

WVU Dental Hygiene Professional Performance Standards

**West Virginia University
School of Dentistry
Department of Dental Hygiene**

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WVU Dental Hygiene Professional Performance Standards

SECTION 1. PURPOSE & SCOPE

1.1 Purpose

Health care professions occupy a unique position in American society in that they are accorded certain privileges not given to the population at large. In return for these privileges, society demands that each profession maintain certain standards in the preparation, licensing, and practice of its members. These standards are especially significant in health professions, such as dental hygiene because the members of the profession are licensed to engage in activities that directly affects the physical and emotional well-being of other human beings.

As part of its mission to educate and train high quality health care professionals, the West Virginia University School of Dentistry Department of Dental Hygiene has an obligation to evaluate students pursuing the bachelor's degree in dental hygiene as thoroughly as possible for their cognitive and non-cognitive abilities, their academic knowledge and skills, professionalism, integrity, and their suitability for the practice of dental hygiene. These standards also reflect the Accreditation Standards for Dental Hygiene Programs published by the Commission on Dental Accreditation of the American Dental Association.

In order to reach the goals and fulfill the mission of the School of Dentistry, the requirements and regulations contained herein are subject to continuing review and change. The School of Dentistry, Department of Dental Hygiene, therefore, reserves the right to change, delete, supplement, or otherwise amend the information, requirements, rules, and policies contained herein without prior notice.

1.2. The WVU Dental Hygiene Professional Performance Standards incorporate the [WVU Campus Student Code](#) with additional standards as delineated in this document.

1.3. Jurisdiction

1.3.1. Dental Hygiene Professional Standards Scope

1.3.1.1. The policy set forth in this section applies to all intramural and extramural academic settings of the dental hygiene curriculum including, but not limited to, lectures, examinations, laboratories, recitations, seminars, teaching clinics and rural sites at the West Virginia University Health Sciences Center or its affiliates, and all on campus and off campus activities, and are in conformity with the West Virginia University Board of Governors Governance Rule 1.6, Academic Rule 2.5, and Student Life Rule 6.1.

1.3.1.2. Conduct from the time of application for admission through the actual awarding of a degree, even if conduct occurs before classes begin or after classes end as well as during the academic year and during periods between terms of actual enrollment, is subject to this Campus Student Code. The Campus Student Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending and even if the student's conduct is not discovered until after a degree is awarded.

1.3.2. WVU Campus Student Code Jurisdiction

This Campus Student Code shall apply to conduct that occurs on University premises; at University sponsored activities; to conduct that does not occur on University premises but adversely affects or interferes with the educational or orderly operation of the University, its mission, or the pursuit of its objectives; to conduct that does not occur on University premises but, in light of all of the facts and circumstances, would endanger the health, safety, or property of the University, the University Community, or its neighboring communities; and to conduct that occurs on or off of University premises or property which violates federal, state, or local laws, policies of the West Virginia University Board of Governors, institutional or campus rules or regulations, directives of University officials, including failing to observe standards of conduct which are appropriate for an academic institution

1.4. These professional performance standards cover all behavior and conduct that demonstrate by clear and convincing evidence that a student possesses the professional qualities necessary for the practice of dental hygiene and gives exclusive authority in such matters to the Department of Dental Hygiene, School of Dentistry, as part of the WVU Health Sciences Center.

1.5. In order to reach the goals and fulfill the mission of the School of Dentistry, the requirements and regulations contained herein are subject to continuing review and change. The School of Dentistry, Department of Dental Hygiene, therefore, reserves the right to change, delete, supplement, or otherwise amend the information, requirements, rules, and policies contained herein without prior notice.

SECTION 2. REQUIREMENTS, RIGHTS AND OBLIGATIONS

Dental Hygiene Student Rights and Responsibilities apply to all students enrolled in the Dental Hygiene Program.

2.1. Requirements and Rights of the School

The School of Dentistry, Department of Dental Hygiene, requires that all enrolled students:

2.1.1. Achieve an integrative mastery of the discipline of Dental Hygiene, maintain the motivation to gain such mastery, develop the professional skills required for Dental Hygiene degree, and demonstrate the professional responsibility necessary for the practice of Dental Hygiene;

- 2.1.2. Be considerate toward patients, instructors, staff, and each other;
- 2.1.3. Fulfill the criteria and requirements for satisfactory academic and clinical progress and successful completion of the Dental Hygiene curriculum as stated in the following policies and documents:
- West Virginia University Catalog;
 - Syllabus of each course;
 - Dental Hygiene Clinical Manual;
 - Dental Hygiene Academic Standards;
 - Dental Hygiene Professional Performance Standards;
 - Dental Hygiene Academic Integrity Policy;
 - HSC COVID Professionalism Policy;
 - WVU School of Dentistry Policy on Professional Appearance;
 - Department of Dental Hygiene Professional Appearance and Attire Addendum; and
 - Comply with any other published rules of procedure, conduct, and appearance required by the School of Dentistry and/or Department of Dental Hygiene and West Virginia University for all academic and clinical settings and all on campus and off campus behavior and activities.
- 2.1.4. Due to the serious responsibilities of the Dental Hygiene profession and the necessity to maintain public trust in the profession, students face disciplinary action by the Department of Dental Hygiene and the School of Dentistry if they abuse alcohol or drugs, consume illegal drugs, or possess, distribute, or sell drugs illegally.
- 2.1.4.1. Students may be subject to drug or alcohol testing, at their own expense, by the Department of Dental Hygiene and the results of such test will be made known to the Chair, DHAPS Committee, and School of Dentistry Administration.
- 2.1.4.2. Students suspected of any illegal drug or alcohol activity and/or students that exhibit behavior consistent with that activity will face immediate suspension (See 4.1.4.). This suspension will be imposed immediately, prior to any drug or alcohol testing.

