Advanced Education Programs
Code of Conduct

Revision Date: 12/14/2016

I. Introduction

A. Purpose

1. To define acceptable standards of conduct in academic, clinical and personal settings for dental residents in the Dental College of Georgia (DCG) Advanced Dental Education Programs, and
2. To provide a process for the investigation and disposition of alleged violations of these standards of conduct.

B. Jurisdiction

1. This Code of Conduct applies to all dental residents enrolled in any of the eight DCG Advanced Education Programs at Augusta University, in all academic and clinical settings. Residents are notified of this Code of Conduct at orientation and continued enrollment automatically indicates acceptance of these provisions. In addition to these provisions, dental residents are also under the jurisdiction of the Augusta University Student Code of Conduct (http://www.augusta.edu/student-life/conduct/documents/code-of-conduct-07-2016.pdf) and the Augusta University Graduate Medical Education Office House Staff Policies (http://www.augusta.edu/mcg/residents/hspolicies/index.php) for breaches of conduct not covered under this Code of Conduct.

2. All dental residents accepted into the DCG Advanced Education Programs will be provided with a copy of this Code of Conduct at matriculation. During initial orientation, all matriculating dental residents will be required to read and sign a Code of Conduct Acknowledgement Form certifying that they understand they are subject to all of its provisions and agree to abide by it. (Appendix A).

3. All college-based codes are supplemental to the AU Student Code of Conduct so there is no double-jeopardy exemption from sanctions when students are found to be in violation of codes at the University and the College levels.

4. University conduct regulations shall apply to conduct which occurs on University premises and to conduct which occurs while a student is attending or participating in any University-related activity wherever that activity may take place, or any behavior, on or off University premises, which adversely affects the University community or the pursuit of its objectives. Residents at Augusta University are also citizens of Augusta-Richmond County. Obeying local
ordinances and being a good neighbor is each resident’s responsibility so as to maintain a healthy and supportive relationship between the residents and their neighbors and between the University and its host community. Prosecution for criminal acts on or off campus will not preclude action by the University where such acts also violate the Student Conduct Code. This scenario is not recognized legally as “double jeopardy.” Augusta University has an obligation to uphold the laws of the larger community of which it is a part. While the activities covered by the laws of the larger community and those covered by Augusta University’s rules may overlap, the community’s laws and AU’s rules operate independently and do not substitute for each other. Augusta University may enforce its own rules whether or not legal proceedings are planned or are under way, and may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether University rules have been broken. Conversely, the University makes no attempt to shield members of the Augusta University from the law, nor does it intervene in legal proceedings against a member of the community. Membership in the Augusta University community does not exempt anyone from local, state or federal laws, but rather imposes the additional obligation to abide by these local ordinances and all AU regulations.

C. Faculty Responsibility
It is the ethical responsibility of the DCG Faculty and Advanced Education Program Directors to abide by and promote the principles espoused by the Code of Conduct. The Faculty should model and encourage high standards of ethical and professional behavior and take whatever steps are reasonably necessary to discourage academic dishonesty.

D. Dental Resident’s Responsibility
It is the ethical responsibility of the dental resident to abide by and promote the principles espoused by this Code of Conduct. Dental residents should model and encourage high standards of ethical and professional behavior and take whatever steps are reasonably necessary to discourage academic dishonesty, and other violations of the Code of Conduct. Each dental resident is expected to work independently on academic assignments, other than during group exercises, and it is the resident’s responsibility to protect the integrity of their own academic materials. Inherent within the process of self-regulation is the responsibility to report activities that are unethical and dishonest.

E. Enforcement and Administration
Responsibility for the enforcement of this Code of Conduct lies with the Dean of the Dental College of Georgia. Operational responsibility for administration of the provisions of this Code of Conduct has been delegated to the DCG Advanced Education Committee, a Code of Conduct Administrator (normally the Associate Dean for Academic Affairs and Advanced Education), and a Dental College of Georgia Spokesperson designated by the Dean.
II. RESPONSIBILITIES

A. The following individuals and groups have responsibility for administration of the provisions of this Code of Conduct:

1. The Dental College of Georgia Advanced Education Committee shall have responsibility for enforcement of this Code of Conduct, for holding hearings required under this Code of Conduct, and for evaluating and amending this Code of Conduct.

2. The Associate Dean for Academic Affairs and Advanced Education, as Code of Conduct Administrator shall coordinate administration of this Code of Conduct as specified in this document and shall maintain all official records regarding violations of the Code of Conduct for five years following graduation or the last day of active enrollment of the accused resident.

3. The Dental College of Georgia Spokesperson shall be an administrator or faculty member appointed by the Dean of the Dental College of Georgia. The Dental College of Georgia Spokesperson shall be appointed on an annual basis in keeping with the appointment of committees in the Dental College of Georgia. The Dental College of Georgia Spokesperson shall serve as a member of the Investigating Subcommittee as provided for in Section II.A.4., and shall represent the interests of the Dental College of Georgia in all hearings held under the provisions of this Code of Conduct.

4. The Code of Conduct Investigating Subcommittee shall have the responsibility for thoroughly investigating all alleged violations of this Code of Conduct. During the investigative phase, AU Resources such as the Legal Office, Public Safety, and Information Technology may be used to assist the subcommittee. At the conclusion of its investigation, the Code of Conduct Investigating Subcommittee will prepare and submit a complete written report to the Code of Conduct Administrator. If a Hearing is indicated based on the evidence, the Chair of the Investigating Subcommittee shall read this report at the Hearing. The Code of Conduct Investigating Subcommittee will consist of the following three members:

   a. The Chair of the Investigating Subcommittee shall be appointed by the Code of Conduct Administrator from the membership of the Advanced Education Committee. This appointee cannot be the complainant in a case, or otherwise involved in the case and therefore unable to serve.

   b. The Dental College of Georgia Spokesperson.

   c. The Advanced Education Committee dental resident member. In the event the Advanced Education Committee student member is an alleged violator or has a personal or professional conflict of interest with the alleged violator, the Code of Conduct Administrator shall appoint another dental resident to serve on the investigating team.
5. **The Code of Conduct Hearing Subcommittee will conduct all hearings regarding alleged violations of this Code of Conduct.** The Hearing Subcommittee will consist of the following seven members:

   a. The **DCG Advanced Education Committee Chair** will serve as the non-voting chair of the Hearing Subcommittee. In the event that the Chair of the Advanced Education Committee is the complainant in a case, or otherwise unable to serve, the Code of Conduct Administrator shall appoint another faculty member to chair the Hearing Subcommittee.

   b. **Three faculty members** approved by the alleged violator(s) and the Dental College of Georgia Spokesperson are chosen at random from a list of full-time DCG Faculty by the Code of Conduct Administrator as voting members of the Hearing Subcommittee.

   c. **Three dental residents** representing three different advanced education programs other than the program of the alleged violator(s) shall serve as voting members of the Hearing Subcommittee. In the event that a case involves dental residents from more than one program, the Code of Conduct Administrator will appoint the appropriate number of dental residents from programs eligible to have dental residents on the Hearing Subcommittee in order to total three dental residents on the committee.

