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# **Honor Code Procedures for**

Violations of the Standards of Professional and Ethical Behavior  
University of Missouri-Kansas City School of Nursing

## **I. Jurisdiction of the School of Nursing**

The School of Nursing (SON) shall have jurisdiction over incidents of alleged violations of the University of Missouri-Kansas City School of Nursing's Standards of Professional and Ethical Behavior, Sections IIA and IIB by students accepted into degree programs in the School of Nursing while at the School of Nursing or enrolled in any nursing course or on clinical rotations at affiliated institutions. Alleged violations of the University of Missouri Student Conduct Code as described in Section III will be referred to the Office of the Vice Chancellor for Student Affairs. The Standards of Professional and Ethical Behavior identify areas of conduct which are judged unacceptable for individuals who are either in or aspire to be in the profession of nursing. The Standards of Professional and Ethical Behavior and these Procedures will be distributed to all newly enrolled students during orientation. When a nursing student has been charged with one or more acts of misconduct according to these standards, the Honor Council shall adhere to the following procedures detailed herein.

The Honor Council shall have the authority to recommend sanctions upon any accused appearing before the Council. The disciplinary proceedings described are not to be construed as judicial trials. Care shall be taken, however, to comply as fully as possible with the spirit and intent of these procedural safeguards.

## **II. Sanctions**

The following sanctions may be imposed upon any nursing student found to have violated Sections IIA and IIB of the University of Missouri – Kansas City School of Nursing Standards of Professional and Ethical Behavior:

**Warning** – A notice in writing that the student is violating or has violated the Standards of Professional and Ethical Behavior.

**Probation** – A written reprimand for violation of specific provisions of the Standards of Professional and Ethical Behavior that includes a designated period of time and the probability of more severe sanctions if the student violates any institutional regulations(s) during the probationary period.

**Loss of Privileges.** Denial of specified privileges in the School of Nursing for a designated period of time.

**Discretionary Sanctions.** Work assignments in the School of Nursing, service to the School of Nursing, or other related discretionary assignments in the School of Nursing.

**Suspension from the School of Nursing** – An involuntary separation from the School of Nursing for a specified period of time after which the student is eligible to return. Conditions for readmission may be specified.

**Dismissal from the School of Nursing** – An involuntary separation from the School of Nursing for an indefinite period of time. It does not imply or state a minimum separation time.

**Expulsion from the School of Nursing** – Permanent separation from the School of Nursing.

### **III. Organization of the Honor Council**

#### **A. Composition**

The Honor Council members shall consist of the Chair; three voting faculty members, one representing each program, BSN, MSN, PhD (3 votes); five student members, 4 from the BSN program and one from the MSN or PhD program. Five members or their alternates (2 faculty, excluding the chair, and three students) constitute a quorum. An assigned staff member will assist the Chair in generation of reports and will be present at the hearings to take minutes.

#### **B. Eligibility and Appointment**

Faculty members

Voting members of the faculty who have no more than a 50% administrative appointment are eligible to serve as chair or members of the honor council. Voting members of the School of Nursing Faculty Forum shall elect the chair of the Honor Council and the undergraduate and graduate faculty representatives. Alternates for each position will also be elected.

Student members

In order to be eligible for election to the Honor council, students must be in good standing within the School. A student who is placed on academic or disciplinary probation is ineligible for service on the Honor council. In addition, a student may be determined ineligible for service if his or her membership on the Council is assessed by the Chair not to be in the best interest of the School.

Each BSN class shall elect their student representative and their alternates. The graduate representative and alternate shall be elected from among students in all SON graduate programs.

**C. Time of appointment and Term of Office**

All members shall serve a one-year appointment, with the exception of the chair who will serve 2 years. Members may be serve more than one term if they are re-elected in subsequent years. Members will serve until they resign or a new member is voted into their position.

Election of student members shall be held on an annual basis at the beginning of the academic year, no later than September 15.

