

**PRINCIPLES OF ETHICS AND
CODE OF PROFESSIONAL CONDUCT
OF THE
SCHOOL OF DENTISTRY**

Implemented Autumn Quarter 1993

**PRINCIPLES OF ETHICS
AND CODE OF PROFESSIONAL CONDUCT
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I. Preamble

The University of Washington School of Dentistry, as a part of a major educational institution, has a four-fold mission: 1) education, 2) research, 3) service and 4) patient care.

The *Principles of Ethics and Code of Professional Conduct* is a set of guidelines to insure that all students, graduate students and residents included, staff and faculty in the School of Dentistry share a collective responsibility for maintaining the highest ethical standards and professional conduct in their relationships with each other and with patients. Nothing in this document is to be construed as contradictory to present or future University policies and procedures, and in the event of such conflict, University policies and procedures will prevail. In faculty-related issues, see in particular the *U.W. Handbook*, Vol. II, Part II, Chapter 25, Sec. 25-51, Sec. 25-71 and Vol. IV, Part V, Chapters 1, 2, 3, and 6. Concerning students see Vol. III, Part III, Chapter 1 and Vol. IV, Part III, Chapter 14, Sec. 14. For research-related issues see Vol. IV, Part II, Chapters 1, 2, 3, 4. Concerning student, staff, and faculty conduct on Campus, see Vol. IV, Part VII, Chapter 2. Regarding personal use of University facilities and equipment by University employees, see *U.W. Operations Manual*, D45.8. Depending on the problem at hand, students, staff, and faculty may also seek advice from the Offices of Academic Services, Clinical Services and Operations, Research, Student Services, and from the Administrator of the School of Dentistry.

Acceptance of a position of any kind in the School of Dentistry carries with it an acceptance of the *Principles of Ethics and Code of Professional Conduct*. The final responsibility for adherence to this Code rests with each individual. Therefore, each faculty, student and staff has the general obligation to:

1. Maintain high standards of academic and professional honesty and integrity.
2. Respect the rights, privileges and property of other members of the academic community and visitors to the campus, refrain from actions that would interfere with University functions or would endanger the health, safety or welfare of other persons, or would expose the University to legal risk.
3. Know and comply with the rules and regulations of the University and the School of Dentistry.
4. Seek advice and counsel when faced with an ethical dilemma.

The School of Dentistry, through its faculty and staff, will foster an environment that promotes adherence to the Code. For example, the faculty and staff will work to clarify academic requirements, provide help to students in meeting expectations, and avoid situations that may lead anyone to violate the *Principles of Ethics and Code of Professional Conduct*.

II. Standards of Conduct

The determination of what constitutes ethical and professional behavior is often a matter of personal decision, as individuals within the professional community attempt to apply and interpret general principles. Although this Code does not cover *every* ethical situation that might develop, the following general expectations can provide guidance in three areas of conduct: academic, professional, and clinical. In addition, the Code lists other resources that students, faculty, and staff may consult.

A. *Academic Conduct*

1. Students will neither give nor receive aid in class work, preclinical or clinical exercises, projects, examinations or papers, that is not permitted by the course director.

2. Students will not falsify records, signatures, lab projects, transcripts, letters of recommendation, or provide any information that may be misleading.

B. Professional Conduct

1. All faculty, staff and students will respect the rights, safety and welfare of other persons in the School of Dentistry (patients, faculty, students, staff, and visitors).
2. Any form of harassment relating to sexual orientation, race, color, religion, age, gender, national origin, disability, or medical condition will be considered unethical.
3. No faculty member, teaching assistant, research assistant, department chair, dean, or other administrative officer should vote, make recommendations or in any way participate in the decision of any matter which may directly affect the employment, promotion, academic status, or evaluation of a student whom he or she has or has had a familial, sexual, or romantic relationship.
4. Willful property loss or damage caused by a faculty, student, or staff will be considered a violation of the *Principles of Ethics and Code of Professional Conduct*.
5. The integrity of all research data must be safeguarded; any violation should be reported to the alleged violator's supervisor.

In developing research protocols and funding applications, University standards regarding protection of human subjects, preparation and submission of budgets, and other matters associated with this process shall be followed (see *U.W. Handbook*, Grants and Contracts, Vol. IV, Part II).

C. Clinical Conduct: The following guidelines, which are based on the current *ADA Principles of Ethics and Code of Professional Conduct*, shall be adhered to by all students, staff, and faculty engaged in intramural faculty practice, clinical research, or in the clinical teaching of students, as well as those supporting these activities. The following guidelines have been derived from that document to apply to the School situation. The same code of conduct for the profession should apply to those engaged in intramural faculty practice, in clinical research, or in the clinical teaching of students, as well as to those supporting these activities.