B. **Confidentiality**
All meetings, investigations, proceedings, and hearings conducted under the provisions of this Code of Conduct shall be confidential to the extent allowed by law. At the beginning of all hearings the Chair of the Hearing Subcommittee shall inform all subcommittee members of the confidential nature of proceedings conducted under this Code of Conduct.

III. **CONDUCT STANDARDS FOR DENTAL RESIDENTS**
The following behaviors constitute violations of this Code of Conduct:

A. **General violations**
   
   1. The theft or procurement in any unauthorized manner of any academic or clinical materials or academic or clinical property belonging to others or to the institution (including but not limited to theft or procurement by electronic means).

   2. Lying with respect to activities covered by the Code of Conduct.

   3. The use of pressure, threat, abuse, or similar practices against any person involved to inhibit or prevent the reporting, investigation, or hearing of an alleged violation of this Code of Conduct.
4. The withholding of evidence pertinent to any case under investigation or being heard, or the giving of false evidence during an investigation or hearing.

5. The falsifying, altering, counterfeiting, forging, destroying, or causing such falsifying, altering, counterfeiting, forging, or destroying of any Dental College of Georgia record, form, or document.

6. The abuse of, or intentional damage to, academic materials and/or facilities of the institution.

7. Failure to meet the conditions of Disciplinary Probation, and any violation of this Code of Conduct while a resident is on probation.

8. Regarding participation of dental residents in research projects- Failure to abide by Federal Regulations and AU Policies regarding human subject and/or animal research constitutes a breach of this Code of Conduct.

9. Displaying unprofessional behavior toward patients, faculty, staff, and other students. This includes, but is not limited to the following:
   a) Inappropriate, threatening, or abusive comments/behavior,
   b) disregard for an individual’s time,
   c) patient abandonment or failure to respond to a patient’s treatment needs in a timely manner,
   d) professional dishonesty, and
   e) conduct unbecoming a health-care professional.

10. The use of social media to demean or discredit fellow dental residents, faculty, students or the Dental College of Georgia in any manner unbecoming a health care professional. The use of social media that may identify a patient under treatment at the Dental College of Georgia.

11. Excess consumption of alcoholic beverages, or controlled / illegal substances at any function or event associated with the Dental College of Georgia (on or off campus) that impairs function or appropriate public behavior or contributes to conduct unbecoming a health care professional. This includes consumption of alcohol at professional meetings and events where the resident is representing the Dental College of Georgia or where the resident’s travel expenses are supported by the DCG. (See page 21 of the Augusta University Student Manual http://www.augusta.edu/student-life/documents/studentmanual201516.pdf; and Augusta University Student Code of Conduct http://www.augusta.edu/student-life/conduct/documents/code-of-conduct-07-2016.pdf)

12. Accepting gifts or other such products that violates the University System of Georgia Code of Conduct and Conflict of Interest Policies. For purposes of this policy a gift is defined as
lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value. (See Augusta University Individual Conflict of Interest Policy)
https://augustapolicytech.com/dotNet/documents/?docid=568&LinkedFromInsertedLink=true&public=true

B. Academic violations
1. The giving or receiving of assistance not authorized by an instructor, test administrator, or testing agency instructions in the preparation of any assignment to be submitted for academic credit. Examples of assignments to be submitted for academic credit include but are not limited to examinations, essays, laboratory projects, electronic documents, and examinations required for graduation, which are administered by external agencies.

2. The selling, lending, giving (providing in any manner), theft, acquisition by electronic means or otherwise of information or materials unauthorized by an instructor.

3. The possession of any materials, or the use of any procedures or practices not authorized by the instructor, course director, department, or testing agency on any examination, essay, report, assignment, laboratory project, or clinical activity to be submitted or being performed for credit or which is required for graduation. Reproduction or attempts to reproduce examination materials through memorization, recording or other means in any fashion, organized or individually, is strictly prohibited and constitutes a violation of the code of conduct.

4. Plagiarism; manuscripts, essays, research papers, tests, electronic documents and other similar requirements must be the work of the resident submitting the work for credit. When direct quotations are used, they must be indicated as such, and when the ideas of another are incorporated into any work to be submitted for academic credit, they must be appropriately acknowledged.

5. All laboratory projects whether submitted for credit or otherwise must be the work of the designated dental resident unless otherwise specifically authorized by the program director or supervising faculty.

C. Clinical violations
1. Failure to safeguard confidentiality of patient records in accordance with the Health Insurance Portability and Accountability Act (HIPAA) Guidelines. See the following links for detailed information about patient privacy issues:
http://www.cdc.gov/nip/policies/hipaa/default.htm, and
2. Patient care activities by dental residents without Augusta University Dental College of Georgia faculty supervision are strictly prohibited. For purposes of this section of the Code of Conduct, patient care activities by residents shall include all of those activities which constitute the practice of dentistry in the State of Georgia as defined by Section 43-11-17 and Section 43-11-1 (or the current sections of Georgia law governing the practice of dentistry) of the Laws Governing the Practice of Dentists and Dental Hygienists in Georgia (Appendix H). The following behaviors constitute violations of this Code of Conduct:

a. Patient care activities by dental residents without approval and supervision by faculty, including observing or engaging in clinic procedures in DCG or AU Hospital clinics without the resident’s program director’s approval.

b. Patient care activities by dental residents in DCG clinics outside of regularly scheduled clinic hours including, but not limited to, nights and weekends, without approval and supervision of faculty.

c. Patient care activities by dental residents without a valid unrestricted Georgia dental license at any off campus site unless such activities and sites are approved of as part of a recognized Dental College of Georgia course.

d. The appointing of any patient of the Augusta University Dental College of Georgia at any off campus site that is not recognized as an official (or formal) extension of the Dental College of Georgia.

e. Engaging in after-hours private dental practice without the knowledge and written approval of the dental resident’s program director.

f. Engaging in after-hours private dental practice without a valid unrestricted Georgia dental license and appropriate malpractice liability insurance. A violation of this Section constitutes the illegal practice of dentistry and must be treated as a regular case (see IV.C). An alleged violation of this Section cannot be considered as a first offense (see IV.D). The illegal practice of dentistry is a violation of Georgia Law. A first offense is a felony (See Georgia Code O.C.G.A § 43-11-50. Practice of dentistry without a license). At the discretion of the Dean, individuals found in violation of this section of the Code may be reported to the Georgia Board of Dentistry.

g. Displaying an inability to perform patient care activities (in accordance with established DCG Performance Standards for Dental Residents) (Appendix B) with reasonable skill and safety to patients or becoming unable to perform patient care activities with reasonable skill and safety to patients by reason of use of alcohol, drugs, narcotics, chemicals, or any other type of substance, or as a result of any mental or physical
condition, or by reason of displaying habitual intoxication, addiction to, or recurrent personal misuse of alcohol, drugs, narcotics, chemicals, or any other type of similar substances.