2.2. Statement of Student's Rights:

- 2.2.1. All students enrolled in the Dental Hygiene Program have academic rights as defined in [BOG Academics Rule 2.5 – Student Rights and Responsibilities](#) and the [BOG Student Life Rule 6.1 – Student Rights and Responsibilities; Student Conduct](#).
- 2.2.2. Students have access to the [WVU Dental Hygiene Program Polices and documents](#) the [WVU Policies](#).

- 2.2.3. Students shall support these professional performance standards and report any violations they may witness to the faculty in charge at the time of the incident. No reprisals of any kind shall be taken by any member of the University community against any individual who asserts his/her rights.

2.3 Obligations of Faculty:

Instructors must immediately report all alleged violations of the Dental Hygiene Professional Performance Standards to the Department Chair. Should the Chair decide that the matter warrants submission to the Dental Hygiene Academic and Professional Standards (DHAPS) Committee for findings of fact, the instructors must await the outcome of the investigation. No reprisals of any kind shall be taken by any member of the University community against any individual who asserts his/her rights.

2.4. Additional Resources for Faculty and Students:

The Chair, acting on behalf of the DHAPS Committee, may file a report or referral to any of these resources listed below. Additionally, these resources are available to all students, staff, and faculty at any time without referral. These resources include, but are not limited to:

2.4.1. [WVU Safety and Wellness](#)

WVU is dedicated to providing a safe learning, working, and living environment for our students, faculty, staff, and visitors. Information on this website includes safety information and resources, programs, training, wellness, inclusion, a link to report a concern, and emergency information.

2.4.2. [WVU Care Team](#)

All students, staff, and faculty are encouraged to utilize the WVU Care Team for assistance with students that are at-risk.

2.4.3. [WVU Division of Diversity, Equity, and Inclusion](#)

The Division of Diversity, Equity, Inclusion works with all communities on the campus to ensure a safe and inclusive environment based on the belief that all students and employees, regardless of their backgrounds, race, sexual orientation or religious preference, deserve to benefit from a diverse learning environment.

2.4.4. [WVU Title IX Office of Equity Assurance](#)

The Title IX Office of Equity Assurance offers resources and support concerning discrimination, harassment, sexual and domestic misconduct, certain consensual relationships, stalking, and retaliation.

2.4.5. [WVU Carruth Center](#)

The Carruth Center offers Psychological and Psychiatric Services for students.

2.4.6. [WVU Student Support Services](#)

Student Support Services provides individualized services to students who are either first-generation, income eligible, or have a learning or physical disability. Based on student needs and goals, SSS assists with academic accomplishment and

social and cultural enrichment so that students may successfully complete baccalaureate degrees.

2.4.7. [WVU Center for Veteran, Military, and Family Programs](#)

The Center for Veteran, Military, and Family Programs provide support program for veterans, military personnel, and/or their dependents.

2.4.8. [WVU Student Family Resources](#)

Student Family Resources support retention, recruitment, and wellness of students who are parents.

SECTION 3. PROFESSIONAL PERFORMANCE STANDARDS

3.1. At all times, student's personal behavior must adhere to these professional standards, the WVU Campus Student Code, and any other published rules of procedure, conduct, and appearance required by the School of Dentistry and/or Department of Dental Hygiene and West Virginia University for all academic and clinical settings. These criteria apply to both the conduct of his/her personal affairs (as it applies to, and reflects upon, one's professional abilities) as well as his/her interpersonal conduct as a member of the student body of the Department of Dental Hygiene, School of Dentistry, West Virginia University.

3.2. Personal Appearance

Students are required at all times to comply with the requirements for dress and appearance contained in the documents entitled "The WVU School of Dentistry Policy on Professional Appearance" and "The Department of Dental Hygiene Professional Appearance and Attire Addendum" for all academic and clinical settings and all on campus and off campus behavior and activities.

3.3. Integrity

Students shall maintain the highest levels of professionalism and integrity in regard to their behavior or conduct both within and externally to the Health Sciences Center and its affiliates and all on campus and off campus activities.

3.3.1. Follow the specific rules of conduct established in West Virginia University Policy on Student Academic Integrity (Morgantown).

3.3.2 Follow the specific rules of conduct established in WVU Dental Hygiene Academic Integrity Policy.

3.4. Personal Behavior/Conduct

At all times, students are expected to:

3.4.1 Abide by federal, state, and local laws, statues, and ordinances;

3.4.2. Observe the policies, rules, and regulations of the WVU Board of Governors, West Virginia University, School of Dentistry, and Department of Dental Hygiene;

- 3.4.3. Obey the lawful direction and orders of the officers, faculty, and staff of the University, School of Dentistry, and Department of Dental Hygiene, who are charged with the administration of institutional affairs;
- 3.4.4. Attend all classes, laboratory, and clinic sessions unless excused (See Dental Hygiene Attendance Policy);
- 3.4.5. Be dedicated to excellence in patient care, be conscientious in carrying out assigned duties, follow the guidance of instructors, and accept responsibility for one's own actions;
- 3.4.6. Respect and safeguard patients' privacy and confidentiality and maintain the privacy and security of patient records under HIPAA;
- 3.4.7. Be considerate and respectful towards patients, their families, instructors, staff, and other students;
- 3.4.8. Assure that all patient record entries are accurate and complete;
- 3.4.9. Recognize the rightful ownership of equipment, instruments, books, supplies, and personal belongings;
- 3.4.10. Be professional in all forms of communication when utilizing the internet, electronic networking, and other media. The capacity to record, store, and transmit information in electronic format brings responsibilities to those working in healthcare with respect to privacy of patient information and ensuring public trust in our participating hospitals, institutions and practice sites. (See [WVU HSC Social Media Guidelines](#))
- 3.4.11. Refrain from behavior incompatible with the responsibilities of the Dental Hygiene profession, and follow the specific rules of conduct established in West Virginia University Campus Student Code and the WVU Policy on Student Academic Integrity (Morgantown).

