attachment to the email notice. The Chair shall meet with the Respondent to allow the Respondent the opportunity to respond to the alleged violation.

After conducting an investigation, if the Chair determines that a violation of the Standards has occurred, the Chair or his/her designee shall provide notice by UMKC email to the Respondent of the Respondent's right to a hearing.

The Dean of UMKC School of Medicine or his/her designee may at any time temporarily suspend or deny readmission to a Respondent pending formal procedures when the Dean or his/her designee finds and believes from available information that the presence of the Respondent would seriously disrupt UMKC School of Medicine or constitute a danger to the health, safety, or welfare of members of the UMKC School of Medicine community.

C. Informal Disposition

The Chair shall have the authority to determine that a violation of the Standards did not occur and to impose an informal non-disciplinary disposition, and shall fix a reasonable time within which the Respondent shall accept or reject a proposed informal non-disciplinary disposition.

A failure of the Respondent either to accept or reject a proposed informal non-disciplinary disposition within the time fixed shall be deemed to be an acceptance of the informal non-disciplinary disposition and, in such event, the proposed informal non-disciplinary disposition shall become final upon expiration of such time.

If the Respondent rejects a proposed informal non-disciplinary disposition, it must be in writing and shall be forwarded to the Chair of the Honor Council.

The Chair may refer a matter to the Honor Council for formal investigation and hearing without first offering informal disposition.

D. Notice of Hearing

Upon completion of the investigation, when a violation of the Standards has been substantiated in the judgment of the Chair of the Honor Council, the Chair will schedule a formal hearing as soon as possible but no later than sixty (60) calendar days after receipt of the report of the alleged violation. A request for an extension may be made by the Chair to the Dean of UMKC SOM if there are extenuating circumstances that justify the delay of the hearing. The Dean of UMKC SOM shall determine whether an extension shall be granted and the length of any extension. Notice of an extension shall be provided to the Respondent by UMKC email.

The reporter of the violation, witnesses, and Respondent will be given written notice of the hearing by UMKC email. The Notice of Hearing shall describe the alleged violation and include the date, time, and place of the alleged violation. The Notice of Hearing shall also provide the date, time, and place of the hearing before the Honor Council, request for attendance of the parties involved, and a reference for the Respondent to the Rights of the Respondent which are outlined in these Procedures.

The Notice of Hearing shall be given at least seven (7) consecutive calendar days prior to the hearing, unless a shorter time is fixed by the Chair for good cause.

Any request for continuance shall be made in writing to the Chair who shall have the authority at his/her discretion to postpone the hearing if he/she determines the request is timely and made for good cause. The Chair shall notify the Honor Council members, the Respondent, the reporter, the witnesses, and any other relevant individuals of the new date, time, and location for the hearing.

If the Respondent fails to appear at the scheduled time, the Honor Council may hear and determine the matter in the Respondent's absence.

IV. Procedures for Honor Council Hearing

A. Rights of the Honor Council

The Honor Council shall have the right to:

1. hear together cases involving more than one Respondent which arise out of the same act of misconduct, but in that event shall make separate findings and recommendations for each Respondent;
2. permit a stipulation of facts by the Honor Council member who performed the investigation and by the Respondent;
3. permit the incorporation in the record by a reference of any document, affidavit, or other material produced and desired in the record by UMKC School of Medicine or the Respondent;
4. question witnesses or review other evidence introduced by either UMKC School of Medicine or the Respondent at any time;
5. hear from the Chair about dispositions made in similar cases and any dispositions offered to the Respondent;
6. call additional witnesses or require additional investigation;

7. dismiss any action at any time or permit informal disposition as otherwise provided;
8. permit or require at any time, within a reasonable time as determined by the Honor Council, amendment of 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 the Respondent and/or UMKC School of Medicine such time as the Honor Council may determine reasonable under the circumstances to answer or explain such additional matters; and
9. dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Council Chair on any procedural question or request of the Chair for order.

B. Rights of the Respondent

The Respondent shall have the right to:

1. submit a written response to the alleged violation outlined in the Notice of Hearing before the scheduled hearing is to commence;
2. request in advance of the scheduled hearing a review of any materials contained in the Respondent's hearing file;
3. submit a written request for the identities of witnesses to be called to testify before the Honor Council;
4. be present at the hearing;
5. have an adviser or attorney appear with him/her and to consult with such an adviser or attorney during the hearing; however, the adviser/attorney will not be allowed to question witnesses and/or members of the Honor Council;
6. hear or examine evidence presented to the Honor Council;
7. question witnesses present who are testifying at the hearing;
8. present evidence by witness, affidavit, written report, other memoranda, photographs, drawings, and any other relevant evidence the Respondent desires;
9. make any statement to the Honor Council in mitigation or explanation of the conduct in question;
10. not respond to questions during the hearing;
11. be informed in writing of the findings and recommendations of the Honor Council; and
12. appeal the final decision to the UMKC Chancellor, as herein provided.