1) Residents displaying an inability to safely treat patients are subject to mandatory drug testing.

2) Residents displaying behavior associated with psychiatric or behavioral disorders are subject to mandatory “fitness for duty” evaluation.

D. Definitions:
- “inappropriate or abusive comments/behavior”
  conduct that includes but is not limited to threats (physical, verbal or written), intimidation, public humiliation, harassment, etc.

- “disregard for an individual’s time”
  improperly booking patients (tardiness, double booking)

- “patient abandonment”
  failure to see the patient in a timely manner (without documentation or explanation)

- “professional dishonesty”
  dishonesty regarding a patient’s treatment/falsification of documentation

- “conduct unbecoming...”
  behavior which reflects poorly on other students, the Dental College of Georgia, and the Dental Profession

- “fitness for duty”
  a medical examination of a current student, resident or employee to determine whether he/she is physically or psychologically able to perform his/her job or academic responsibilities.

IV. PROCEDURES
*Code of Conduct Alleged Violation Procedure Summary – see Appendix C

A. Report of Violations
Any alleged violation of this Code of Conduct will be reported in writing to the Code of Conduct Administrator (Associate Dean for Academic Affairs and Advanced Education) by the complainant(s) within 15 school days of the violation’s becoming known to the complainant(s).
B. Receipt of a Complaint
Upon receipt of a complaint, the Code of Conduct Administrator will determine whether the alleged violator has been involved in any prior violation(s). If there has not been a previous violation(s), the Code of Conduct Administrator will then determine whether the incident qualifies as a first offense in keeping with the provisions of Section IV, C. If the incident is not a first offense or if the Code of Conduct Administrator determines that the incident does not qualify as a first offense, the case will be handled in keeping with the provisions of Sections IV, D, and IV, E.

C. First Offense Violations
If the conditions for the First Offense apply and the alleged violator(s) agree(s) to this option, they will do so by willingly signing the "Admission of First Offense" Form found in Appendix D. In so doing, the accused dental resident admits to the validity of the allegations and that he (she) agrees to abide by the disciplinary actions as outlined in IV.C.2.b. below. The accused dental resident must accept or decline the Admission of First Offense in writing within 3 working days. If the accused resident fails to accept or decline this option within this time period, the offense will be handled as a regular case as described in section IV. D. Should the student decline the First Offense option at this time, it will NOT be offered later. If the alleged violator declines the First Offense option, he (she) must sign Appendix C at the appropriate location indicating that he (she) was provided this option and willingly declined it, and fully realizes the consequences of such action.

1. Alleged violations of this code of conduct (except alleged violations of Section III, subsection I) may be handled as first offenses if the following conditions are met:
   a. The alleged violator has no prior record of violations of the Code of Conduct, and
   b. The complainant, the alleged violator and the Code of Conduct Administrator all agree that the incident should be handled as a first offense.
   c. First offense disposition of cases involving more than one resident will only be allowed if all alleged violators have no prior violations.
   d. In all cases, the Code of Conduct Administrator shall have the authority to deny first offense classification to an incident and to require that the incident be handled as a regular case in keeping with Sections IV, D, and IV, E.

2. First Offense Case Disposition Procedures
If all of the conditions cited in Section IV.C.1.a-e are met, an incident may be disposed of as a first offense and the disciplinary action will be imposed by the Code of Conduct Administrator.
a. The alleged violator(s) must sign a written admission that the violation took place and that the facts reported are true and accurate ("Admission of First Offense" Form found in Appendix D). This admission will be recorded by the Code of Conduct Administrator as a record of a violation of the Code of Conduct.

b. In cases handled as first offenses, the following penalties will be imposed:
   1) Disciplinary probation until graduation or for the next three consecutive semesters of enrollment, whichever is shorter, and
   2) Restitution for replacement of any lost or damaged property, as appropriate and determined by the Code of Conduct Administrator, and
   3) In incidents of academic dishonesty, the course director will determine an academic penalty up to and including a failing grade in the course.

D. Regular Case Investigation Procedures

If an incident cannot be handled as a first offense as specified in Section IV, C, then the procedures of this Section shall apply and the matter shall be handled as a regular case.

1. The Code of Conduct Administrator and one other dental school administrator or full-time faculty member will meet with the alleged violator(s) and advise the resident(s) in writing that a complaint has been received. At that time, the Code of Conduct Administrator will ask the accused resident(s) to enter a written plea of “not guilty” or “guilty” within 72 hours. (Appendix E) If the accused resident fails to enter a plea within the 72 hour time period, the Code of Conduct Administrator will enter a plea of “not guilty” for the accused resident.

2. Every alleged violator must enter an individual written plea to all charges prior to the beginning of any investigations, and the written plea(s) will be provided to the investigating subcommittee. (Appendix E) If pleas change prior to any scheduled hearing, the Dental College of Georgia Spokesperson must be informed of the change in writing.

   a. If the accused dental resident admits to a violation and enters a plea of “guilty”, the resident will be notified that a meeting of the Code of Conduct Hearing Subcommittee will be scheduled to formulate a recommendation for disciplinary action; the recommendation for disciplinary action will be submitted to the Dean.

   b. If the accused dental resident denies the allegation(s) and enters a plea of “not guilty”, an investigation will be conducted by the Code of Conduct Investigating Subcommittee to evaluate the evidence against the resident(s). If the Investigating Subcommittee finds sufficient evidence that a violation may have occurred, a full Code of Conduct Subcommittee Hearing will be conducted.
3. The Code of Conduct Administrator will then notify the Code of Conduct Investigating Subcommittee of the alleged violation and provide the information relative to the incident. The Investigating Subcommittee will initiate and complete an investigation of the alleged incident within 20 working days from the date of their notification. The 20 day limit will not include weekends, regularly scheduled holidays and resident/student breaks. The Investigating Subcommittee will determine if sufficient evidence exists to proceed to a formal hearing. Each Subcommittee member will have a vote in the decision, which will be filed confidentially and individually with the Chair of the Advanced Education Committee at the completion of the investigation. The Subcommittee Chair will provide a written report to the Code of Conduct Administrator. Extensions of the 20-day limit may be granted by the Code of Conduct Administrator for reasonable cause. The accused dental resident will be notified about the extension if it is granted. If a majority of the Investigating Subcommittee find in favor of proceeding to a formal hearing, a formal hearing will be scheduled within 5 – 20 days following notification of the resident. If the decision is that insufficient evidence exists to proceed to a formal hearing, the accused resident(s) and the person who filed the allegations will be required to meet together with the Code of Conduct Administrator and the Chair of the Advanced Education Committee. The intent of this meeting will be to candidly discuss the allegation(s) and provide an opportunity to mediate any differences. All communications between the accused and faculty or staff should be recorded or witnessed by a third party following the formal charge and plea. This report will also be presented to the Code of Conduct Hearing Subcommittee by the Investigative Chair.

