

## CHAPTER 2

### FACULTY RIGHTS AND RESPONSIBILITIES

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All members of the TUSDM faculty are afforded certain rights, which are balanced with well-defined responsibilities aligned with the Tufts University educational mission and the School of Dental Medicine's dual role as an educational institution and healthcare provider.

#### **I. RIGHT TO ACADEMIC FREEDOM**

Tufts University respects and upholds the right to academic freedom for all members of its faculties, including the Faculty of the School of Dental Medicine. The [\*Policy on Academic Freedom, Tenure and Retirement of the Board of Trustees of Tufts University\*](#) (see **Appendix 2.A**) asserts "Academic freedom is essential to the free search for truth and its free exposition and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental, not only to the advancement of truth but for the protection of the rights of the teacher in teaching and of the student to freedom in learning as well. It carries with it duties correlative with rights."

Academic Freedom, recognizes three faculty rights:

- "The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties; but no regular activity for pecuniary return shall be engaged in without the approval of the university.
- The teacher is entitled to freedom in the classroom in discussing his/her subject, but should be careful not to introduce into his/her teaching controversial matter which has no relation to the subject.
- The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge the profession and the institution by his/her utterance. Hence, he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesman."

#### **II. TUFTS UNIVERSITY SCHOOL OF DENTAL MEDICINE FACULTY BILL OF RIGHTS**

Teaching is a noble profession. A TUSDM faculty member has the responsibility of educating and supervising future dental professionals and being a role model for the next generation of dental healthcare leaders. The faculty is a community of highly trained and dedicated teachers and researchers all working in concert and devoted to TUSDM students.

In the pursuit of fulfilling the TUSDM faculty mission of achieving teaching excellence and in the execution of fulfilling its responsibilities to TUSDM, the School of Dental Medicine recognizes a faculty member has certain rights and privileges which are afforded to those tasked with the responsibility of mentoring future dental professionals.

The rights and privileges will be known as TUSDM Faculty Bill of Rights. Each faculty member of the Tufts University School of Dental Medicine has the right to:

- Work in a safe, healthful environment that is mutually respectful and free from coercion, harassment, and hostility.
- Be assigned a workload that encourages a healthy balance between professional and personal life.
- Provide input on matters relating to educational policy, clinical operations, and administrative directives without fear of repercussions.
- Receive support and guidance from his/her chairperson, supervisors and administrators in the execution of their professional duties and in the pursuit of academic advancement, promotion, and professional development.

- Be afforded sufficient administrative time without student dentist or resident contact allowing for preparation of lectures, committee work, teaching assignments; and for completing established criteria for promotion as outlined TUSDM Policy on Faculty, Appointments, Promotions, and Tenure (see **Chapter 3**)
- Receive fair compensation commensurate with industry standards for professional responsibilities without regard to race, color, creed, gender, country of origin, or citizenship status.
- Receive fair consideration for academic positions, advancement, and promotion based on performance and achievement without bias or favoritism.
- Be kept informed of status of job security and progression toward academic advancement and promotion.
- Provide constructive and honest feedback to the Dean regarding the performance of and treatment from Chairpersons and supervisors without fear of reprisal or recrimination.
- Participate in a fair, open, and transparent grievance process with access to relevant documents and with representation.
- Join any educational and professional workplace support organizations without fear of reprisal or recrimination (e.g., American Association of University Professors).

### **III. RIGHT TO DETERMINE ACADEMIC DIRECTION AND PROGRAMS**

The Faculty exercises an important role in assuring the academic integrity of the School's educational programs.<sup>1</sup> Members of the TUSDM faculty have the primary right and responsibility to (a) determine the curriculum, subject matter, methods of didactic and clinical instruction, and other academic standards and processes; (b) establish the requirements for earning degrees; and (c) participate in the governance and operations of the School as members of Standing Committees, Representative Committees, and Management Committees (see **Chapter 1** and **Bylaws of the TUSDM Faculty**).

