

# BURRELL COLLEGE OF OSTEOPATHIC MEDICINE

## STANDARD OPERATING PROCEDURES

<b>Student Conduct and Professionalism Committee Hearing</b>		<b>SOP #: SA.014.02</b>
Effective Date	02/01/2018	
Last Revision/Review	1/27/2021	

### 1. Purpose

Define the process for a Student Conduct and Professionalism Committee Hearing.

### 2. Related Policy/Authority

Policy B5001 - Code of Professional Conduct

Policy B750 Consensual Relationships

Class Honor Codes

SOP SA.015 - Student Conduct Violations-Investigation and Disciplinary Review Procedure

### 3. Faculty/Staff Responsibilities

Student Affairs Department Head

Conduct Officer

Student Conduct and Professionalism Committee members

### 4. Definitions/Abbreviations

**Accused** – Student against whom a report of alleged violation has been filed.

**Conduct Officer** – Student Affairs personnel appointed by the Office of Student Affairs to conduct the preliminary investigation.

**Reporter** – Student/Faculty/Staff filing a report of an incident of alleged violation.

**Committee**– Student Conduct and Professionalism Committee

### 5. Procedural Steps

#### 1.1 Committee Selection

- a. The Office of Student Affairs will select members of the ad hoc committee and appoint a committee chairperson.

#### 2.1 Hearing Guidelines

- a. Committee hearings are not open to the public.
- b. All Committee Hearings shall be recorded and converted to a summary document following the meeting and will be the final minutes. The minutes and recording shall be kept for a period of no less than five years in the Office of Student Affairs. It is the practice of the College to not share minutes or recordings with students.
- c. The accused is required to attend the hearing in person. In the case that the accused fails to attend the hearing, the Committee may, at its discretion, decide to postpone the hearing, cancel the hearing, or proceed with the hearing and enter a determination in the absence of the accused.
- d. The Committee, through the Chair, may request specific individuals to appear and provide information as part of the review process. Except as permitted by the chairperson, individuals other than the accused and the conduct officer will not be permitted to remain present in the hearing during the period of testimony and questioning.
- e. The Executive Director of Student Affairs and the Conduct Officer are non-members of the committee permitted to attend the hearings.

### **3.1 Hearing Proceedings**

- a. The Committee members, Executive Director of Student Affairs and Conduct Officer meet to discuss the preliminary investigative report.
- b. The accused will be summoned into the hearing room.
- c. The accused and any witness(es) will be informed of their rights and obligations by the Chair.
- d. Members of the Committee, the accused, and any witness(es) will be asked to sign a confidentiality agreement before the hearing proceeding. Each members present will be reminded of the importance of confidentiality and the possible consequences of violation of the agreement.
- e. The Conduct Officer will provide an oral summary of the preliminary investigation findings.
- f. The accused will present their statement to the Committee
- g. Any witness(es) will be called to present their statement(s) to the Committee consecutively.
- h. After each statement, there will be an open time in which all Committee members and the accused may ask questions to clarify any information and facts presented.

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- i. When all statements have been presented, and all questions have been addressed, the Chair will dismiss the accused, any remaining witness(es) and any other individuals besides the Committee members, the Conduct Officer, and the Executive Director of Student Affairs.
- j. The Committee members will begin deliberations.

### **4.1 Deliberations and Recommendation**

- a. The Chair will formally stop all recordings to begin Committee deliberations.
- b. The Committee will discuss the hearing and the presented evidence until all members are satisfactorily informed and ready to proceed to a decision.
- c. Discussion will begin to determine the severity of the offense, and the appropriate level of possible disciplinary action and or sanction(s). All disciplinary sanctions must be approved by a simple majority vote of the Committee members.
- d. The Committee will make a recommendation regarding possible disciplinary action and or sanction(s) based upon majority vote of its members.

Disciplinary action and/or sanctions may be included in the Medical Student Performance Evaluation of the accused student.

### **5.1 Following the Hearing**

- a. The Conduct Officer provides a summary of the investigative report and the decision of the Committee to the Executive Director of Student Affairs within three business days of the Committee's recommendation.
- b. The Executive Director of Student Affairs, or his/her designee, will inform the accused, in writing, of the determination within three business days. The accused student will also be informed of his/her right to appeal (see SOP SA.015.00 – Student Conduct Violations- Investigation and Disciplinary Review Procedure).

**6.1 All decisions and sanctions shall be kept completely confidential and shall be enforced by the administration.**

## **6. Reports/Charts/Forms/Attachments/Cross References**

## **7. Maintenance**

The SOP will be reviewed annually by the Executive Director of Student Affairs.

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### **8. Signature**

Signature on File	1/27/21
Vanessa Richardson, MAEd	Date

### **9. Distribution List**

Internal/External

### **10. Revision History**

Revision Date	Subsection #	Summary of Changes	New/Cancellation/Replacement Procedure? (if applicable)	Approval Date
6/4/2019	2,4,5	Update to the Procedure		6/4/2019
1/27/2021	2, 5	Updated Links; Updated 2.1b		1/27/2021