3.5. Prohibited Behaviors

At all times, students shall be free from violations of the civil and criminal code. These criteria apply to both the conduct of the student's personal affairs (as it applies to, and reflects upon, one's professional abilities) as well as the student's interpersonal conduct as a member of the student body of the Department of Dental Hygiene, the School of Dentistry, and West Virginia University.

- 3.5.1. The following are examples of behavior/conduct that are expressly forbidden. However, the lists are not intended to be all-inclusive:
 - 3.5.1.1. All prohibited behaviors as defined in the [WVU Campus Student Code](#):
 - Sexual misconduct
 - Prohibited drug related conduct

- Prohibited alcohol related conduct
- Impermissible burning
- Riotous behavior and hooliganism
- Aiding, abetting, assisting, or facilitating prohibited behavior
- Attempting or causing physical harm to another
- Misconduct at the University athletic events, concerts, or other events
- Violation of federal, state, or local law
- Endangerment
- Obstruction or disruption
- Indecent exposure
- Obscene conduct
- Theft
- Damage, vandalism, or misuse of property
- Prohibited computer or electronic activity
- Tampering with emergency response equipment
- Making false reports
- Hazing
- Stalking
- Harassment
- Discrimination
- Domestic misconduct
- Retaliation
- Academic dishonesty
- Tampering with or falsifying a record
- Intrusion of privacy
- Possession of deadly weapons or destructive devices
- Unauthorized use of keys or other access devices
- Attempting to engage in an act prohibited by the Campus Student Code
- Deceptive organizational practices
- Abuse of the Campus Student Code

3.5.1.2. Behavior or conduct that demonstrates a deficiency in personal qualities necessary for the practice of Dental Hygiene include:

- Misuse of the internet, social networking sites, and blogs;
Examples of information that should not be shared on social networking, blog sites, and instant messaging services are:
- Reporting on or about official medical activities and/or patient's personal health information.
- Requiring patients to participate in "social networking" activities to influence or maintain the provider/patient relationship.
- Posting of and/or the discussion of student grades, evaluations, course feedback, etc.
- Reviewing profiles of patients.
- Participating in activities that may compromise the provider/patient or faculty/student relationship.
- Providing medical advice on social networking sites.

- 3.5.1.3. Students shall not engage in behavior or conduct that demonstrates a lack of personal qualities necessary for the practice of Dental Hygiene or that may reflect adversely on the Dental Hygiene profession, the Department of Dental Hygiene, the School of Dentistry, or West Virginia University.

3.6. HSC COVID Professionalism Policy

Many activities occur daily within the Health Science Center, including provision of direct patient care, research, and didactic and laboratory based education. Students enrolled in Health Sciences degree programs or working in the Health Sciences Center encounter other students, faculty, staff, and patients on a regular basis. Failure to adhere to guidance related to public health, including but not limited to, appropriate use of personal protective equipment; social distancing; instructions for gathering in campus buildings; instructions for gathering when off campus; reporting of possible exposure; cooperation in contact tracing efforts; and instructions for self-isolation could result in illness or death of high risk patients, faculty, staff, or classmates; interruption of educational activities for large groups of students; or significant disruption to research activity within Health Sciences.

Students enrolled in Health Sciences degree programs or working in the Health Science Center are expected to abide by University, Health Sciences Center, [WVU Research Office](#), and program-specific requirements related to public health and professionalism.

Students who interact with patients on clinical rotations and participating in practice laboratories are expected to wear, at a minimum, a facemask and protective eyewear/face shield. Individual rotation environments and practice laboratories may have additional PPE requirements (e.g., N95 mask) due to the types of procedures performed which may lead to increased risk of transmission, and students are required to follow any additional requirements in those environments.

When students are off campus, they are expected to follow [local ordinances](#), [state mandates](#), and [CDC recommendations](#) regarding use of PPE and social gatherings.

Failure to follow these requirements is a violation of the WVU [Campus Student Code](#) and the professionalism codes of HSC degree programs. Alleged violations will be reported, investigated, and handled in accordance to with program policies and procedures.

These health and safety policies are for the protection of the University community, as well as patients and their families. Following these policies will help mitigate the spread of COVID-19. However, it is inevitable that individuals within our community will test positive for COVID-19, and all students are expected to treat all other students, faculty, staff, and patients with respect. Alleged behavior that creates a hostile environment or constitutes retaliation, as outlined in [BOG Rule 1.6](#), will be reported, investigated, and handled in accordance to with program policies and procedures.

Students found responsible for refusing to comply with requirements or engaging in prohibited behavior will be subject to professionalism sanctions, up to and including program dismissal. Students may be concurrently subject to University sanctions based upon University policies.

Because failure to comply with these policies place students and other individuals on campus at significant risk, students failing to comply may be subject to interim measures, including interim suspension, as described in the WVU [Campus Student Code](#) or individual program policies.

While the specific recommendations included in this policy apply to COVID-19, the requirement to comply with guidelines related to public health and professionalism also apply to any future communicable pandemic infections.

WVU What You Need to Know

Students are expected to review university level rules and guidance related to COVID-19. Updated information regarding academics, campus safety, public health, student life, testing can be accessed through the [What You Need to Know](#) webpage.

Special Considerations for Healthcare Professionals

Additional information for [healthcare professionals](#) is available through the CDC.

The following examples of behavior could result in sanctions, as put forth in this policy. This list is not an all-inclusive list. We are asking you to embrace these public health policies related to COVID-19 transmission and spread as part of your oath of professionalism and shared responsibility as a member of the Health Sciences community.