### **IV. FACULTY PROFESSIONAL DUTY TO ADHERE TO UNIVERSITY POLICIES**

Members of the TUSDM faculty will serve their departments, the School, and the University in accordance with Tufts University and School of Dental Medicine established business practices, policies, and procedures. Tufts University has established a range of policies governing duties that are concomitant with the exercise of faculty rights. All members of the faculty are responsible for ensuring that their conduct as members of the university community is consistent with all university policies, including:

- **Standards of Professional Conduct and Integrity**, which were adopted in April 2018 for all Tufts University faculty and staff, and are intended to serve as a baseline for exercising good judgement, using Tufts University resources prudently. and as a tool for learning more about university policies.
- **Business Conduct Policy**, maintained by the Finance Division, which provides guidance on a range of business and ethical issues that apply to all members of the University, including Working With One Another, Confidentiality, Conflict of Interest and Conflict of Commitment Policy, Vendor Relations/Fair Trade, Acceptance of Personal Gifts and Entertainment, Proper Accounting, Protecting University Assets, Fraud Investigations, Regulatory Compliance, Information Stewardship, Name and Insignia Use Policy on Media Relations, and Copyright Infringement.
- **Research and Research Administration Policies**, maintained by the Office of the Vice Provost Research (OVPR), including but not limited to those related to Research Compliance, Research Administration and Development, and Technology Transfer and Industry Collaboration.
- **Office of University Counsel (OUC)-related Policies and Guidance**, including but not limited to the Americans with Disabilities Act and other policies administered by the Office of Equal Opportunity (OEO); the Family Education Rights and Privacy Act (FERPA); Guidelines for Employees' Personal Use of Social Media and the Policy for Official Social Media Accounts at Tufts; Information Stewardship Policy and Supporting Information Policies; Medical Marijuana Policy; Policy on Antitrust Compliance; Policy on Political Activities; Policy on Rights and Responsibilities with Respect to Intellectual Property; Policy on Subpoenas for University Records and Guidelines for Handling Inquiries from the Press, Outside Attorneys, and Other

<sup>1</sup> As affirmed by the Commission on Institutions of Higher Education, New England Association of Schools and Colleges, Standards for Accreditation [Standard 3: Organization and Governance](#); and the [core principles](#) of the American Association of University Professors.

Outside Parties Regarding Individual Employee and Student Matters; and Use of Tufts University Name and Insignias.



The University recognizes a shared responsibility among all faculty to self-monitor and report behaviors and actions that appear to be unprofessional or inconsistent with the mission. Actions of faculty members that are deemed unprofessional or inconsistent with the University’s educational mission, business practices, and policies will not be tolerated.

The Dean and Faculty of the School of Dental Medicine are authorized to establish school-based policies and procedures to monitor, report, discipline, and/or sanction faculty for a range of professional and ethical infractions. The School has adopted *TUSDM Faculty Standards for Professional and Ethical Conduct* that both reflect the distinct compliance environment and academic and professional characteristics of the dental school setting; and incorporate and reinforce Tufts University policies. In instances where School and University policies differ in expectations for ethical and professional conduct, the more restrictive requirement will apply.

## V. **TUSDM FACULTY STANDARDS FOR PROFESSIONAL AND ETHICAL CONDUCT**

The School of Dental Medicine is a complex organization with a diverse community of student dentists, residents, staff, faculty, patients, and visitors. A shared commitment to the highest standards of ethical and professional conduct is the cornerstone of the School’s mission to educate future dental professionals and provide high quality dental care to patients. This commitment must be shared by all community members across all activities—academic, clinical, research, professional, business, social, as well as those that are community and service-related. Consistent demonstration of ethical and professional behaviors is expected from all members of our community. All members of the TUSDM Faculty, as educators, have a professional obligation to serve as role models of ethical and professional conduct for our student dentists and residents.

Effective July 1, 2018, the School has established ten standards of behavior that both demonstrate our commitment to professional and ethical conduct as dental professionals and dental educators. Said standards support the School’s shared [values](#) (Vision 2020!):

- Professional excellence and integrity in living, learning, and practicing with the highest ethical and clinical standards
- Commitment to advance dentistry through the integration of education, research, and collaboration
- Respect for each other’s rights, opinions, and beliefs in a diverse, culturally sensitive and supportive environment
- A culture of open communication that fosters a sense of community

### **A. Governing Principles**

First and foremost, these standards are grounded in the core principles and ethical codes governing our professions:

- American Dental Education Association [Statement on Professionalism in Dental Education](#), which espouses

six aspirational values—Competence, Fairness, Integrity, Responsibility, Respect, and Service-mindedness—to guide personal and institutional behaviors that support academic integrity and professionalism in dental education and that are aligned with the existing values and codes of the dental, allied dental, and higher education professions.