Election of faculty will occur at the last spring faculty forum meeting of the year for the next academic year during regular School committee elections. Faculty vacancies are filled by special election.

After fall elections, a preliminary meeting of all members (including the chair) will be held within two weeks in order to discuss the role and function of the Honor Council.

**D. Hearing Panel of the Honor Council**

All faculty representatives including alternate and the three most senior students not in the accused student's class will serve as a hearing panel for the honor code violation. A chair of the Hearing Panel will be elected by simple majority vote of the members of the panel.

Voting by the hearing panel will take place by secret ballot.

The chair of the hearing panel will not vote except in case of a tie among the rest of the hearing panel in which case, the chair shall vote to break the tie. Proxy votes will not be allowed.

**E. Primary Administrative Liaison (PAL)**

A primary administrative liaison (PAL) will be appointed by the Dean for a minimum of a two year term. The PAL is not eligible to serve as a member of the Honor Council while serving as the PAL. The PAL and the Chair, when possible, should be serve overlapping terms. The PAL will draft the charge and represent the School of Nursing in all cases.

## **IV. Procedures for Report of Violation, Investigation, Informal Disposition, and Notice**

### **A. Report of Violation**

An alleged violation of the Standards of Professional and Ethical Behavior should be reported to the PAL of the Honor Council or designee as soon as possible after discovery of the incident. The PAL shall inform the chair and Honor Council of the alleged violation within one week if a hearing will be required. The Chair shall notify the Dean of all accusations. If the PAL determines that no violation occurred then the Dean and the Honor Council will be informed via an annual report submitted at the end of each academic year.

### **B. Preliminary Procedures and Meeting**

The PAL shall determine whether the allegations fall within Sections IIA or IIB, or Section III of the Standards of Professional and Ethical Behavior, and shall refer any allegations of violations of Section III to the UMKC Office of Student Affairs. The PAL shall investigate any reported violation of Sections IIA or IIB before initiating formal conduct procedures.

The PAL will notify the accused, in writing by certified mail, of the allegations brought against him/her prior to the commencement of the preliminary meeting between the PAL and the student. In addition, the student shall receive a copy of these Procedures for Violations of the Standards of Professional and Ethical Behavior along with the written notice. The PAL shall meet with the accused student to give the student the opportunity to present a personal version of the incident or occurrence.

Following the investigation the PAL shall determine the appropriate preliminary outcome: no formal charge of misconduct, informal disposition, or formal disposition involving an honor council meeting. The PAL will notify the Chair and the Dean of the outcome as required in section IV A.

### **C. Informal Disposition**

The PAL shall have the authority to propose appropriate sanctions to the accused student and within a week the student shall accept or reject a proposed informal disposition.

A failure of the student either to accept or reject the informal disposition within the 10 working days shall be deemed to be an acceptance and, in such event, the proposed disposition shall become final upon expiration of such time.

If the student rejects informal disposition, it must be in writing and the matter shall then be forwarded to the Honor Council for a formal hearing.

**D. General Statement of Procedures**

A student charged with a breach of the Standards of Professional and Ethical Behavior is entitled to a written notice of the charge against him or her and a formal hearing unless the matter is disposed of under the rules for informal disposition. Honor Code Procedures are not to be construed as judicial trials and need not wait for legal action before proceeding; however, care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein. The University of Missouri Office of the General Counsel shall be legal adviser to the Committee and to the PAL.

**E. Notice**

The PAL shall initiate formal proceedings by arranging with the chair to call a meeting of the Honor Council and by giving written notice to the accused student by email and by certified mail to the student's last address currently on record with the Office of the Registrar. Failure of the student to have a current correct local address on record shall not be construed to invalidate such notice. The notice shall set forth the date, time and place of the alleged violation and the date, time and place of the hearing before the Honor Council.