1. In the service clinics, the primary professional obligation shall be to provide competent and timely delivery of quality care within the bounds of clinical circumstances presented by the School and the patient, with due consideration being given to the needs and desires of the patient.
2. No person shall be discriminated against because of sexual orientation, race, color, religion, age, gender, national origin, disability, or medical condition, etc.
3. Patient records must be maintained in such a way as to safeguard confidentiality and to protect the patient's welfare. Patient records must be accessible to other faculty, staff or students to allow provision of care. Students, staff, and faculty *must* maintain professional confidentiality about patients in accordance with Health Sciences policy and State of Washington law.
4. Reasonable arrangements shall be made for emergency care of patients of record, in accordance with School policy Clinical Policy Manual – Dental Emergency Care.
5. Students shall treat patients under the supervision of UW faculty in approved locations, as defined by the State of Washington Law Relating to Dental Practice.
6. Consultation from another specialist or specialty clinic at the School of Dentistry shall be sought whenever the welfare of the patient calls for it.
7. Qualified support staff shall be assigned only those duties which they are qualified to perform. Faculty shall prescribe and supervise the work of all staff personnel working under their direction and control.

8. When accepted professional standards of care are not followed, the Associate Dean of Clinical Services should be notified at the earliest possible time. Patients should be informed of their present oral health status without disparaging comments made about prior services, whether or not provided at the School of Dentistry. Unjustified comments can be grounds for disciplinary action against the person making such statements.
9. Care being rendered to patients shall not be represented in a false or misleading manner. Anyone who represents that a dental treatment recommended or performed has the capacity to cure or alleviate disease or other conditions, when those representations are not based on accepted scientific knowledge or research, is acting unethically.
10. Fees being charged for providing care shall not be represented in a false or misleading manner. Incorrect treatment dates may not be reported to a third party payment agency in order to assist a patient in obtaining benefits that otherwise would be disallowed. A dental procedure on a third party claim form may not be incorrectly described in order to allow a greater payment, or to make a non-covered procedure appear to be covered.
11. Patients should be informed, in language the patient could reasonably be expected to understand, of the nature of the proposed treatment, any recognized alternatives, the possible risk, complications, and anticipated benefits involved in the treatment and recognized alternatives. Information should be provided to a patient in a manner that allows the patient to make informed decisions regarding his treatment. Departmental requirements shall take lower priority to the patient's welfare, in situation of conflict.
12. A person's training or competence shall not be represented in any way that would be false or misleading.
13. Inserting false information on a patient record, altering or forging a signature, or misrepresenting any material fact regarding a diagnosis, treatment, or management of a patient shall be considered unethical.
14. No faculty, student or staff shall treat patients while under the influence of alcohol, controlled substances, or any medical treatment that may impair clinical judgment or psychomotor function. (See Clinical Policy Manual 4B – Fitness to Participate in Patient Care).
15. Prescribing or distributing controlled substances in violation of the law or University rules shall be considered unethical.
16. A patient's confidential communication shall not be disclosed to any individual not involved in that patient's care, unless permission has been granted in writing by the patient in accordance with Health Sciences policy. More specific information regarding patient dental records/health care information may be found in the *Uniform Health Care Information Act*, Chapter 335, Laws of 1991.
17. Failure to exercise approved infection control procedures is considered unethical behavior.
18. Services performed for patients shall be limited to those listed in an approved plan of care, or diagnostic and emergency/urgent procedures authorized by supervising faculty.
19. Failure to follow through with the approved signed plan of care in a timely manner is considered unethical, unless the client is consulted and signed approval by a faculty member is obtained.
20. A research subject must grant informed consent for any test or procedure to be performed for the sole purpose of research.

In developing research protocols and funding applications, University standards regarding protection of human subjects, preparation and submission of budgets, and other matters associated with this process shall be followed (see *U.W. Handbook*, Grants and Contracts, Vol. IV, Part II).

III. Responsibility in Reporting Violations

Faculty, students and staff of the School of Dentistry have the responsibility to report violations of the *Principles of Ethics and Code of Professional Conduct*. Depending upon the nature of the alleged offense, the individual has the option of responding to a violation informally or formally.