4. If a Hearing is scheduled, The Code of Conduct Administrator will randomly select a list of five faculty to serve on the Hearing Subcommittee (three active and two alternates). The Resident representatives will be three dental residents currently enrolled in an advanced education program who are not enrolled in the accused dental resident’s training program. Two additional dental residents shall serve as alternate resident members of the Hearing Subcommittee.

5. The Code of Conduct Administrator and the Hearing Subcommittee Chair shall evaluate the list of proposed Hearing Subcommittee members for potential conflicts of interest. If a conflict of interest is believed to exist, the proposed Hearing Subcommittee member shall be withdrawn and a new member shall be randomly selected. This process ensures that the selection of any Hearing Subcommittee members shall not jeopardize the right of the accused to a fair and impartial Hearing. The final Hearing Subcommittee with voting rights will consist of three faculty and three resident members, a total of six members.

E. Regular Case Disposition Procedures

1. In all incidents where a hearing is required, the Code of Conduct Hearing Subcommittee will hear the case, determine whether the accused dental resident has been involved in
violations of the Code of Conduct, and, if a violation is found to have taken place, recommend an appropriate disciplinary action to the Dean.

2. Pre-Hearing Procedures: The Hearing Subcommittee Chair will notify the alleged violator in writing of:
   a. the charges against him/her,
   b. the nature of the evidence against him/her, and the names of witnesses scheduled to testify,
   c. a date for the hearing not sooner than 5 and no more than 20 school days from date of the alleged violator's notification of the need for a formal hearing, and
   d. the rights at a hearing of an alleged violator and any victim of the alleged incident to:
      1) accept as a Resident Advisor a faculty member or administrator appointed by the Code of Conduct Administrator or be accompanied by an Advisor of the resident's choice who is a faculty member or an administrator at Augusta University. The accused resident may also choose a personal acquaintance, fellow resident, or family member as an advisor. However these individuals must sign a FERPA waiver before the hearing begins. (Appendix F) Advisors chosen by the accused resident cannot include legal professionals or any university administrator who would be responsible for ruling on the eventual outcome or appeal of the hearing decision. The Advisor may not directly question either witnesses or members of the Hearing Subcommittee or participate directly in the hearing. The Advisor(s) will assist the accused or victim as applicable in following the protocols of this Code of Conduct and provide other advice before and during the hearing.
      2) question the Dental College of Georgia Spokesperson's witnesses.
      3) submit a maximum of 2 character reference letters and present witnesses who have pertinent testimony relating to the specific alleged violation.
      4) expect a decision based solely on evidence presented.
      5) be provided a written notification of the outcome of the case
      6) appeal the Dean's decision to the President of Augusta University.

   e. The Chair of the Hearing Subcommittee will provide the alleged violator with an Order of Proceedings for hearings held under this Code of Conduct which the Advanced Education Committee may, at its discretion, adopt for such hearings (Appendix G).
f. The Chair of the Hearing Subcommittee will provide the alleged violator and the Dental College of Georgia Spokesperson with a list of the three randomly chosen faculty members and the resident members who are designated to serve on the Hearing Subcommittee. A pre-hearing meeting (the format of such will be agreed on by all parties) between the Chair of the Hearing Subcommittee, the accused, and the Spokesperson will then be held. The accused and the Spokesperson may each request the disqualification of one faculty and one resident for cause. If a hearing subcommittee member is disqualified, the Chair of the Hearing Subcommittee will select the replacement from the next two names on the random list of faculty to replace a faculty member, or from the resident list to replace a resident. The accused or the Dental College of Georgia Spokesperson shall have the same opportunity to reject and replace faculty and resident members of the hearing subcommittee. At the initial portion of a hearing, one standby faculty member and one standby student member will be required to attend in case a faculty member and/or resident member of the Hearing Subcommittee recuses/recused themselves/themselves because of conflict of interest. The standby members will be mutually acceptable to the accused and the Spokesperson, and if not needed, will then be dismissed prior to the hearing.

g. The Dental College of Georgia Spokesperson and the accused dental resident must provide the Chair of the Hearing Subcommittee with a complete list of witnesses at least 72 hours in advance of a scheduled hearing. The Chair will then provide the Spokesperson and the accused dental resident a complete list of the witnesses at least 48 hours in prior to the scheduled hearing. A meeting between the Chair, Spokesperson, and the accused will occur in which witness lists are exchanged, the hearing subcommittee panel will be revealed, and accepted or modified by the Accused. The chair explains the Code of Conduct Hearing protocols to both parties and other issues may be clarified. It is the Spokesperson’s and accused dental resident’s responsibility that their corresponding witnesses are notified of the hearing date and time, and that they attend the hearing. If additional witnesses are introduced at the time of the hearing by either the accused student(s) or the Spokesperson, it will be left to the discretion of the Chair of the Hearing Subcommittee as to the relevance of their testimony and to their participation in the hearing. If a witness or witnesses fail to attend the hearing, it will be left to the discretion of the Chair of the Hearing Subcommittee as to whether the hearing will proceed, or will be re-convened at a later date.

3. Hearing Procedures
a. Attendance in the hearing room may be limited to: The Hearing Subcommittee, the Dental College of Georgia Spokesperson, the alleged violator, the alleged violator’s advisor, and witnesses during the time of their testimony only, and officials of Augusta University. The Chair of the Hearing Subcommittee will rule on the presence of any other individuals who wish to attend the hearing.
b. An audio recording of the Hearing Proceedings is made that includes witness testimony, but does not include deliberations of the Hearing Subcommittee. These audio recordings are maintained in the Office of the Associate Dean for Advanced Education Programs.

c. All voting members of the Hearing Subcommittee will read and sign the "Responsibilities of a Voting Member of the Code of Conduct Hearing Subcommittee" form, Appendix H, prior to the beginning of the Hearing.

d. Only evidence pertinent to the specific allegation(s) may be considered. Knowledge of prior violations or admission of guilt may not be made known or considered in determining guilt or innocence. Pertinent evidence may refer to new findings arising as a result of the investigation process.

e. Only in extraordinary circumstances will there be separate hearings if there is more than one alleged violator. Such a circumstance will be determined by the Code of Conduct Administrator and the Dental College of Georgia Spokesperson.

f. The Hearing Subcommittee Chair will read aloud the contents of Appendix G, "Chair's Summary Statement" and provide information pertinent to the specific Hearing. This document states that the proceedings will be recorded and introduces the Subcommittee members, the accused, and the accused’s advisor and outlines the function of the Chair, presents the order of events which will occur at the Hearing, specifies how the evidence is to be evaluated and states the criteria the Subcommittee members are to utilize in reaching their decision.

g. The Hearing Subcommittee Chair will read the allegation(s) to the alleged violator and request the alleged violator’s plea.

h. The Dental College of Georgia Spokesperson will present the case against the alleged violator. The alleged violator will present the defense.

i. Witnesses may be recalled for clarification of testimony or to give further testimony. All witnesses to be called will be sworn by oath by a Notary Public for the State of Georgia (Appendix I). The witnesses will be monitored and/or separated in order to discourage interaction and inappropriate communications while waiting to testify.

j. The Spokesperson and then the accused will be given the opportunity to make a closing or summary statement prior to deliberations by the hearing subcommittee.

k. The Hearing Subcommittee will consider the evidence in executive session. If it is necessary to recall a witness for clarification after the Subcommittee adjourns into
executive session, the DCG Spokesperson, the alleged violator, the alleged violator's advisor shall be present and all except the alleged violator's advisor have the right to question the witness regarding the witness's clarifying statements.