**F. Conflicts of Interest**

Any member of the Honor Council may recuse him or herself if he or she believes he or she has a conflict of interest. The PAL or the accused student may raise the question of a member's Conflict of Interest at the initial meeting of the Honor Council to hear the charge against the student, and the Chair will determine whether the member should be recused. The member will be replaced by his or her alternate. If both the member and the alternate are recused, the appropriate electing body will choose a second alternate for this case only. [See Section IIB for election procedures.].

**G. Temporary Suspension**

The Dean or his/her designee may at any time temporarily suspend or deny readmission to a student from the School of Nursing pending formal procedures when the Dean or his/her designee finds and believes from available information that the student would seriously disrupt the School of Nursing or constitute a danger to the health, safety or welfare of members of the School of Nursing Community. The appropriate procedure to determine the future status of the student will be initiated within seven calendar days.

## **V. Procedure for Honor Council Hearing**

### **A. Rights of the Honor Council**

- Hear together cases involving more than one accused student which arise out of the same transaction or occurrence, but in that event shall make separate findings and determinations for each accused;
- Permit a stipulation of facts by the involved accused and the PAL;
- Permit the incorporation in the record by a reference of any documentation produced and desired in the record by the PAL or the accused student;
- Question witnesses or challenge other evidence introduced by either the PAL or the accused student at any time;
- Hear from the PAL about dispositions made in similar cases and any dispositions offered to the student appearing before the Committee;
- Call additional witnesses or require additional investigation;
- Dismiss any action at any time;
- Permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Council before final determination of the case; provided, however, that in such event the Council shall grant to the accused or the PAL such time as the Council may determine reasonable under the circumstances to answer or explain such additional matters; and,
- Dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Council Chair.

### **B. Rights of the Accused Student Upon Hearing** – An accused student appearing before the Honor Council shall have the right to:

- Submit, if he or she should choose to do so, a written response to the charge outlined in the Notice before the scheduled hearing is to commence;
- Review and obtain copies, in advance, of any materials that will be presented by the PAL at the hearing;

- Submit a written request for a list of witnesses to be called by the PAL at the hearing;
- Be present at the hearing;
- Have an advisor or counselor appear with the accused and to consult with such an advisor or counselor before and/or during the hearing; however, the advisor/counselor will not be allowed to question witnesses and/or address members of the Council. The accused student must notify the chair at least 48 hours in advance with the name and relationship of the advisor and the name of any witness that will attend the hearing;
- Hear or examine evidence presented to the Honor Council;
- Question the PAL and any witnesses who testify at the hearing;
- Present evidence by witness, affidavit, or documents in any media;
- Make any statement to the Honor Council in mitigation or explanation of the conduct in question;
- Be informed in writing of the findings and any decisions imposed by the Honor Council;
- Appeal the decision and/or disposition to the Dean and to the Chancellor, as herein provided.

**C. Conduct of the Hearing**

All proceedings of the Honor Council are to be held in confidence by the members. The hearings shall be taped or stenographically recorded. The notice, exhibits, hearing record, verdict, and findings and determination of the Honor Council shall become the record of the Case and shall be filed in the Dean's office at the School of Nursing. The record shall be accessible at the reasonable times and places to both the PAL and the accused student for the purpose of review or appeal.

The Honor Council Chair shall preside at the hearing, call the hearing to order, call the roll of the Honor Council members in attendance, ascertain the presence or absence of the accused student, read the Notice of Hearing and Charge and verify the receipt of Notice of Charge by the accused, report any continuances requested or granted, establish the presence of any advisor or counselor of the accused student, call to the attention of the accused student and the advisor any special or extraordinary procedures to be employed during the hearing, and permit suggestions for or objections to

any procedures for the Honor Council to consider. NOTE: Advisors will not be allowed to question the PAL, witnesses, and/or address members of the Council.