C. Rights of Witnesses

Witnesses shall be notified of the scheduled time, date, and location of the hearing. Witnesses shall bring with them whatever documentation is requested. Failure of a student witness to appear, without good cause, is a violation of the Standards.

D. Record of Hearing

All proceedings of the Honor Council are to be held in the strictest confidence by the members and all other persons involved. The hearings shall be recorded, either by audio, video, digitally, or stenographically as determined by the Chair of the Honor Council, and shall serve as the official hearing record. The Notice of Hearing, hearing record including exhibits, and Final Report of the Honor Council shall become the "Record of the Case." The Record of the Case shall be scanned and stored electronically with limited access. The Record of the Case shall be accessible at reasonable times and places to the University, UMKC School of Medicine, and the Respondent for the purposes of review or appeal. All requests for access to the Record of the Case shall be made to the Chair or Coordinator of the Honor Council.

E. Conduct of the Hearing

The Chair of the Honor Council shall preside at the hearing, call the hearing to order, call the roll of the Honor Council members in attendance, ascertain the presence or absence of the Respondent, read the Notice of Hearing, verify the receipt of the Notice of Hearing by the Respondent, report any continuances requested or granted, establish the presence of any adviser or attorney of the Respondent, call to the attention of the Respondent and the adviser/attorney any special or extraordinary procedures to be employed during the hearing, and permit the Respondent to make suggestions of or objections to any procedures for the Honor Council to consider.

The Respondent may also invite guests to the hearing. In advance of the hearing, the Respondent shall provide the Chair of the Honor Council with signed UMKC SOM Forms, "FERPA: Access to Student Records," for each adviser/attorney and guest who will be present at the hearing. Without such signed Form, the person will not be permitted to attend the hearing.

All requests to address the Honor Council shall be addressed to the Chair. The Chair will rule on all requests and points of order and may consult with Honor Council's legal adviser prior to any ruling. The Chair's ruling shall be final, and all participants shall abide thereby, unless the Chair shall present the question to the Honor Council at

the request of a member of the Honor Council, in which event the ruling of the Honor Council by majority vote shall be final.

Rules of common courtesy and decency shall be observed at all times. An adviser or attorney may be permitted to address the Honor Council at the discretion of the Chair. An adviser or attorney may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition. Written statements may be submitted by any person to the Chair of the Honor Council either prior to or at the hearing.

Witnesses may only be questioned by the Honor Council members and the Respondent.

Opening Statements: 1) The Chair of the Honor Council or his/her designee shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed. 2) The Respondent may make an opening statement to the Honor Council about the alleged violation at this time or at the conclusion of UMKC School of Medicine's presentation.

UMKC School of Medicine Evidence: 1) UMKC School of Medicine witnesses are to be called by the Chair of the Honor Council and identified or written reports of evidence are introduced as appropriate. 2) The Honor Council may question the Respondent. 3) The Respondent may question a witness or examine evidence at the conclusion of UMKC School of Medicine's questioning of the witness or introduction of such evidence.

Respondent Evidence: 1) The Respondent shall have the opportunity to make a statement to the Honor Council about the alleged violation. 2) The Respondent may present evidence through witnesses or written memoranda. 3) The Honor Council may question a witness after the witness is questioned by the Respondent.

Rebuttal Evidence: The Honor Council may permit UMKC School of Medicine or the Respondent to offer a rebuttal of the other's presentation.

If it appears that essential testimony is unavailable, or that for other good cause the hearing should be deferred, the Chair of the Honor Council may continue, recess, or discontinue the hearing without prejudice.

V. Determination of the Honor Council

Following the hearing, the Honor Council shall promptly deliberate in closed session out of the presence of the Respondent. Determinations are to be made regarding both the validity of the alleged violation(s) and, if any violations are substantiated, the sanction(s) to be imposed.

A. Violation of the Standards of Professional Conduct

The Honor Council shall determine if the evidence presented in the hearing supports substantiation of a violation(s) of the Standards. The Honor Council may consult with other persons or examine other evidence prior to making a decision. Minutes of any meetings or any additional evidence shall be included in the "Record of the Case." Each member of the Honor Council shall have a vote; however, the Chair shall only vote in the event of a tie vote. The Honor Council shall render a decision, by simple majority vote, of whether one or more violations has been committed by the Respondent. Each alleged violation, if there is more than one, shall be considered individually and/or collectively at the discretion of the Honor Council. The Honor Council shall recommend sanctions for any substantiated violations.

An oral presentation of the Honor Council's findings and recommendations is permitted following the hearing, but a written "Final Report of the Honor Council" that includes findings of fact and recommended sanctions shall be completed as soon as possible after the hearing. This Final Report of the Honor Council shall be submitted to the Respondent by UMKC email, the Coordinating Committee, the Dean of UMKC School of Medicine, and any UMKC School of Medicine faculty or staff involved in any required remediation.

B. Sanctions

The Honor Council shall determine the sanctions to be imposed, if any, based upon its deliberations. One of the following sanctions is to be recommended by means of simple majority vote of the Honor Council members. Where there are multiple violations, there can be separate sanctions for each violation or one sanction for all violations. Requirements for education and/or training, or referral to a UMKC School of Medicine 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.