1. Nothing in the Code of Conduct shall prevent an accused dental resident from pleading guilty to any alleged violation of this Code and waiving the right to a full hearing on the charges. All pleas of guilty and waivers of hearing must be presented to the Chair of the Hearing Subcommittee in writing on a Waiver of Hearing Form acceptable to the Chair of the Hearing Subcommittee (Appendix J). In the case of a plea of guilty, evidence related to the facts of the violation will not be presented and the Hearing Subcommittee's sole responsibility will be to recommend appropriate disciplinary action to the Dean.

4. Hearing Outcome
Four of six votes are required to find a dental resident in violation of the Code of Conduct. In the deliberations of the Hearing Subcommittee, the three faculty members and the three dental residents are required to vote; the Chair of the Hearing Subcommittee does not vote.

5. In the event a resident is found to have violated the Code of Conduct or admits to a violation of the Code of Conduct, the Hearing Subcommittee will recommend an appropriate disciplinary action to the Dean. The Hearing Chair will read the list of Disciplinary Actions from which the Hearing Subcommittee members are to select their recommendation (Section V., A.-E.). Before the Hearing Subcommittee begins deliberations to formulate a recommendation for disciplinary action, the Dental College of Georgia Spokesperson will inform the Subcommittee of any previous violations on the record of the accused dental resident, to include first offense violations to which the resident pled guilty, and Code of Conduct and/or Employee Work Rules violations of which the resident was found guilty by a Hearing Subcommittee. However, unsubstantiated charges or charges which resulted in not-guilty decisions will not be disclosed. The Spokesperson will also provide the Subcommittee with a suggested disciplinary action. Four votes are required for recommendation of a specific disciplinary action to the Dean. All Subcommittee members (except the Chair) will vote.

V. DISCIPLINARY ACTIONS
The following are possible disciplinary actions, which can be recommended to the Dean by the Hearing Subcommittee through regular case disposition procedures. These penalties are not all-inclusive and may be modified depending upon the nature of the violation or violations.

A. Administrative Probation
An official warning that the dental resident's conduct violates the Code of Conduct but is not sufficiently serious to warrant expulsion, dismissal or suspension. This type of probation does not carry concurrent restrictions. Continued enrollment depends on maintaining satisfactory
conduct during probation. A favorable recommendation normally will not be furnished by the university during probation. It shall be imposed for a specified period of time during which any other additional violations of the Code of Conduct will result in more severe disciplinary actions.

B. Administrative Probation with Restrictions
This action is a warning that the dental resident's behavior is unacceptable and includes other sanctions, which do not require an interruption or termination of the student's enrollment. Probation shall be imposed for a specified period of time during which any other violation of the Code of Conduct will result in more severe disciplinary actions. A favorable recommendation normally will not be furnished by the university during probation. Sanctions, which may be imposed as restrictions, shall include but not be limited to:

1. Loss of scholarship, stipends and educational loan awards from funds under the direct control of the Augusta University or the Dental College of Georgia (federal aid programs are not included in this provision);

2. Loss of credit for any test, paper, report, essay, laboratory project, or clinical procedure involved in the violation;

3. A failing grade for the course(s) in which the violation(s) occurred;

4. Restitution for damages or replacement of property;

5. Loss of the privilege of representing the Dental College of Georgia in any official capacity or loss of the privilege of representing the Advanced Dental Education Programs of the Dental College of Georgia in any official capacity.

6. Suspension of clinical privileges for a period of time to be determined by the Hearing Subcommittee. The student will remain enrolled in the curriculum and participate in all activities, except those involving direct patient care. Appropriate measures to insure continuity of patient care must be an integral portion of any such disciplinary recommendation. The clinic time lost due to this suspension must be made up with at least an equivalent amount of clinic time scheduled after the resident's original date of program completion, or during existing student break time.

7. Other sanctions as deemed appropriate.

C. Suspension:
This action terminates the enrollment of a dental resident in the Dental College of Georgia for a specified period of time. Participation in courses and Dental College of Georgia activities is prohibited during the suspension period. A suspension may require actions by the dental resident’s program director to insure continued dental care for patients assigned to the dental
resident. Stipends and wages are not paid to residents during periods of disciplinary suspension. The clinic time lost due to this suspension must be made up with at least an equivalent amount of clinic time scheduled after the resident’s original date of program completion, and all course work missed during the suspension must be made up in accordance with faculty course directors’ expectations.

D. **Expulsion:**
   The permanent denial of the individual’s privileges to attend the Dental College of Georgia Advanced Education Program. A dental resident found to have violated Section III.1, regarding the illegal practice of dentistry, will be recommended for expulsion.

E. **Combinations:**
   Nothing in the Code of Conduct shall prevent a student from receiving a combination of penalties, such as a suspension for a specified time, to be followed by a period of probation, which could also include restrictions.

VI. **REVIEW BY THE DEAN**
   A. The outcome of all hearings held before a Hearing Subcommittee of the Advanced Education Committee will be reported to the Dean within 48 hours of the hearing date as advisory to the Dean. The authority for final action by the Dental College of Georgia in all cases rests with the Dean. The Dean will review each Hearing Subcommittee report to determine that:
      1. The violator was accorded due process.
      2. The facts of the case support the findings of the Hearing Subcommittee.
      3. Recommendations for disciplinary action, if any, are appropriate.

   B. The Dean shall review the Hearing Report and recommendation for disciplinary action from the Hearing Committee and inform the accused resident of his/her decision within 10 business days following receipt of the report. After reviewing reports of the Hearing Subcommittee, the Dean may:
      1. Approve and implement the report of the Hearing Subcommittee or
      2. Amend and implement the report of the Hearing Subcommittee, or
      3. Remand the case to the Hearing Subcommittee for further review and consideration.
C. Any portions of the Code of Conduct in conflict with Section VI, as stated here, are rendered null and void by this Section and in any instances where conflicts may occur, this Section shall govern.

VII. APPEALS
Any resident found to have violated this Code of Conduct has the right to appeal the Dean's decision to the President of the Augusta University in the method and timeframe described in the most recent AU Catalog and the most recent AU Student Manual.

VIII. RECORDS
1. If the accused dental resident is found to be in violation of this Code of Conduct, all records pertaining to the case shall then be retained in the office of the Code of Conduct Administrator. If a dental resident is placed on probation, suspended or expelled, the records shall be maintained in the resident's permanent file in the AU Registrar's Office.