1. Failure to disclose positive test result or providing false information about activities or travel to program administrators or during contact tracing.
 - Failure to disclose a positive test result or providing false information will be considered a serious violation of professional standards.
2. Failure to follow quarantine guidelines in place at the time you travel.
 - While students may travel for personal reasons, all students must observe quarantine guidelines regardless of reason for travel.
 - If you miss classes for quarantine due to personal travel, faculty are not obligated to make up material.
 - Failure to proactively disclose travel will be considered a serious violation of professional standards.
3. Failure to follow local restrictions in place for social gatherings while off-campus.
4. Not wearing a face covering while in the Health Sciences Center.

SECTION 4. CONSEQUENCES OF FAILURE TO MEET PROFESSIONAL PERFORMANCE STANDARDS

4.1. Definition of Sanctions

A student enrolled in the WVU Dental Hygiene Program who fails to meet performance standards will be subject to one or more of the following academic penalties/sanctions:

4.1.1. Professional Warning

A student will receive a professional warning letter for not following the standards as defined in Section 3.2. The DHAPS Committee may impose a sanction up to and including dismissal based on the severity of the violation of Section 3.2.

4.1.1. Professional Probation

The sanction of professional probation is imposed by the DHAPS Committee and is accompanied by a statement of conditions that must be met in order for the student to have the sanction removed.

4.1.1.1. The conditions of probation must be satisfied by the time period as defined by the DHAPS Committee or the student may be subject to further sanctions up to and including dismissal from the program. (See Dental Hygiene Professional Performance Standards)

4.1.2. Professional Suspension

The DHAPS Committee imposes this sanction. Suspension may not exceed one year. During the period of suspension, the student must petition the DHAPS Committee for reinstatement.

4.1.2.1. The DHAPS Committee reviews the petition, determines if the conditions of the suspension have been met and whether or not the student has the potential to successfully complete the Dental Hygiene degree, and determines if the student should be reinstated and at what level in the program.

4.1.3. Dismissal from the Dental Hygiene Program

Dismissal is defined as termination of student status, including any right or privilege to receive some benefit or recognition or certification. The DHAPS Committee imposes this sanction. Dismissal is imposed as a result of deficiencies in meeting the professional performance standards considered by the Committee to be serious enough to terminate the student's continuation in the Dental Hygiene curriculum. A student may be dismissed due to failure to meet the Dental Hygiene professional performance standards and remain eligible to enroll in courses in other programs at the institution, or a student may be dismissed from the institution and not remain eligible to enroll in other courses or programs at the institution, including other divisional campuses ([BOG Student Life Rule 6.1](#)).

4.1.3.1. Dismissal due to Professional Performance

4.1.3.1.1. One violation may result in dismissal from the Dental Hygiene Program if the violation is severe or egregious as determined by the DHAPS Committee.

4.1.3.1.2. Two violations of similar nature may result in dismissal from the Dental Hygiene Program as determined by the DHAPS Committee.

4.1.3.1.3. Three violations of any standards will result in dismissal from the Dental Hygiene Program.

4.1.3.1.4. Any finding of responsibility for incidents reviewed through the Academic Dishonesty Conduct Process outlined in the WVU Dental Hygiene Academic Integrity Policy will be considered a violation of Professional Performance Standards for purposes of dismissal due in accordance with this policy and Section 6.3.3.1 of the Dental Hygiene Academic Integrity Policy.

4.1.3.2. **Dismissal Based Upon Other Sanctions**

The DHAPS Committee reserves the right to dismiss students based on other sanctions that may be imposed, instead of, or in addition to, those specified, where those sanctions bear a reasonable relationship to the nature and severity of the violation.

4.1.4. **Interim Suspension**

Immediate interim disciplinary action may be taken as appropriate under the circumstances and conditions for a specific time period as may be determined by the Chair of the DHAPS Committee, in consultation with School of Dentistry Administration, in order to ensure the safety and well-being of the patients, students, faculty, staff, community or to preserve University property; to ensure the student's own physical or emotional safety and wellbeing; or to deter a threat of disruption or interference with the normal operations of the Department, School, and University.

4.1.4.1. **Imposition of Interim Suspension**

The Chair may impose an interim suspension prior to a formal meeting or other disposition of allegations against a student when the Chair has reasonable cause to believe that a student's presence on University premises presents: (a) a significant risk of substantial harm to the student, patients, other individuals, or property; or (b) an ongoing threat of disrupting the normal operations of the Department, School, and University.

4.1.4.2. **Conditions of Interim Suspension**

During an interim suspension, the suspended student may be denied access to all or some of the property owned or controlled by the University and to all or some other University activities or privileges for which the student might otherwise be eligible, provided that such restrictions are stipulated in the interim suspension notice.

4.1.4.3. Procedure for Interim Suspension

4.1.4.3.1. Notice

If the Chair imposes an interim suspension, then the student will receive written confirmation of the interim suspension. The notice will state the facts and circumstances warranting the interim suspension.

4.1.4.3.2. Review

Within three (3) academic days of the imposition of the interim suspension, the student may petition the Dean to review the reliability of the information concerning the alleged harm or ongoing threat. The petition for review must be in writing and may include evidence supporting the student's position that the student does not pose or no longer poses a significant risk of substantial harm to the individual, others, or property or an ongoing threat of disrupting the normal operations of the Department, School, and University.

4.1.4.3.3. Final Determination

If, after considering the petition for review and evidence, the Dean of Students or designee affirms the decision to interim suspend, the matter will proceed promptly to a hearing without undue delay, unless additional time is requested by the student. However, if, after considering the petition for review and evidence, the Dean determines that the student has established by a preponderance of the evidence that the student does not pose or no longer poses a significant risk of substantial harm to the individual, others, or property or an ongoing threat of disrupting the normal operations of the Department, School, and University, the interim suspension will be lifted, and the matter will proceed according to the normal professional performance process.

4.2. Any sanctions imposed by West Virginia University or the court system will be in addition to those levied by the DHAPS Committee and the School of Dentistry.