- A. **Informal:** The informal option may involve one or more of the following steps:
1. Approach the person directly, calling attention to the specific situation that appeared to be an ethical violation.
 2. Discuss the situation *confidentially* with the Associate Dean for Academic Services (for an academic or professional conduct violation), with the Associate Dean for Clinical Services and Operations (for a clinical conduct violation), and with the Director of Research (for a research conduct violation).
 3. Discuss the situation *confidentially* with the University Ombudsman, if it seems preferable to go outside of the School of Dentistry.

The results (such as circumstances, allegations and outcomes) of this informal proceeding (steps 2 or 3) must be documented and retained by the Associate Dean involved or the Ombudsman. Often such a proceeding is the most appropriate way to resolve a problem; if however, it is unsuccessful, the formal procedure should then be followed.

- B. **Formal:** The formal option requires submitting a written complaint to the appropriate authority (see below). If the formal complaint is against a faculty or staff, the Dean shall have the *option* of commencing a formal hearing by the Professional Ethics Committee. If found guilty, or if the option is turned down by the faculty or staff, the defendant can appeal the case to the appropriate reviewing agency (see below). If the formal complaint is against a student, the case will be handled by the Professional Ethics Committee.

IV. Disposition of Formal Complaints

- A. **Staff:** Disciplinary procedures will be handled in accordance with the Higher Educational Personnel Board, Title 251 WAC for classified staff; and the University Professional Staff Policy (Operations Manual D42.1) for professional staff.
- B. **Faculty:** Procedures for disposition of formal complaints against faculty should follow University procedures as specified in Faculty Code sections 25-71, before a dean takes any disciplinary action.
- C. **Students:** Disciplinary procedures will be handled in accordance with the School of Dentistry's *Principles of Ethics and Code of Professional Conduct* as stated herein which follows University procedures as stated in the *U.W. Handbook*, Vol. III, Part III, Chapter 1, and Vol. IV, Part VII, Chapter 2.

Students have the right to a fair and impartial hearing on any charge of misconduct and will be provided such a hearing before the Professional Ethics Committee. The Committee will hear the complaint of the alleged violation as made by the plaintiff (person making the complaint), all information presented by the defendant (student being charged with the alleged violation), all witnesses brought by the plaintiff and the defendant as well as any witness of its own calling, and make recommendations to the Dean of its findings and any recommendation for disciplinary sanction.

A pending action shall not prevent the defendant being charged from continuing in the academic program unless extraordinary circumstances exist, such as a clear and present danger to the safety of other students, patients, faculty or University property. Should such

circumstances exist, the Dean shall make recommendations to the President, who has authority to act in an emergency situation. If immediate danger exists, a faculty has the prerogative to remove a student from the patient care process for up to five business days. In that situation, both the student and faculty shall immediately present themselves to the Associate Dean for Clinical Services to initiate due process. In non-clinical situations, such removal from class shall be reported immediately by the faculty member to the Associate Dean for Academic Services.

1. Professional Ethics Committee Membership: The membership of each Professional Ethics Committee shall be as follows:
 - a. Three faculty members shall be appointed by the Dean to serve on each Professional Ethics Committee. Appointment will be made from a panel of department faculty representatives, designated by their respective department chairpersons. Appointment to the panel will be made for a two-year term with a staggered replacement schedule at one-year intervals. Appointment to each disciplinary hearing will be rotated among panel members. Appointment to the Professional Ethics Committee will terminate with the final disposition of each case.
 - b. Three student representatives shall serve on the Professional Ethics Committee. Membership for each disciplinary case will be composed of the president of the student council and two council representatives from the class of the defendant involved in the disciplinary hearing. Should any student member be unable to serve by reason of a conflict of interest, prejudice, health, etc., the first vacancy shall be filled by the class vice-president. Subsequent vacancies shall be filled by the Dean by selection from the remaining class members.
 - c. A faculty or student who is directly or indirectly involved in the particular case being heard shall be automatically excused from the Committee and replacement appointed by the Dean.
 - d. The Associate Dean for Academic Services shall act as chairperson of the Professional Ethics Committee and will vote only in case of unresolvable ties. The Associate Dean for Academic Services shall be disqualified in cases in which he/she is the plaintiff, defendant, or a witness, and a replacement chairperson shall be appointed by the Dean.