All requests to address the Council shall be addressed to the Chair. The Chair will rule on all requests and points of order and may consult with Council's legal advisor prior to any ruling. The Chair's ruling shall be final, and all participants shall abide thereby, unless the Chair shall present the question to the Council at the request of a member of the Council, in which event, the ruling of the Council by majority vote shall be final.

Rules of common courtesy and decency shall be observed at all times.

**1. Opening Statements:**

- The PAL may make an opening statement outlining the general nature of the case.
- The accused student may make an opening statement to the Council about the charge at this time or at the conclusion of the School of Nursing's presentation.

**2. School of Nursing's Evidence:**

- Witnesses of the School of Nursing are to be called, identified and questioned by the PAL, and any written reports or evidence introduced by the PAL as appropriate.
- The Council may question witnesses at any time.
- The accused student may question witnesses or examine evidence at the conclusion of the PAL's presentation.

**3. Accused Student's Evidence:**

- If the accused student has not elected to make an opening statement previously, he or she shall have the opportunity to make a statement to the Honor Council about the charge at this time.
- The accused student may present evidence through questioning witnesses or by written memoranda or other documents.
- The Council may question the accused student or witnesses at any time.

- The PAL may question witness or examine evidence at the conclusion of the accused student's presentation.

**4. Rebuttal Evidence:**

The Honor Council may permit the PAL or the accused to offer a rebuttal to the other's presentation.

## **VI. Determination of the Honor Council**

Following the hearing, the Council shall promptly deliberate in closed session out of the presence of the accused, the witnesses, and the PAL. The Honor Council shall determine by a simple majority vote based on the evidence presented in the hearing whether they believe the student violated the Standards of Professional and Ethical Behavior as charged, and if so what sanction, if any, is appropriate. Separate findings shall be made as to the conduct of the student and as to the sanction, if any, to be imposed. The Council shall promptly submit its findings and determination in writing to the accused student and to the PAL.

The findings and determination of the Honor Council shall serve as a decision for the School of Nursing.

## **VII. Appeal to the Dean**

If the student so desires, he or she may appeal the decision of the Council to the Dean within 10 business days of the Honor Council decision. A copy of the Notice of Appeal shall be given by the student to the PAL. The student may file a written memorandum for consideration by the Dean with the Notice of Appeal, and the Dean may request a reply from the PAL. The Dean shall review the record of the case and the appeal documents, and may affirm, reverse, or remand the case for further proceedings before the Honor Council.

The Dean shall notify the accused of his or her decision in writing, by certified mail. Copies of the letter will be sent to the Honor Council Chair, the PAL, and will be included with the official hearing file.

## **VIII. Appeal to the Chancellor**

The accused student may appeal from the Dean's decision to the Chancellor or designated representative by filing written notice of appeal with the Chancellor within ten (10) business days after notification of the decision of the Dean. A copy of the Notice of Appeal will also be given by the accused to the Dean of the School of Nursing and to the PAL at the time of filing. The accused student may file a

written memorandum for consideration by the Chancellor with the Notice of Appeal.

The Chancellor or designated representative shall review the record of the case and the appeal documents and may affirm, reverse, or remand the case for further proceedings and shall notify the Dean and the accused student in writing of the decision on the appeal. The action of the Chancellor shall be final unless it be to remand the matter for further proceedings.

## **IX. Status during the Appeal**

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

## **X. Status of the Standards of Professional and Ethical Behavior**

Amendments to the Standards of Professional and Ethical Behavior and/or Honor Council Procedures for Violations may be proposed by petition of any twenty-five members of the student body, or the Honor Council on its own motion, or the faculty.

A proposed amendment in the Standards of Professional and Ethical Behavior and/or Honor Council Procedures for Violations must be approved by a 2/3 majority vote of the Honor Council members present (all members have the right to vote on amendments = 9 votes), by a 2/3 majority vote of the faculty present, by the Chancellor, and by the Board of Curators.

The Standards of Professional and Ethical Behavior and/or Honor Council Procedures for Violations may be terminated at any time by action under the general amending procedure.