SECTION 5. DETERMINATION OF SANCTIONS

5.1. DHAPS Committee

The DHAPS Committee is a standing committee of the School of Dentistry appointed annually by the Dean to review student progress. The Committee is composed of membership from the Department of Dental Hygiene. Other course directors, administrators, staff, students, or any other persons that may be involved are invited, as appropriate. Non-voting members are recommended to be present for the initial discussion regarding all students enrolled in the curriculum at mid-semester and at the end of the semester. Non-voting members can attend informal hearings and special meetings and be involved in the deliberation but are excused prior to the Committee vote.

5.2. Professional Performance

The DHAPS Committee may be convened at any time, as warranted by specific circumstances. Additionally, the Committee meets at each midterm and at the end of every term in order to evaluate the progress of each student.

5.3. Complaints or Allegations of Misconduct

5.3.1. Alleged violations of the Dental Hygiene Professional Performance Standards shall be reported by a student or faculty in a signed, written document to the Chair of Dental Hygiene or his/her designee as soon as possible following the alleged violation or the date on which the individual knew of the violations. The report should be filed no longer than 48 hours after the known violation.

5.3.2. Regardless of whether a formal complaint is filed, allegations of student misconduct, from any credible source, will be reviewed by the Chair of Dental Hygiene office or his/her designee.

5.3.3. No complaint or allegation of misconduct will be investigated more than one (1) year after the alleged misconduct took place or after the alleged misconduct should have been discovered, unless good cause is shown for the delay.

5.4. Initial Review

5.4.1. The Chair shall screen all complaints or allegations of misconduct to eliminate frivolous accusations and decide whether the complaint should be forwarded to the DHAPS Committee for review.

5.4.2. The Chair shall bring the formal complaint or allegation to the DHAPS Committee within ten (10) academic days after determining if the case warrants findings of fact.

5.5. DHAPS Committee Responsibilities

5.5.1. The DHAPS Committee shall review the case within ten (10) academic days after receipt of the complaint or allegations and determine the potential sanction(s) if the Accused Student is found responsible.

5.5.1.1. In deciding potential sanctions, the DHAPS Committee Chair may consult with the appropriate University officials and ensure that the sanctions sought are commensurate with the alleged violations and the Accused Student's prior Student Code of Conduction Violations, if any.

5.5.2. The DHAPS Committee Chair will inform the Accused Student in writing of the allegation(s) ("Charge"), specifying which standards(s) was/were alleged to have

been violated, describing the actions and circumstances on which the charges are based, noting the person(s) or agency bringing the allegation(s), and identifying the potential sanction(s) within ten (10) academic days after the DHAPS Committee meeting.

- 5.5.2.1. The Charge shall be delivered electronically to the Accused Student through the University's designated student e-mail system regardless of where the student resides or, if necessary, by any other means reasonably designed to ensure the Accused Student receives it.
 - 5.5.2.2. The Charge shall include written notice to the Accused Student that prior student code and/or professional performance violations may be considered in the determination of sanctions and that the Accused Student will be provided an opportunity to address any such information.
 - 5.5.2.3. The Charge shall identify a date and time for the Accused Student to meet with the DHAPS Committee, its procedures, and the remedial options available to the Accused Student, including whether the DHAPS Committee and the Accused Student can agree on the facts and, if warranted, identify a mutually-agreeable sanction to be imposed.
- 5.5.3. DHAPS Committee shall reconvene or conduct a student conference on the case within ten (10) academic days after receiving written documentation from the Accused Student or, with in case of failure to respond by the Accused Student, within ten (10) academic days of the date when the Charge was sent via email. (See Section 5.6.)
- 5.5.4. Any sanctions imposed by West Virginia University or the court system will be in addition to those levied by the DHAPS Committee and the School of Dentistry.

5.6. Student Responsibilities

- 5.6.1. Within ten (10) academic days of the date when the Charge was sent via email, the student must inform the DHAPS Committee Chair, in writing, of one of the following:
- 5.6.1.1. Accept the potential sanctions as described in the Charge (Agreed Resolution).
 - 5.6.1.1.1. The DHAPS Committee will reconvene within ten (10) academic days after receipt of the written acceptance to formally sanction the Accused Student.
 - 5.6.1.1.2. Notice of Outcome
The Accused Student will receive written notification of the formal sanction within (10) academic days after the Committee meeting.

5.6.1.1.3. The formal sanction shall be final and not subject to any subsequent proceedings unless the Accused Student submits a written objection to cancel the Agreed Resolution to the DHAPS Committee Chair within one (1) academic day of the date it was signed. If the Accused Student objects to the sanction and no further agreement can be reached, the matter shall proceed in accordance with 4.3.1.2 below.

5.6.1.2. Request to meet with the DHAPS Committee

The student may request to meet with the DHAPS committee.

5.6.1.2.1. For proposed sanctions other than suspension or dismissal, the DHAPS committee will hold a conduct conference.

5.6.1.2.2. For proposed sanctions of suspension or dismissal, the DHAPS committee will hold a formal hearing.

5.6.1.3. Failure to respond

5.6.1.3.1. The DHAPS Committee will reconvene within ten (10) academic days of the date when the Charge was sent via email. This DHAPS Committee will formally sanction the Accused Student at this time.

5.6.1.3.2. Notice of Outcome

After consideration of the evidence, the Accused Student will receive a written notification of the outcome within ten (10) academic days of the date when the Charge was sent via email. The Outcome Letter shall plainly state the decision and shall plainly state the rationale for the decision; in the event that the Accused Student is found responsible for any part of the Charge, the Outcome Letter will include a brief statement of the facts, the assigned sanction, and an explanation of appeal rights.