2. If the accused dental resident is found not to have violated the Code of Conduct, by the Hearing Subcommittee, and the Dean concurs with the findings, all investigative materials, evidence, etc., shall be retained in the office of the Code of Conduct Administrator. If review by the Dean subsequently finds that the accused dental resident is in violation of the Code of Conduct, all records will be retained as previously described. A record of the action shall be retained by the Code of Conduct Administrator for five years after graduation or the last day of active enrollment of the accused resident.

IX. ANNUAL REPORT
During the first full month of the fall Semester, the Chair of the Advanced Education Committee will provide a report of the previous year's activity to the faculty and dental residents. The report should include the number of alleged violations reported, the number of proven violations, admissions of guilt, acquittals, and any disciplinary actions imposed.

X. REVIEW AND REVISION
1. Every 2 years, the Chair of the Advanced Education Committee will appoint a subcommittee of the Advanced Education Committee to evaluate this Code of Conduct. At least one dental resident, one Dental College of Georgia faculty member and the current Dental College of Georgia Spokesperson will be on this subcommittee. The Code of Conduct may be evaluated more frequently at the request of the Dean or the Advanced Education Committee.

2. The Code of Conduct will be revised as needed following the evaluation. All revisions must be approved separately by a majority vote of the Advanced Education Committee.
3. The Code of Conduct may be revised by the Dean at any time it is determined to be in violation of Augusta University policies.

4. The current Code of Conduct will be in effect until such time as revisions are approved.

List of Appendices:

Appendix A: Code of Conduct Acknowledgement Form
Appendix B: Performance Standards for Dental Residents
Appendix C: Code of Conduct Flowchart
Appendix D: Admission of First Offense Form
Appendix E: Plea Form
Appendix F: FERPA Waiver Form
Appendix G: Hearing Proceedings Template
Appendix H: Responsibilities of Voting Members of Hearing Panel Form
Appendix I: Witness Oath Form
Appendix J: Waiver of Hearing Form

The Advanced Education Committee of the Dental College of Georgia approved this Code of Conduct for Dental Residents on 12/14/2016.
Advanced Dental Education Residents:

Pursuant to Section I. B. 2. of the Code of Conduct of the Dental College of Georgia Advanced Education Programs at Augusta University, I acknowledge that I have read the Advanced Education Programs Code of Conduct for the Dental College of Georgia at Augusta University, and I understand that I am subject to all of the provisions of this Code of Conduct while I am enrolled as a resident in an advanced education program in the Dental College of Georgia.

________________________________________________________________________
Name (Please Print)

________________________________________________________________________
Advanced Dental Education Program in Which You Are Enrolled

________________________________________________________________________
Anticipated Date of Program Completion

________________________________________________________________________
Signature

________________________________________________________________________
Date

Please return this signed form to:

Dr. Philip J. Hanes
Associate Dean for Advanced Education
Dental College of Georgia
GC-5110
Advanced Education Programs
Performance Standards for Dental Residents

The Dental College of Georgia must ensure the safety of all patients treated by residents in advanced dental education programs. This includes the completion of treatment safely, at an acceptable level of quality and within an acceptable amount of time. In order to ensure patient safety, residents in advanced dental education programs must demonstrate and maintain the necessary cognitive and technical skills required for the safe and effective practice of dentistry. Skills that dental residents must demonstrate and maintain include observational, communicational, sensory/motor, intellectual/conceptual (integrative and quantitative), and behavioral/social skills. The observed failure or inability of a dental resident to demonstrate acceptable skills as described below may require an evaluation of the resident’s fitness for duty, temporary suspension from clinical patient care, and/or dismissal/expulsion.

Motor Skills: Residents must have sufficient motor function such that they are able to execute and coordinate both gross and fine muscular movements, equilibrium, and functional uses of the senses of touch and vision to enable them to perform palpation, percussion, auscultation, and other diagnostic maneuvers, basic laboratory tests, and diagnostic procedures.

Sensory/Observation: Residents must have the visual acuity to be able to acquire information as presented through demonstrations and experiences in the basic and clinical sciences to enable them to observe a patient accurately at a distance and close at hand; to discern differences and variation in color, shape, and general appearance between normal and abnormal, soft and hard tissues; to read charts, records, small print and handwritten notation; and interpret digitized radiographic images and other images, with or without the use of assistive devices.

Communication: Residents must be able to communicate effectively and sensitively with patients, at a level sufficient to collect data, fabricate and explain treatment options and give directions during treatment and post-treatment. The resident must be able to communicate effectively and efficiently in oral and written form with all members of the health care team.

Cognitive: Residents must be able to collect, organize, prioritize, analyze and assimilate large amounts of technically detailed and complex information in a timely fashion, and apply this information appropriately for problem solving and decision-making.

Behavioral: Residents must possess the emotional health required for full utilization of his or her intellectual abilities, the exercise of good judgment, the prompt completion of all responsibilities attendant to the diagnosis and care of patients, and the development of
mature, sensitive, and effective relationships with patients. Residents must be able to tolerate physically taxing workloads, to function effectively under stress, to interact appropriately with supervising faculty and co-workers, and to accept criticism and respond by appropriate modification of behavior.

**Ethics and Professionalism:** Residents must maintain the standards of conduct for ethics and professionalism as set forth in the DCG Code of Conduct for Advanced Dental Education Programs, the American Dental Association's Principles of Ethics and Code of Professional Conduct, and the Augusta University Student Code of Conduct. Residents must conduct themselves as trustworthy and responsible citizens with impeccable integrity in their interactions with all members of the dental educational community, including the public. A resident must refrain from actions that detract from the professional atmosphere of the DCG or University at all times while on the University campus as well as when attending any school-sponsored activities or off-campus professional meetings.
**Advanced Education Programs Code of Conduct**

**Alleged Violation Procedure Summary**

**Resident Incident:**
Results in a report or complaint by faculty or and Resident

**Denies Guilt:**
*Resident Status/Response*
COCA orders investigation*

**Code of Conduct Administrator (COCA)**
Receives report.
Action depends on resident status/response and complainant consent

**Admits Guilt:**
*Resident Status/Response*
Placed on probation with sanctions
Confidential report filed

****Investigation** to determine if Code of Conduct Hearing is indicated

**Yes,**
Hearing convened

**If guilty:**
Sanctions are recommended to the Dean

**Code of Conduct Hearing:**
***DCG Spokesperson & the Accused Resident present their sides before the Hearing Committee for a decision

**Possible actions of the Dean:**
- Approve sanctions,
- Amend sanctions,
- Remand to Hearing Committee

**If resident appeals to AU President:**
Sanctions are upheld if due process was followed.

**Examples of Misconduct:**
Cheating, stealing, property damage, plagiarism, mishandling patient records

Possible Sanctions:
- Probation
- Probation with restrictions
- Suspension
- Expulsion
- Restitution (Damages)
- Remediation Academic Issues