2. Written Notice to Defendant: A student charged with a violation of standards of conduct shall be given written notice containing the following elements:
 - a. The charge or charges describing the alleged violation and the identity of the plaintiff(s).
 - b. The date, time and place of the Professional Ethics Committee hearing. The defendant will be notified at least one week prior to the Professional Ethics Committee hearing in order to allow time to prepare a defense.
 - c. A copy of the *Principles of Ethics and Code of Professional Conduct* and a description of the defendant's rights, including:
 - 1) the right to be present at the hearing.
 - 2) the right to submit a written response to the specific charges set out in the notice letter. (If a written response is to be submitted, it must be forwarded to the Committee within a specified time period.)
 - 3) the right to request a review of his or her student file by appointment in advance of the hearing.
 - d. Notice that the defendant may bring witnesses to the hearing. Not later than two days before the hearing, the defendant must notify the Professional Ethics Committee of the identity of any witnesses to be called on his or her behalf.

- e. Notice of the identity of witnesses listed by the plaintiff. (Both the plaintiff and defendant may submit a list of witnesses who shall be called to testify insofar as the Professional Ethics Committee determines that their testimony is relevant.)
 - f. Notice that the defendant has the right to be advised by an attorney, and that he/she will notify the Committee whether he/she will do so within a time period specified by the Professional Ethics Committee.
 - g. A statement that the notice may be amended, and such amendments will be sent to the defendant at any time prior to the hearing. Notice that if such amendment is prejudicial to the defendant's case, he/she has the right to request the hearing be rescheduled to a later date.
 - h. Notice of all potential disciplinary sanctions listed in this document under 4 on page 9, Disciplinary Definitions.
3. Procedural Guidelines: To insure due process and fairness during the proceedings of the Professional Ethics Committee, these steps will be followed:
- a. The defendant is entitled to appear at the hearing, to hear summary statements of the accusations, to provide the Committee supporting oral and documentary information, to make opening and closing statements, to call and question witnesses testifying for or against him or her, and to rebut any information presented. Failure of the defendant to appear at the hearing shall not preclude the Committee from making its recommendations to the Dean based upon its findings and conclusions.
 - b. The defendant and plaintiff do *not* have the right to be present during deliberations of the Committee.
 - c. The Committee may question the defendant and summon, present, and reasonably question any witnesses as needed.
 - d. The defendant may be accompanied by the advisor of his/her choice.
 - e. The plaintiff may be present to hear all testimony, to question witnesses, to provide supporting information, and to rebut information presented by the defendant.
 - f. Only the evidence presented at the hearing will be considered in determining whether the *Principles of Ethics and Code of Professional Conduct* was violated.
 - g. The Committee will have access to procedural files of cases similar in nature for consistency in their decision-making. Any records of the defendant's previous violation of the *Principles of Ethics and Code of Professional Conduct* will be made available to the Professional Ethics Committee only *after* a decision is reached concerning the present charges. However, previous records will be available prior to determining what sanction is to be imposed and may be considered during deliberations for the imposition of sanctions in the current case.
 - h. Hearings conducted by the Committee will be held in closed session to preserve confidentiality, except when the defendant requests a public hearing and the Committee approves the request.
 - i. All proceedings of the Committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties permits.
 - j. An adequate record of the proceedings will be kept. At a minimum, such a record would include a tape recording of the Committee hearing. All parties present shall be informed that the proceedings are being recorded.
 - k. All matters brought before the Professional Ethics Committee will be handled in the strictest confidence; and it shall be the responsibility of the members to insure such confidentiality by every means.
 - l. At the completion of the hearing, the Professional Ethics Committee will recommend to the Dean one of the Disciplinary Outcomes described in the next section.
 - m. The Dean will make the final decision and provide the defendant with a written notice of his/her decision. If the decision is other than exoneration, the notice shall

include the violation; the disciplinary outcome applied; the period of time involved for application of the outcome; any conditions to be met during the sanction and/or