5.6.1.3.3. The Outcome Letter that is issued following the meeting may be appealed in accordance with Section 6 and 7.

5.7. **Academic Integrity**

All University imposed sanctions as listed above will be upheld by the DHAPS Committee.

5.7.1 In the event a student is held responsible through the Academic Dishonesty Conduct Process, the Chair or designee shall review the outcome to determine if there is a need for review through the Academic Standards process or the Professional Performance Standards Process or both.

5.7.2. The DHAPS Committee will follow the processes and sanctions as determined in the Dental Hygiene Academic Standards document and the Dental Hygiene Professional Performance Standards document. The outcome(s) from these processes are separate sanctions from those imposed by the University.

5.8. Complaints or Reports of Discrimination, Harassment, Sexual & Domestic Misconduct, Stalking, and Retaliation

Upon receipt of complaints or reports of discrimination, harassment, sexual & domestic misconduct, stalking, and retaliation, the Chair or designee shall review the outcome and forward it to the [WVU Division of Diversity, Equity and Inclusion](#) and the Student Campus Code Administrator.

5.8.1. The Dental Hygiene Professional Performance processes and appeals will be conducted, if instructed by, with guidance from the WVU Division of Diversity, Equity and Inclusion and the Student Campus Code Administrator.

5.8.2. Accused students may be suspended immediately (See Section 4.4.1.).

5.8.3. Any professional performance sanction(s) as a result of sanction from the WVU Division of Diversity, Equity, and Inclusion and the Student Campus Code Administrator are separate from those imposed by the University.

SECTION 6. CONDUCT CONFERENCE AND HEARING PROCESSES

6.1 Conduct Conference (for probation and other professional standards sanctions)

The administrative disposition of complaints not seeking suspension or program dismissal shall be handled by an informal conference between the Accused student and the DHAPS committee ("Conduct Conference"). The Conduct Conference will be used for determining responsibility and a sanction for matters or situations in which the alleged actions, if true, would not justify a suspension or dismissal.

6.1.1. Opportunity to Present Evidence

During a Conduct Conference, an Accused Student will be given an opportunity to present evidence to the DHAPS committee to determine whether the Accused Student is responsible for violating the WVU Dental Hygiene Professional Performance Standards as accused.

6.1.2. Notice of Outcome

After consideration of the evidence, the student is entitled to written notification of the outcome of the Conduct Conference ("Outcome Letter"). The DHAPS Committee's determination of responsibility shall be based on a preponderance of the evidence. Each Outcome Letter shall plainly state the decision and shall plainly state the rationale for the decision; in the event that the student is found responsible for any part of the Charge, the Outcome Letter will include a brief

statement of the facts relied upon by the DHAPS Committee, the assigned sanction, and an explanation of appeal rights.

6.1.3. Appeal

The Outcome Letter that is issued following a Conduct Conference may be appealed in accordance with Section 7 below.

6.2. Hearing (for suspension or dismissal)

6.2.1. When necessary, a hearing shall be scheduled by the DHAPS Committee not fewer than ten (10) academic days following the attempt to reach an Agreed Resolution. Maximum time limits for scheduling of hearings may be extended at the discretion of the Department Chair or designee.

6.2.1. Hearings shall be conducted according to the following:

6.2.1.1. Hearings shall be conducted in private.

6.2.1.2. The Chair or designee will present the facts and information obtained from the investigation to the DHAPS Committee.

6.2.1.3. The Accused Student and the Chair or designee may make statements and ask questions of witnesses.

6.2.1.4. All procedural questions are subject to the final decision of the DHAPS Committee Chair.

6.2.1.5. Formal rules of evidence shall not apply, nor shall deviations from prescribed procedures necessarily invalidate a decision or proceeding, unless significant prejudice to a student, the Department, or the University results. Rather, the DHAPS Committee shall have the authority to decide any issues regarding relevancy or admissibility that may arise during the hearing.

6.2.1.6. The DHAPS Committee Chair shall have the authority to discharge or to remove any person whose presence is deemed unnecessary or obstructive to the proceedings.

6.2.1.7. Any member of the DHAPS Committee may ask questions of a witness.

6.2.1.8. Consideration of all evidence by the DHAPS Committee shall be at the committee's discretion.

6.2.2. Attendance

If an Accused Student, after receiving a Hearing Notice, does not appear for a hearing, the hearing will proceed without the Accused Student. However, no inference may be drawn against an Accused Student for failing to attend a hearing

and no decision shall be based solely on the failure of the Accused Student to attend the hearing.

6.2.3. Legal Counsel or Advisors

The Accused Student and any other student participating in the conduct process, if any, may have an advisor accompany him or her to a hearing for charges seeking suspension or dismissal. The advisor may be an individual that is either a member of the faculty, staff, or a student at West Virginia University. Advisors may participate in the proceedings consistent with the DHAPS Committee Chair's instructions.

Instead of or in addition to an advisor, the Accused Student may be represented by legal counsel at a hearing for charges seeking suspension or dismissal. Any lawyer appearing at a hearing on a student's behalf must be licensed to practice law in the State of West Virginia and can actively participate in the hearing.

A student should select an advisor or legal counsel whose schedule allows attendance at the scheduled date and time for the hearing. Delays will not normally be allowed due to the scheduling conflicts of an advisor or legal counsel. Further, failure to secure an advisor or legal counsel will not cause a hearing to be postponed or canceled.

6.2.4. Deliberations

After the portion of the hearing concludes in which all pertinent information has been received, the DHAPS Committee shall privately deliberate whether the Accused Student is responsible as charged. After determining whether the student is responsible for the alleged conduct by the DHAPS Committee, the Accused Student shall be notified of the finding by the DHAPS Committee Chair. In some instances, the DHAPS Committee Chair may take matters under advisement and send written notification to an Accused Student of the committee's decision in a timely manner.