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* If 1st offense
** Investigation of complaint: directed by Investigative Subcommittee Chair who is appointed by DCG Advanced Ed Committee Chair
*** Dental College Spokesperson is appointed by the Dean

Appendix C
Advanced Education Programs

Code of Conduct
Admission of First Offense

I have read the description of the Code of Conduct First Offense option and agree to its use pertaining to the present allegation. I realize that, should I decline the First Offense option if offered, I will not have the opportunity to obtain it later for the said allegation. By doing so, I fully understand that my choosing this option is an admission to the allegations, and I also agree to abide by the disciplinary actions which are imposed as stated below:

<table>
<thead>
<tr>
<th>Resident Signature</th>
<th>Printed name</th>
<th>Signature Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Witness:</td>
<td>Witness Signature</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Printed name</td>
<td>Signature Date</td>
</tr>
</tbody>
</table>

I acknowledge that the First Offense option was clearly explained and offered to me, however, I decline to take this option. I deny that I am involved in a violation of the Code of Conduct and I plead not guilty to the accusations against me. I realize that an investigation of the allegations will be made, and that a full Code of Conduct Hearing may be held to determine my guilt or innocence. I also acknowledge that I may plead guilty any time during this process by signing the Waiver of Hearing Form.

<table>
<thead>
<tr>
<th>Resident Signature</th>
<th>Printed name</th>
<th>Signature Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Witness:</td>
<td>Witness Signature</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Printed name</td>
<td>Signature Date</td>
</tr>
</tbody>
</table>

Appendix D
Advanced Education Programs
Code of Conduct Violation - Written Plea Form

Plea of Not Guilty

I deny that I have been involved in the following violations of the Code of Conduct and I plead not guilty to the allegations:

I realize that an investigation of the allegation(s) will be made, and that a full Code of Conduct Hearing may be held to determine my guilt or innocence. I also acknowledge that I may plead guilty any time during this process by signing a Waiver of Hearing Form.

Signed: (Resident)

_________________________  ________________________  ___________
Printed name                  Signature                  Date

Signed: Witness

_________________________  ________________________  ___________
Printed name                  Signature                  Date

Appendix E
Advanced Education Programs
Code of Conduct Violation - Written Plea Form

Plea of Guilty

I plead guilty to the following violations of the Code of Conduct:

I hereby waive my right to a hearing on charges that I have been involved in a violation of the Advanced Education Programs Code of Conduct of the College of Dental Medicine at the Georgia Regents University. I understand that the recommendations of the Hearing Subcommittee will be forwarded to the Dean for his or her consideration.

I have been informed of my rights in this matter and I agree to waive those rights. I understand that I retain my right to appeal any decision reached in this matter.

I execute this waiver of my own free will and with full understanding of my actions and their possible consequences.

Signed: (Resident)

Printed name ___________________________ Signature ___________________________ Date ________

Signed: Witness

Printed name ___________________________ Signature ___________________________ Date ________

Appendix E
FERPA WAIVER

I am signing this waiver in order to allow ________________________________,

(Name)

who is my ________________________________, to attend a hearing

(Relationship to Student)

with the Advanced Dental Education Programs Code of Conduct Hearing Committee in which
my academic record will be discussed.

________________________________________
Printed Resident Name

________________________________________
Resident Signature

________________________________________
Date

________________________________________
Printed Witness Name

________________________________________
Witness Signature

Appendix F
Advanced Education Programs

Code of Conduct Hearing Proceedings and Chair’s Summary Statement:

Hearing Room Attendance: Chair, Spokesperson, Accused & their advisor, Hearing Subcommittee, 1 witness at a time, and a GRU official if needed for recording or security.

To be delivered by Hearing Chair at the beginning of the Hearing after initiation of audio recording:

It is __________ o’clock on (DAY OF WEEK; MONTH, DAY, YEAR) and we are in room____________ of the AU Dental College of Georgia for the purpose of hearing the evidence related to an alleged violation of the Dental College of Georgia Advanced Education Programs Code of Conduct. The proceedings of this meeting will be preserved on audiotape.

My name is ________________ and I serve as Chair of the Advanced Education Committee and chair of this Hearing Subcommittee. Also present at this hearing are faculty and resident members of the Hearing Subcommittee, the Dental College of Georgia Spokesperson, and the accused resident(s). At this time, I would like the members of the Hearing Subcommittee and the Dental College of Georgia Spokesperson to state their names and identify their role in this hearing so we have a record of their presence. We will begin with (name of person) and go around the table.

(Subcommittee members and Spokesperson record their presence on the audio recording).

There are two alternate Subcommittee members present. Would the alternates please state their names for the record?

(Chair states accused resident’s or residents’ name(s)) is also present and is accused of violating the Code of Conduct. Please state your name, your program and year of training for the record.

Dr. (accused resident), do you have an advisor present to assist and advise you? (If yes, have resident name the advisor (or advisors) and:) As advisor to the accused resident, please state your name for the record.

At this time, I will query the Hearing Subcommittee regarding conflicts of interest. Do any members of the hearing panel believe that their circumstances would prevent them from being fair and impartial in this proceeding?

(Chair waits for responses and excuses Subcommittee members or alternates as appropriate)

Appendix G
The unused alternate members are now dismissed.

Subcommittee Hearing members will now read and sign the "Responsibilities of a Voting Member of the Code of Conduct Hearing Subcommittee".

The purpose of this meeting is to present evidence and testimony to the voting members of the Hearing Subcommittee concerning the specific portion of the Code of Conduct which is alleged to have been violated. All participants should note that these proceedings will produce a portion of the accused resident's record of enrollment at Augusta University, and that federal law prohibits the release of any portion of a resident's record without his/her written consent. Therefore, these proceedings must remain confidential to the extent allowed by law, and no information from this hearing may be released to any third party without the written consent of the resident; the only exception to this is notification of appropriate institutional officials necessary to implement any decisions reached here.

After presentation of the evidence as obtained from the investigative subcommittee, the accused resident will have the opportunity to present evidence and witnesses, as well as to ask questions of any witnesses present. At any time during the hearing, any Subcommittee member or the accused can ask questions. Once all evidence and witnesses have been presented and all questions have been addressed, the Hearing Subcommittee will meet in closed session to determine by written ballot whether a violation of the Code of Conduct has taken place.

The function of the Hearing Chair during the closed session is to stimulate a thorough evaluation of the facts and to promote dialogue. The Chair is not to bias the flow of thought of the voting subcommittee members. If the subcommittee members feel that they require additional information from evidence or witnesses, the accused resident, the accused resident's advisor, the Dental College of Georgia Spokesperson and any pertinent witnesses may be recalled. Once the Subcommittee members feel that sufficient discussion has transpired to enable them to reach an individual decision, as whether the accused resident has been involved in a violation, the Chair will take a vote by written ballot. It should be emphasized that the standard of proof on which voting members must base their decision is the standard for administrative law, which is a preponderance of the evidence. This is in contrast to the standard of proof in criminal cases, which require proof beyond a reasonable doubt. In order to find an accused resident in violation of the Code of Conduct, four out of the six votes must indicate as such. Innocence is decided by any vote yielding less than four guilty decisions.
After voting, the accused resident and the Dental College of Georgia Spokesperson will be asked to join the hearing subcommittee, whereupon the Chair reads aloud the results of the decision. If the accused resident is not found to have been involved in a violation, all investigative materials, evidence, etc. shall be destroyed and a record of the action shall be retained in the Office of the Code of Conduct Administrator. If the Subcommittee finds the resident in violation of the Code of Conduct, the Dental College of Georgia Spokesperson will be requested to provide suggestions for disciplinary action. The Subcommittee will again meet in closed session to consider and vote on the appropriate disciplinary action to be taken.