- American Dental Association (ADA) [Principles of Ethics and Code of Professional Conduct](#), which are binding for all ADA members and mandated for all licensed dentists in Massachusetts.<sup>2</sup> The ADA asserts the dental professions ethical obligations may—and often do—exceed legal duties.
- American Dental Hygienists Association (ADHA) [Code of Ethics](#), which are binding for all ADHA members and mandated for all licensed dental hygienists in Massachusetts.<sup>3</sup>
- American Dental Education Association [Faculty Code of Conduct](#), which specifies expected behaviors for faculty related to teaching, learning, practicing, and research, and service within a dental education institution (see **Appendix 2.B**).
- American Association of University Professors [Statement on Professional Ethics](#), which sets forth general standards to serve as a reminder of the variety of responsibilities assumed by all members of the academic profession.

*The TUSDM Faculty Standards for Professional and Ethical Conduct* are further grounded in respect for and compliance with all federal, state, and local laws governing ethical and professional conduct in higher education, research, and healthcare including, but not limited to, those enforced by:

- U.S. Department of Education (Ed), which oversees the accreditation of higher education institutions in the United States and recognizes the Commission on Dental Accreditation (CODA) as the sole agency to establish and enforce accreditation standards for dental and dental-related postsecondary programs.
- U.S. Department of Health and Human Services (DHHS), which has broad authority over Tufts University and TUSDM operations as our cognizant federal agency for purposes implementation of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; and as the oversight agency of TUSDM as a covered entity subject to the HIPAA Privacy and Information Security Rules.
- Centers of Medicare and Medicaid Services (CMS), part of DHHS, administers and enforces regulations related to Medicare, Medicaid, and the Children’s Health Insurance Program, which apply to all healthcare providers who accept patients who participate in the federal programs.
- Centers for Disease Control and Prevention (CDC), which establishes best practices for infection control in dentistry.
- Occupational Safety and Health Administration (OSHA), which enforces the Occupational Safety and Health Act of 1970, which requires U.S. employers to provide a safe and healthful workplace. OSHA has identified infectious disease and hazardous chemicals as potential hazards of concern in dentistry and establishes and enforces safety standards to mitigate them.
- Massachusetts Board of Registration in Dentistry (BORID), which oversees licensure of individuals who provide dental services within Massachusetts and establishes minimum requirements for dental records, informed consent, infection control, and other aspects of dental practice. BORID also accepts complaints against licensed and unlicensed individuals, investigates allegations, and takes disciplinary actions for violations of law.
- Massachusetts Department of Public Health (MDPH), which regulates, licenses, and provides oversight of the School’s clinical facilities.

## **B. Standards**

### **(1) Standard: Good Citizenship and Respect for Rights and Dignity of Others**

The School promotes citizenship and collegiality within its community. Citizenship is demonstrated by awareness and attending to the details of everyday life: politeness, courtesy, honesty, punctuality, personal responsibility, and respect for shared spaces. Faculty will act as role models to help lead others to a more civil, respectful, clean, and safe environment. Our community comprises individuals from a diverse range of backgrounds and circumstances. Acknowledging, understanding, and accepting these differences within the larger framework of our organizational culture is central to the TUSDM concept of citizenship. Tufts University and TUSDM are committed

<sup>2</sup> Massachusetts Board of Registration in Dentistry 234 CMR 5.20

<sup>3</sup> Massachusetts Board of Registration in Dentistry 234 CMR 5.20

to equal treatment, opportunity, and respect in its relations with all persons who work within or come into contact with the School and University.

## **(2) Standard: Adherence to Highest Standards of Academic Integrity**

The School expects the all members of the Faculty to conform to the highest standards of honesty and integrity in their teaching, clinical instruction, and research. Faculty will promote academic integrity in their teaching by clearly defining parameters and potential violations for students and residents and creating an environment which is supportive of the School's predoctoral and postgraduate honor codes. Faculty will engage in responsible conduct of research that conforms with applicable Tufts University policies, procedures, and approvals as well as the requirements of all government, industry, and private sponsors.

## **(3) Standard: Commitment to Strong and Supportive Faculty/Student Relationships**

The School is committed to a professional work and educational environment where those in positions of authority do not abuse or appear to abuse the power with which they are entrusted. Faculty will encourage the pursuit of learning in their students and residents and to mentor them into the best scholarly, ethical, and clinical care standards of their discipline. Faculty will demonstrate respect for students and residents as individuals and adhere to their proper roles as teachers, counselors, and clinical care supervisors—taking care to model exemplary professional practice and to follow standard clinical procedures when supervising student dentists and residents in the TUSDM clinics. Faculty will ensure that their evaluations of students and residents reflect each individual's true merit.