The sanctions include the following:

No Sanction. Given when the Respondent is not found in violation of any of the Standards of Professional Conduct.

Warning. A written reprimand that the Respondent has violated one or more Standards of Professional Conduct. A copy is to be placed in the Respondent's file. There is no prohibition on a student receiving more than one (1) warning; however, that fact that a student 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.

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, 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 disciplinary probation is a reportable action.

Suspension. An involuntary separation of the Respondent from UMKC School of Medicine for a specified 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.

Dismissal. An involuntary separation from UMKC School of Medicine 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.

Expulsion. Permanent separation of the student from UMKC School of Medicine. A disciplinary expulsion is a reportable action.

The above sanctions only apply to the status of the Respondent at UMKC School of Medicine. Any of the above actions that are reportable will be included on a Respondent's MSPE. Additionally, this information will be reported by UMKC SOM 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.

VI. Decision of the Coordinating Committee

The Coordinating Committee, chaired by the UMKC Vice Dean for Academic Affairs and composed of members as detailed in the *Bylaws of the Coordinating Committee*, shall review the Final Report of the Honor Council. Each member of the Coordinating Council shall have a vote; however, the Chair of the Coordinating Council shall only vote in the event of a tie vote. After deliberation and careful consideration, the Coordinating Committee shall approve, by simple majority vote, one of the following actions: 1) to sustain the recommendations of the Honor Council; 2) to amend the recommendations of the Honor Council to another type of sanction; 3) to remand the Honor Council's recommendations for further consideration by the Honor Council; or 4) to reverse the Honor Council's recommendations.

The findings and determinations of the Honor Council and the Coordinating Committee shall be transmitted, to the Respondent by UMKC email and to the Dean of UMKC School of Medicine in writing, within seven (7) consecutive calendar days following the meeting of the Coordinating Committee where an action was approved.

VII. Decision of the Dean of UMKC School of Medicine

Upon receipt of the documents from the Honor Council and the Coordinating Committee, the Dean of UMKC School of Medicine shall review the Record of the Case and the approved action of the Coordinating Committee.

The Dean of UMKC School of Medicine will, within a reasonable amount of time, make a decision to affirm, amend, or reverse the Coordinating Committee's action, or remand the matter to the Coordinating Committee for further proceedings.

The Dean of UMKC School of Medicine shall notify the Respondent by UMKC email of his/her final decision. Copies of the notice to the Respondent will be sent to the Chair of the Honor Council and the Chair of the Coordinating Committee, and will be placed in the Respondent's file at UMKC School of Medicine and in the Record of the Case.

VIII. Right of Appeal

When a recommendation is made for a sanction(s) other than "none," and this is upheld by the Dean of UMKC School of Medicine, or if a recommendation of "no sanction" is revised by the Dean to expulsion, dismissal, or suspension from UMKC School of Medicine, the Respondent may appeal such decision to the UMKC Chancellor or his/her designated representative by filing a written "Notice of Appeal" with the UMKC Chancellor within ten (10) consecutive calendar days after notification of the decision from the Dean. A copy of the Notice of Appeal will also be given by the Respondent to the Dean of UMKC School of Medicine at the time of filing with the UMKC Chancellor. The Respondent may file a written memorandum for consideration by the UMKC Chancellor with the Notice of Appeal. If the Respondent fails to timely file an appeal, the decision of the Dean of UMKC School of Medicine shall become final and effective on the eleventh calendar day after notice to the Respondent.

The UMKC Chancellor or his/her designated representative shall review the Record of the Case and the appeal documents and may affirm, reverse, or remand the case for further proceedings, and shall notify the Dean of UMKC School of Medicine and the Respondent in writing of the decision on the appeal. The action of the UMKC Chancellor shall be final unless it is to remand the matter for further proceedings. The decision of the Dean of UMKC School of Medicine shall be deemed effective on the eleventh calendar day after notice was given to the Respondent unless the matter is remanded by the UMKC Chancellor. Any final sanction will be forwarded to the UMKC Office of Student Conduct and Civility for information purposes.

In cases of suspension, dismissal, or expulsion where a Notice of Appeal is filed within the required time, a Respondent may petition the UMKC Chancellor in writing for permission to attend classes pending final determination of appeal. The Chancellor may permit a Respondent to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not disrupt the University or constitute a danger to the health, safety, or welfare of the University community. In such event, however, any sanction imposed shall be effective from the date of the action of the Dean of UMKC School of Medicine.

VIII. Amendments to the Standards of Professional Conduct or Honor Council Procedures for Violations of the Standards of Professional Conduct

Amendments to the Standards of Professional Conduct and/or Honor Council Procedures for Violations of the 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 UMKC SOM Faculty. Any proposed amendments must be approved by the Honor Council, the Coordinating Committee, the Dean of UMKC School of Medicine, the UMKC Chancellor, and the University of Missouri Board of Curators.