6.2.5. Standard of Proof

The DHAPS Committee's determination of responsibility shall be based on a preponderance of the evidence. "Preponderance of the evidence" means evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which, as a whole, shows that the fact sought to be proved is more probable than not.

6.2.6. Imposition of Sanctions

In the event that an Accused Student has been found "Responsible" on any charge, the DHAPS Committee may receive additional information regarding the student's academic transcript and student conduct history, request proposed sanctions from the Accused Student, and hear impact statements by both the Accused Student and victim(s) (if any). After receiving the aforementioned information, the DHAPS Committee shall deliberate on the sanction(s) in private. After a sanction has been

determined by the DHAPS Committee, the Accused Student shall be notified of the sanction(s) by the DHAPS Committee Chair as soon as reasonably possible.

6.2.7. Notice of Outcome

After a decision is made, the student is entitled to written notification of the outcome of the hearing ("Outcome Letter"). Each Outcome Letter shall plainly state the decision and shall plainly state the rationale for the decision; in the event that the student is found responsible for any part of the Charge, the Outcome Letter will include a brief statement of the facts relied upon by the DHAPS Committee, the assigned sanction(s), and an explanation of any appeal rights.

6.2.8. Transcript of Proceedings

6.2.8.1. All hearings will be recorded. The Department of Dental Hygiene will maintain the audio recordings of all hearings (not including deliberations) which remain the property of the University. Participants are prohibited from making their own recordings. Upon written request, an Accused Student shall be provided access only in compliance with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g (2015)) and pursuant to any other conditions for access as may be deemed necessary by the Dean or his/her designee.

6.2.8.2. All hearings are recorded using technology chosen by the DHAPS Committee; however, alternative recording methods, i.e., a court reporter, may be requested by an Accused Student, provided, however, that the Accused Student shall bear the full expense of the alternative recording method. To accommodate such a request, all involved students must provide written consent in advance of the scheduled hearing.

SECTION 7. APPEALS OF PROFESSIONAL PERFORMANCE SANCTIONS

7.1. General Information

7.1.1. Students who have violated the Dental Hygiene Professional Performance Standards, as determined by the DHAPS Committee, may appeal the decision and/or the imposed sanction within five (5) academic days from the date that the Outcome Letter is sent. If the student does not submit an appeal within the prescribed time, the sanction(s) will be applied, no appeal will be considered, and the matter will be concluded.

7.1.2. Sanctions are stayed pending the appeal outcome. However, if the conditions for interim suspension outlined in Section 4 are met, a student may be placed on interim suspension until the appeal process is complete.

- 7.1.2.1. Students who are unsuccessful in the appeal process will be withdrawn from current classes within the Dental Hygiene Program consistent with the University's deadlines and policies.
- 7.1.2.2. Dismissal from the WVU Dental Hygiene Program must be communicated to the Associate Provost for Undergraduate or Graduate Academic Affairs and the Health Sciences Associate Vice President for Academic Affairs once the time limit for a student appeal has expired or the appeal process has been completed.
- 7.1.2.3. The Associate Provost submits a request to the appropriate office to change the student's status to non-degree.
- 7.1.2.4. Academic dismissal from the University requires consultation and approval from the Dean, the Associate Vice President for Academic Affairs (Health Sciences students only), and the Provost's Office.
- 7.1.2.5. Additionally, the refund of tuition and fees depends on the individual student's situation, semester, date of withdrawal from course(s), etc. For more information and determination of what, if any, refund of tuition the student may be eligible to receive, please see [WVU Student Accounts](#) and [WVU Student Accounts Refunds](#).

7.2. Purpose

The primary purpose of the appeal procedure is to allow review of a professional performance sanction in cases where a student believes that due process was not followed or that the sanction was imposed unfairly or inconsistently with course, Program, and University standards and regulations.

- 7.2.1. Students have the right to appeal a professional performance sanction that they believe reflects a capricious, arbitrary, prejudiced academic evaluation, or discrimination based on criteria listed in [West Virginia University Board of Governors Student Life Rule 6.1](#).
- 7.2.2. An appeal may allege:
 - 7.2.2.1. The Dental Hygiene Program and/or the School of Dentistry does not have exclusive jurisdiction over the alleged violations; and/or
 - 7.2.2.2. The findings of facts and conclusions were not properly based upon the evidence as a whole; and/or
 - 7.2.2.3. The sanctions imposed are not appropriate under the circumstances or not within the DHAPS Committee's discretion.
- 7.2.3. Additional grounds for appeal may include: unreasonable severity of the penalty; demonstrable prejudice in the decision-making process; a belief that the evidence

does not support the finding of responsibility (in the case of academic dishonesty) or the choice of penalty; or additional evidence or new information that was not considered in determining the penalty.

7.3. If a student does not appeal a professional performance sanction, fails to follow the appeal procedures described below, or does not attend any scheduled meetings regarding the appeal, the sanction will be upheld, **regardless of whether or not the student is still enrolled in the course or program.**

7.4. All communication with a student concerning an appeal must come directly from, or be directed to, the student.

7.4.1. Although students and others involved in the appeal process may consult with third parties, appeals and communication about appeals should be conducted between the student and individuals or committees charged with reviewing the appeal.

7.4.2. Communication may take place through written documents, email (using official University e-mail accounts whenever possible), and direct contact (telephone, face-to-face meetings, etc.).

7.4.3. Decisions at each level of appeal must be communicated to the student and other individuals involved with the appeal at prior levels in writing transmitted via WVU e-mail.

7.5. Responsibility for appeal decisions

7.5.1. If an appeal reviewer was involved in the determination of a sanction, or otherwise has a conflict of interest relevant to the appeal, a different appeal reviewer must be identified.

7.5.2. When necessary, decisions about who is responsible for appeal decisions will be made by the Associate Vice President for Academic Affairs in Health Sciences, the Provost, or the designee of any of these.