Business Conduct Policy: Working with One Another

<http://finance.tufts.edu/?p=28>



OEO Policies on Non-Discrimination, Sexual Misconduct, and Accommodation

<http://oee.tufts.edu/policies-procedures/>

## **(4) Standard: Commitment to Highest Standards of Patient Care**

The School is committed to providing high quality dental and related healthcare services; care will be responsive to the needs of patients, their families, and the communities in which TUSDM operates. Faculty will ensure (a) all patient care is reasonable, necessary, and appropriate; (b) procedures are performed and/or closely supervised by qualified providers; (c) all patient care is documented accurately and in a timely manner; (d) patient care is delivered in a clean and safe environment; and (e) patients' rights (i.e., confidentiality, privacy, autonomy) are protected. All faculty engaged in clinical activities will promote and adhere to the *TUSDM Standards of Patient Care* and fulfill their responsibilities as clinical supervisors of patient care delivered by the student dentists and residents (see **Chapter TBD: Clinical Instruction, Expertise, and Innovation and Appendix TBD.A: TUSDM Standards of Patient Care**).

TUSDM Policies Governing Patient Care and Patient Privacy

<https://dentalpolicies.tufts.edu/>

## **(5) Standard: Ensuring a Safe and Secure Environment**

The School is committed to ensuring the health and safety of all members of our community, patients, and visitors to the TUSDM campus, Tufts Dental Facilities (TDF), and Public Health and Community Service clinics. Faculty will be sober, unimpaired, clear minded, and in good health while performing their duties. Faculty will make every reasonable effort to ensure that students, faculty, patients, staff, and visitors are protected from undue health risks and unsafe conditions; specifically, faculty will adhere to the *TUSDM Standards for Professional Appearance and Attire* (see **Appendix 2.C**), *Infection Control Manual*, and *Healthcare Protocols* as well as Tufts University Public and Environmental Safety policies. Faculty will comply with all laws, regulations, and licensure requirements which govern occupational and patient health and safety, including timely completion of all training and certifications mandated by DHHS, OSHA, CDC, BORID, and MDP (see **Chapter 5: Policy on Faculty Onboarding and Orientation, §TBD** table of requirements with timeframes).

TUSDM Infection Control Manual  
[ADD TUSK OR DENTAL POLICIES](#)



TUSDM Healthcare Protocols  
[ADD TUSK OR DENTAL POLICIES](#)



Tufts University Public and Environmental Safety Policies  
<http://publicsafety.tufts.edu/policies/>

## **(6) Standard: Commitment to Accurate and Complete Patient Records**

The School expects all official patient health records, including financial records, to fully conform with all applicable legal, contractual, and regulatory requirements. The patient record must be complete record of all patient contact and care, including, but not limited to, a general description of the patient's medical and dental history and status at time of examination, diagnoses, patient education, treatment plan, referral for specialty treatment, medications administered and prescribed, pre- and post- treatment instructions and information conveyed to the patient. Faculty, if involved directly or indirectly, in the preparation or submission of a bill to any governmental or private payor will ensure documentation is accurate and timely. Faculty members are expected to ensure the bill addresses only those services rendered and products delivered and in the correct amount, supported by appropriate documentation.

## **(7) Standard: Safeguarding University Assets and Protected Information**

University assets include physical facilities, equipment, and supplies; information technology resources (e.g., computers, printers, networks, software, email, web servers, and domains); as well as protected information, such as student and patient records, financial data, intellectual property rights, research data, Tufts/TUSDM name and insignia, and our business strategies and plans. Faculty will safeguard university and TUSDM assets and will not use them for personal gain or unauthorized or illegal purposes.