- any restitution to be made for damage or loss to the University, other property, or injury to persons; and notice that failure to make arrangements for such restitution will result in cancellation of the defendant's registration and any subsequent re-registrations; and notice of his/her right to appeal the Dean's decision, within 21 calendar days, in writing to the University Disciplinary Committee.
- n. The Dean shall forward a copy of the disciplinary letter to the Office of the Vice President for Student Affairs. If dismissal is the sanction applied, the Dean will make such a recommendation which will be forwarded to the President of the University. Final action on disenrollment of the defendant will be taken only after final confirmation is received from the President through the Office of the Vice President for Student Affairs. If the defendant has paid fees in the quarter in which the action is taken, no refund shall be made, but fees paid in advance for a subsequent quarter will be refunded.
 - o. The Dean shall forward a copy of the disciplinary letter and all Professional Ethics Committee materials related to the case, all documentary or other physical evidence produced or considered in the proceedings and all recorded testimony to the defendant's disciplinary file. Retention of such files will be maintained in accord with the U.W. General Records Retention Schedule RCW40.14 as follows:
"disciplinary cases, student -- exonerated: until student's graduation; disciplinary cases, student -- not exonerated: five years."
 - p. The Office of Academic Services will maintain a *Principles of Ethics and Code of Professional Conduct* Procedural File which will include nonidentifiable (i.e. names/identities removed) materials about past disciplinary hearings, including sanctions applied, materials presented to the Professional Ethics Committee and the *Principles of Ethics and Code of Professional Conduct*. The procedural file is intended exclusively as a source of information for subsequent hearing of the Professional Ethics Committee.
4. Disciplinary Definitions: The following definitions of disciplinary sanctions have been established to provide consistency in the application of sanctions for students:
- a. *Exoneration*: Formal clearance of charges alleged.
 - b. *Reprimand*: Written reprimand issued when the violation of the *Principles of Ethics and Code of Professional Conduct* is not sufficient to call for Disciplinary Probation.
 - c. *Disciplinary Probation*: Formal action placing conditions upon the student's continued attendance for violations of the *Principles of Ethics and Code of Professional Conduct*. Disciplinary probation warns a student that any further misconduct will automatically raise the question of dismissal from the School. Disciplinary probation may be for a specific term, or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the School.
 - d. *Suspension*: Suspension of student enrollment for a stated or an indefinite time period.
 - e. *Dismissal*: Dismissal, either temporary or permanent.
 - f. *Restitution*: Compensation for damage or loss to the University or other property, and for injury to persons.

APPENDIX I

GUIDELINES FOR CONDUCTING A PROFESSIONAL ETHICS COMMITTEE MEETING

- A. Open meeting with instructions to the Committee
 - 1. Explain process to be undertaken.
 - 2. Explain rules of conduct
 - a) recognition by the Chair to speak.
 - b) appropriate questions (use of "alleged," etc.).
 - c) warning to members that the hearing process shall not be punitive.
 - 3. Explain rights of both parties
 - 4. Provide reference documents (policies, faculty handbook, *UW Operations Manual*, etc.) when appropriate.
 - 5. Describe confidentiality warning, retention of all notes and related documents by the Chair between sessions. (Warning not to discuss case with parties outside of hearing.)
 - 6. Acknowledge that the hearing will be tape recorded.
- B. Begin formal proceedings and invite plaintiff and defendant with appropriate advisor(s) and attorney(s).
- C. Instructions to all parties present at hearing
 - 1. Explain process to be used.
 - 2. Explain rights of individuals attending (i.e., right to question witnesses, request recognition to speak, warning regarding confidentiality, acknowledge tape recording of hearing).
 - 3. Authority of Chair (rules of order, witnesses, contempt/dismissal from room, recess, adjournment, etc.)
 - 4. Describe sequence of hearing (i.e., opening questions, summary, deliberations, decision of Dean, Dean's notice to defendant, possible sanction, right of appeal).
- D. Standard language for Chair
 - 1. Opening: "The purpose of this hearing is to respond to a charge of _____ submitted by _____ against _____. The Committee has the following roles: 1) to determine the guilt or innocence of the defendant; 2) if found innocent, officially exonerate the person; 3) if found guilty, to recommend the appropriate action to the Dean."
 - 2. Introduction of plaintiff
 - a) "Plaintiff, please state your name and position in the School of Dentistry."
 - b) "State your relationship to the matter to be heard."
 - c) "Have you discussed this matter with any of the Committee members prior to this hearing?" (If yes, dismiss Committee member, or let Committee decide after hearing what was discussed.)
 - d) "Proceed with your case presentation. Include the charge, a brief explanation of the charge, followed by presentation of evidence and any witnesses you wish to call."
 - 3. Introduction of defendant
 - a) "Defendant, please state your name and position in the School of Dentistry."
 - b) "State your relationship to the matter to be heard."
 - c) "Have you discussed this matter with any of the Committee members prior to this hearing?" (If yes, dismiss Committee member, or let Committee decide after hearing what was discussed.)
 - d) "Proceed with your case presentation. Include all evidence and any witnesses you wish to call for your defense."

4. Summary
 - a) Both the plaintiff and the defendant have five minutes to summarize their respective cases; the plaintiff shall present first.
 - b) After the summary all but Committee members must leave the room and are dismissed for the day.
5. Deliberations
 - a) Instructions to Committee on process of deliberation.
 - b) Instruction on disciplinary actions.

June 25, 1992