7.6. Level 1 Appeal

7.6.1. The Dean or designee, shall review the record and supporting documents to consider only the following:

7.6.1.1. To determine whether jurisdiction was properly asserted under this policy;

- 7.6.1.2. To determine whether the underlying proceeding was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures, such that no significant prejudice to a student or the University resulted;
 - 7.6.1.3. To determine whether the decision reached was clearly unreasonable based on the information presented; and
 - 7.6.1.4. To determine whether the sanction(s) imposed were appropriate.
- 7.6.2. The Dean or designee shall consider the appeal and deliver a decision within thirty (30) academic days of receipt of such appeal, except where adherence to such time period would be impracticable, in which case such time period shall be extended as warranted by the particular circumstances.
- 7.6.3. The Dean or designee may decide to:
- 7.6.3.1. Deny the appeal;
 - 7.6.3.2. Modify, reduce or otherwise limit the sanction(s) imposed (more severe sanctions may not be imposed on appeal by the Dean or his/her designee);
 - 7.6.3.3. Direct the DHAPS Committee to provide a new proceeding, or allow the student to have his or her case handled beginning at any specific stage of the process outlined in this policy; or
 - 7.6.3.4. Remand the matter to the DHAPS Committee with specific instructions that shall be carried out.
- 7.6.4. For all sanctions other than suspension or dismissal, the decision of the Dean or designee shall be considered final and binding upon all involved.

7.7. Level 2 Appeal (Suspension or Dismissal only)

If the sanction is suspension or dismissal from a program, the student may continue their appeal by submitting a written appeal via WVU e-mail to the Associate Provost for Undergraduate or Graduate Academic Affairs (Level 2 appeal reviewer) within ten (10) academic days of the date when the Level 1 Appeal Outcome Letter from the Dean was sent via email.

- 7.7.1. The Dean forwards all materials included in the appeal to the Associate Provost and the student upon request from the Associate Provost. Both the student and other individuals or committees may provide additional information if they wish.
- 7.7.2. The Associate Provost assesses the available evidence and makes a decision about the appeal based on the evidence. The sanction(s) under review may be upheld, lessened, or dismissed entirely, but not aggravated, by the Associate Provost.

7.7.3. Notice of Outcome

After consideration of the evidence, the Accused Student will receive a written notification of the outcome within thirty (30) academic days after receipt of the appeal, except where adherence to such a time period would be impracticable, in which case such time period shall be extended as warranted by the particular circumstances. The Associate Provost communicates the decision in writing via WVU e-mail to the student and other individuals or committees that have been involved in the grade, penalty, or appeal to that point, including the Dean and the DHAPS Committee. The Outcome Letter shall plainly state the decision and the rationale, and an explanation of appeal rights. The Dean retains all documentation related to the appeal for five (5) years.

7.3.5. The appeal is concluded. The decision of the Associate Provost for Undergraduate or Graduate Academic Affairs is final.

SECTION 8. DEFINITIONS

- 8.1.** "Academic Days" means any day that the University is open for instruction of students, which includes finals and summer terms, but does not include the winter term. If classes are canceled for the entire campus, for any portion of a day, the day will not be deemed an academic day.
- 8.2.** "West Virginia University Board of Governors" (BOG) is the Board created by the West Virginia Legislature as the governing body of the West Virginia University system, including West Virginia University, West Virginia University Potomac State College, and West Virginia University Institute of Technology (collectively the "University"). The Board has the mission of general supervision and control over the academic and business affairs of the University.
- 8.3.** "President" is the chief executive officer of the University, whatever the title, responsible directly to the Board of Governors including all those acting for or on behalf of such chief executive officer at or by his/her direction, or at or by the direction of the Board of Governors, (e.g., the Vice President for Health Sciences).
- 8.4.** "Associate Provost" means the Associate Provost of West Virginia University or designee or undergraduate or graduate academic affairs.
- 8.5.** "HSC Associate Vice President for Academic Affairs" refers to the WVU Health Sciences Center Associate Vice President for Academic Affairs or designee.
- 8.6.** "WVU Division of Division, Equity and Inclusion" is a Division of WVU that works with all communities on the campus to ensure a safe and inclusive environment.
- 8.7.** "Campus Code Administrator" refers to the professional staff member(s) of the Office of Student Conduct serve as the Campus Code Administrator.
- 8.8.** "Dean" means the Dean of a College or School or designee, including a committee.

- 8.9.** "Faculty" are those employees of the Board of Governors, as defined in BOG Policy 2, who are assigned to the West Virginia University Health Sciences Center.
- 8.10.** "Staff" are those employees not defined as faculty, who are assigned to the West Virginia University Health Sciences Center.
- 8.11.** "DHAPS Committee" means the Dental Hygiene Academic and Professional Standards Committee.
- 8.12.** "Student" means all persons taking or auditing courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies; persons who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission; or persons who are living in University supervised housing at any time, even if not enrolled at the University.

A person will continue to be a "Student" until such status is terminated upon the occurrence of one or more of the following events:

- 8.12.1. Graduation (without any indication of intent to pursue post graduate activities at the University during the following semester);
- 8.12.2. Voluntary withdrawal of the student from West Virginia University; or
- 8.12.3. Involuntary dismissal (or other withdrawal of the student initiated by the University) from all programs and activities of the University, and the exhaustion of all internal grievance procedures to redress the dismissal or withdrawal (if applicable).
- 8.13.** "Intramural" refers to all academic settings of the dental/dental hygiene curriculum at the West Virginia University Health Sciences Center or its affiliates, including formal rotations to approved rural sites.
- 8.14.** "Extramural" refers to all settings external to the West Virginia University Health Sciences Center or its affiliates.
- 8.15.** "On Campus" refers to any building, space, or other University owned or leased properties.
- 8.16.** "Off Campus" refers to any building, space, or other non-University owned or leased properties.