TUSDM Privacy and Information Security Policies  
<https://dentalpolicies.tufts.edu/>



Tufts IT Policies and Guidelines  
<https://it.tufts.edu/univ-pol>



Business Conduct Policy: Protecting University Assets  
<http://finance.tufts.edu/misuse-of-university-assets-reporting-suspected-fraud/>

## **(8) Standard: Commitment to Ethical and Honest Business and Procurement Practices**

The School's procurement practices will comply with Tufts University policies as well as federal, state, and local laws and regulations governing bidding requirements, vendor/industry relations, and adequate documentation. The School will not tolerate undue or illegal influence in providing care for patients, education and training to students, or research activities. Faculty will engage in only those business opportunities that are legal and consistent with the Standards. Faculty will conduct all business with patients, payors, vendors, competitors, and the academic community with honesty and integrity. Faculty will avoid the appearance of conflicts of interest in which outside activities, personal financial interests, or other personal interests influence or appear to influence business and procurement decisions. Faculty will choose medications, supplies, instruments, medical devices, etc. based on how well they work for patients and how much they cost, and not on personal relationships and friendships.

## **(9) Standard: Avoidance of Conflicts of Interest and/or Commitment with Tufts Mission**

Tufts University is a not-for-profit institution dedicated to teaching and research. All members of its faculties will faithfully carry out their professional duties in service of University's mission. Faculty members may not engage in activities that pose an actual or potential conflict of interest with the faculty member's responsibilities to Tufts University. Faculty must disclose the existence or absence of defined conflict-of-interest situations in the *Tufts Annual Employee Conflict of Interest and Conflict of Commitment Disclosure* e-Form.

Faculty will be familiar with and adhere to the [Tufts University Conflict of Interest and Commitment Policy](#) (see **Appendix 2.D**) which applies all university employees. Faculty who engage in research will be familiar with and adhere to the University's [Policy on Conflict of Interest in Research](#) and the [Conflict of Commitment Policy / Guidelines on Outside Activities Policy](#) (see **Appendices 2.E** and **2.F**). The latter applies only to full-time faculty members and pertains to the period of their University contracts (nine-month, twelve-month, or other). So long as part-time faculty members fulfill their obligations to the University, the way in which they spend the balance of their time (and the way in which faculty members on less-than-full-year contracts spend their non-contract time) is not a proper concern of the University, so long as those activities do not conflict with their University obligations and do not reflect unfavorably on the University. Faculty members will obtain the approval of the TUSDM Dean before engaging in any significant outside professional activity. Activities may be significant even though they involve comparatively little time. A single guest lecture or one-time consulting visit would not normally be considered significant, but a lecture series or an ongoing consulting relationship would be. Where there is a disagreement about the propriety of an activity, the TUSDM Dean and the faculty member involved will make their best efforts to arrive at a resolution consistent with the School's mission. The TUSDM Dean will make the final decision.

## **(10) Standard: Commitment to Ethical and Legal Fundraising Practices**

The School encourages faculty engagement in sponsored research, public health, and clinical care projects and efforts to secure in-kind resources in support of our educational and clinical care mission. Faculty will be transparent in their interactions with industry and adhere to the [ADEA Guidelines for Ethical Academic and Industry Interactions](#). Faculty will understand and comply with the terms and conditions of each grant and contract on which s/he is working.

## **VI. UPHOLDING THE FACULTY STANDARDS FOR ETHICAL AND PROFESSIONAL CONDUCT**

Faculty must demonstrate these standards and values across all activities including didactic instruction in classrooms and laboratories; advising and mentoring students and residents; clinical instruction and supervision in the TUSDM Comprehensive Care Clinic, Emergency Clinic, Specialty Care teaching clinics; direct patient care as members of the TUSDM Faculty Practice; research activities (on and off campus); community service and public health services (on and off campus); participation in continuing education programs; engaging in TUSDM service activities (e.g., Standing Committees, Management Committees, departmental meetings, peer or course evaluations, etc.); and contributing to community events (e.g., Alumni-sponsored events, Lunch & Learn programs, etc.).

These standards apply to all interpersonal interactions (face-to-face, phone, email, text) and to written materials such as student examinations, peer evaluations, grant applications and reports, research and other scholarly publications and presentations, laboratory work, and special projects undertaken as a member of the TUSDM faculty.

The School expects every member of the Faculty to become familiar with those professional standards, laws, regulations, and Tufts University and TUSDM Academic, Clinical Affairs, Compliance, and Human Resources policies that are applicable to his or her position and duties; and to comply with both their letter and spirit. Primary responsibility for oversight of faculty ethical and professional conduct is vested with the School's Deans and Department Chairs, who will:

- Promote ethical and professional behavior and citizenship among the TUSDM academic and clinical community by modeling attitudes and behavior consistent with these Standards.