Four votes are required for recommendation of a specific disciplinary action to the Dean. If the resident has been found guilty, all records pertaining to the case shall be retained in the office of the Code of Conduct Administrator for 3 years after the resident is no longer enrolled at the Dental College of Georgia and then destroyed. If the resident is expelled or suspended, the records shall be maintained in the resident's permanent file in the AU registrar's office.

The Subcommittee recommendation will be forwarded to the Dean for consideration. The Dean may approve and implement the recommendation, amend and implement the recommendation or remand the case back to the Hearing Subcommittee for further consideration.

Any resident found to have violated the Code of Conduct has the right to appeal the Dean's decision to the President of the University. Again, it must be emphasized that all statements and evidence presented in this room are done so in confidence and are not to be repeated, except where the law permits such.

Dr. (accused resident), you have been charged with the following violation of the Advanced Education Programs Code of Conduct:

**III. Conduct Standards for Dental Residents**

A. General violations

9. Displaying unprofessional behavior toward patients, faculty, staff, and other students. This includes, but is not limited to, inappropriate or abusive comments/behavior, disregard for an individual's time, patient abandonment, professional dishonesty, and conduct unbecoming a health-care professional.

Do you plead guilty or not guilty to the alleged violation?

- In the case of a plea of guilty, evidence related to the facts of the violation will not be presented and the Hearing Subcommittee's sole responsibility will be to recommend appropriate disciplinary action to the Dean.
If the resident pleads “not guilty”, the hearing proceeds:

Dr. XXX, as the Dental College of Georgia Spokesperson will present the case against the alleged violator by reading the report of the Investigative Subcommittee.

- Witnesses are brought into the hearing room; sworn by a Notary, then dismissed until needed. Alternately- witnesses can be sworn in one at a time. After being sworn in, the witnesses will sign and date the Witness Oath form. (Appendix H).
- Each witness is questioned by the Spokesperson first, and the Accused second.
- Witnesses may be recalled for clarification of testimony or to give further testimony.
- Questions are allowed from subcommittee members and/or the alleged violator

After the Spokesperson’s last witness: Dr. (accused resident), you may now present your defense.

- Accused gives an opening statement
- Witnesses for the Accused are brought in and questioned by Accused first, Spokesperson second.
- Witnesses may be recalled for clarification of testimony or to give further testimony.
- Questions are allowed from subcommittee members and/or the alleged violator

After all witnesses are heard, Spokesperson and Accused give summary statements:

Dr. Frazier, you may now make any closing remarks for the record.

Dr. (accused resident), you may now make any closing remarks for the record.

Dr. (accused resident), Dr. XXX, and any advisors and witnesses in the room are now excused. You are asked to remain in the building until further notice in case the Hearing Subcommittee needs further input during their deliberations.

The Hearing Subcommittee will consider the evidence in executive session. (Chair is present)

- If it is necessary to recall a witness for clarification after the Subcommittee adjourns into executive session, the School's Spokesperson, the alleged violator, the alleged violator's advisor shall be present and all except the alleged violator's advisor have the right to question the witness regarding the witness's clarifying statements.
- Four votes are required to find a dental resident in violation of the Code of Conduct. In the deliberations of the Hearing Subcommittee, the three faculty members and the three dental residents are required to vote; the Chair of the Hearing Subcommittee does not vote.
After voting, the accused resident and the Dental College of Georgia Spokesperson will be asked to join the hearing subcommittee, whereupon the Chair reads aloud the results of the decision.

- If the accused resident is not found not-guilty, Resident is reminded that all investigative materials and evidence will be destroyed, and a record of the action will be retained in the Office of the Code of Conduct Administrator.
- If the accused resident is not found guilty, the Spokesperson recommends the penalty.
- Hearing Subcommittee votes on penalty in closed session
- Spokesperson and Accused return for decision on penalty.
- Resident is advised that the Hearing subcommittee will inform the Dean of the verdict and provide recommendations for disciplinary action. You will receive further information regarding the disciplinary action directly from the Dean.
- The resident is excused.
Responsibilities of a Voting Member of the Code of Conduct Hearing Subcommittee

By signing this document, I certify that in accordance with the Dental College of Georgia Advanced Education Programs Code of Conduct Policy, I will make my decisions in this proceeding based solely upon the preponderance of the evidence presented. I am fully aware that I must vote when asked to do so, and that I may not abstain. I am also prepared to render a recommendation for disciplinary action if a violation of the Code of Conduct has taken place. I promise to keep knowledge of all evidence and proceedings discussed in this Hearing in the strictest of confidence to the extent allowed by the law.

Signed:

__________________________________________________________________________  ______________
Signature                                                      Date

__________________________________________                             Faculty or Student
Name (Please Print)  (Please Circle One)
Witnesses called to testify at a Code of Conduct violation Hearing will be sworn in (en masse or individually) prior to their statements. A Notary Public from the State of Georgia will read the following statement and the witness must comply in one of the two manners below:

Raise your right hand and repeat after me....

"I, (state your name), solemnly swear to tell the truth, the whole truth and nothing but the truth, so help me God".

If someone objects to the above oath, they may reply "yes" or "no" to the following question:

"Do you solemnly affirm to tell the truth, the whole truth and nothing but the truth?"

__________________________________________________________ (Name printed)

__________________________________________________________ Signature

______________ Date

__________________________________________________________Notary Signature (Seal)

After being sworn in, the witnesses will be dismissed from the Hearing room. They will be called back when their testimony is needed. Witnesses must not discuss any aspect of the hearing with anyone else while the hearing is in progress except the Hearing Chair or their representative.
Advanced Education Programs
Code of Conduct Violation – Waiver of Hearing Form

I, ____________________________, hereby waive my right to a hearing on charges that I have been involved in a violation of the Advanced Education Programs Code of Conduct of the Dental College of Georgia at Augusta University and I agree to accept the decision of the Hearing Subcommittee in this matter.

I have been informed of my rights in this matter and I agree to waive those rights. I understand that I retain my right to appeal any decision reached in this matter.

I execute this waiver of my own free will and with full understanding of my actions and their possible consequences.

Student Name (printed) __________________________________________

Student Signature ______________________________________________________________________

Date: ________________________________________________________________________________

Witness Signature: _____________________________________________________________________

Date: ________________________________________________________________________________

Appendix J