- Review and make recommendations to the Dean concerning all issues relating to the ethical and professional behavior of the faculty.
- Monitor faculty adherence to TUSDM Faculty Standards for Ethical and Professional Behavior.
- Investigate allegations made by other faculty, staff, students, residents, and/or patients.
- Initiate progressive discipline process if a faculty member is found to have violated one or more of the Standards.

Additional responsibilities for monitoring and enforcement will lie with the TUSDM Faculty Affairs Office, the Compliance Office, and the Compliance Committee. In collaboration with the University, the School will implement programs to further faculty members' awareness and to ensure compliance with the *TUSDM Faculty Standards for Ethical and Professional Conduct*.

If a faculty member is unsure whether an action violates the law or the Standards, s/he should discuss the matter with a direct supervisor, Department Chair/Dean, or the TUSDM Compliance Office before taking action. If there are valid questions or concerns about the legality of any action or failure to take action by or on behalf of the University, the Office of University Counsel may be consulted at the discretion the Dean or Executive Associate Dean.

### **A. Commitment to Fairness and Due Process**

Guided by recommendations of the American Association of University Professors,<sup>4</sup> a faculty member who is alleged to have violated these Standards shall be afforded the following minimum protections:

- Notice of the alleged misconduct (may be verbal or in written depending on the level of infraction)
- Opportunity to respond to the charges
- Review and fact finding of factual allegations and proposed discipline by the Department.
- Disciplinary actions or sanctions aligned to the seriousness of the misconduct
- Opportunity for higher-level review of the fact-finding and the proposed disciplinary action or sanction

In reviewing allegations of ethical or professional misconduct, the Department Chair or appropriate Associate Dean will assess the merits; gather relevant facts, including written records and if appropriate; and consult with others. In situations of misconduct or compliance violations that cannot be resolved informally at the department level between the faculty member and Department Chair, an ad hoc team, appointed by the Chair or Associate Dean, and comprised of two impartial faculty members (at least one of whom holds an appointment of equal rank and track as the alleged violator) will review the factual allegations and proposed sanctions. The Dean/Department Chair may consult with the Faculty Advisory Council before appointing the two faculty members. The ad hoc team will report findings and opinions to the Dean for his/her consideration prior to the Dean making a final decision.

If an allegation of misconduct involves a Department Chair or Associate Dean, the Dean will appoint an ad hoc group of two impartial faculty members (at least one of whom holds an appointment of equal rank and track as the alleged violator) to review the factual allegations and proposed sanctions. The ad hoc team will report findings and opinions to the Dean for his/her consideration prior to the Dean making a final decision.

In holding faculty accountable to these Standards and underlying policies, the School promises that there will be no adverse action, retribution, or other reprisal for the good faith reporting of suspected violations, even if the allegations ultimately prove to be without merit. The School will, however, pursue disciplinary action against any person who is shown to have knowingly filed a false report with the intention to injure another.

Any member of the faculty who believes he/she is unfairly disciplined may request review under the *TUSDM Faculty Grievance Policy* (see **Chapter TBD**).

Allegations related to patient privacy and information security requirements under HIPAA and Massachusetts

<sup>4</sup> Modified from the American Association of University Professors. (2005). Faculty Misconduct and Discipline. Retrieved: December 30, 2017 from <https://www.aaup.org/issues/appointments-promotions-discipline/faculty-misconduct-and-discipline-2005>

Standards for the Protection of Personal Information will be subject to corrective actions and disciplinary requirements defined in the *TUSDM Violations of Privacy and Information Security Sanctions Policy* [policy underdevelopment/name TBD].

Allegations involving charges of misconduct in research and scholarship are governed by the [Tufts University Policy on Scientific Integrity in Research](#), which is administered by the Tufts University Vice Provost for Research.

Allegations involving charges of discrimination, sexual harassment, and sexual misconduct will be referred to the Office of Equal Opportunity and Affirmative Action at Tufts University (OEO). OEO will be solely responsible for investigating the complaint in compliance with all applicable laws and policies

## **VII. SUSPECTED VIOLATIONS OF PROFESSIONAL OR ETHICAL STANDARDS**

Ensuring compliance with the TUSDM Faculty Standards for Ethical and Professional Conduct will be a collective responsibility shared by School leadership, faculty, staff, students, and residents. The School expects all faculty members to be familiar with the standards and to be particularly sensitive to any situation or potentially fraudulent activity that may violate federal, state, or local laws. Any individual who discovers a real or potential violation is obligated to report promptly.

Faculty must comply with all appropriately authorized and reasonable requests for information from government agencies, auditors or other officials and treat all government inspectors, auditors and investigators with respect. Any requests for information, which may include, but not be limited to, information requested pursuant to a civil investigative demand, subpoena, audit, or search warrant to the attention of the Dean or Executive Associate Dean.

All reports of potential violations will be held in confidence.

**Reports may be submitted by:**

- Direct communication with the responsible Department Chair or Dean
- Email to [Dental-Compliance@tufts.edu](mailto:Dental-Compliance@tufts.edu)
- Letter sent to: TUSDM Compliance Office, One Kneeland Street, Suite 1531 Boston, MA 02111
- Anonymously submission using Ethics Point Hotline (866) 384-4277
- Anonymously submission via Ethics Point secure website link at [https://secure.ethicspoint.com/domain/en/report\\_custom.asp?clientid=7182](https://secure.ethicspoint.com/domain/en/report_custom.asp?clientid=7182)

## VIII. SANCTIONS FOR VIOLATIONS OF PROFESSIONAL OR ETHICAL STANDARDS

Some violations of the TUSDM Faculty Standards for Professional and Ethical Conduct may be minor and isolated; others may have more serious implications, such as potentially illegal actions or actions that risk the health and safety of others. The University and School will investigate and assess both infractions and serious violations of the Faculty Standards for Professional and Ethical Conduct on a case-by-case basis with intent and mitigating factors considered as appropriate, and they may employ disciplinary actions including sanctions for serious violations. The **TUSDM Guidelines for Addressing Documented Violations of Faculty Standards for Professional and Ethical Conduct** will support shared understanding and consistent application of these disciplinary actions and sanctions by Department Chairs and supervisors (see **Appendix 2.TBD.**)

Level	Intent and Mitigating Factors	Potential Disciplinary Actions
<b>Level 1 Infraction</b>	<p>Infractions are isolated, may be inadvertent, and/or may suggest the appearance of an infraction rather than be an actual infraction</p> <p>Mitigating factor are:</p> <ul style="list-style-type: none"> <li>– Lack of training and awareness of policy and procedures</li> <li>– Inexperience</li> <li>– Poor judgment</li> <li>– Poor process</li> </ul>	<ul style="list-style-type: none"> <li>– Department Chair or designee reviews and discusses infraction and related policy and procedures with faculty member</li> <li>– Department Chair may coach faculty member as part of annual goal setting and performance review conversation</li> <li>– Retraining and/or specialized training and reevaluation may be recommended</li> <li>– Verbal warning date and substance of warning documented by Chair</li> </ul>
<b>Level 2 Infraction</b>	<p>Intentional, inappropriate actions that clearly conflict with the Standards. Actions may or may not be malicious.</p> <p>Mitigating factors are:</p> <ul style="list-style-type: none"> <li>– first time Level 2 infraction</li> </ul>	<ul style="list-style-type: none"> <li>– Mandatory retraining and/or specialize training and reevaluation</li> <li>– Formal Letter of Reprimand requiring written corrective action plan in response</li> <li>– Suspension of information system user privileges (if a privacy, information security, or documentation violation)</li> <li>– Reporting the issues to the relevant government and administrative agencies, if required</li> </ul>
<b>Level 3 Violation</b>	<p>Intentional or inadvertent actions that</p> <ul style="list-style-type: none"> <li>– potentially jeopardize the health, safety, and/or privacy rights of students, patients, and other members of the community</li> <li>– may cause harm to the reputation of the School or University</li> <li>– include repeated Level 1 or 2 infractions</li> </ul>	<ul style="list-style-type: none"> <li>– 1<sup>st</sup> or 2<sup>nd</sup> Letter of Reprimand requiring written corrective action plan in response</li> <li>– Department Chair documents in Annual Performance Review; Ineligible for salary increase or bonus</li> <li>– Suspension of information system user privileges</li> <li>– Suspension of clinic or teach privileges</li> <li>– Notification of non-renewal of contract with School</li> <li>– Reporting the issues and sanctions applied to the relevant government and oversight agencies, if required</li> </ul>
<b>Level 4 Violation</b>	<p>Intentional and unintentional actions that</p> <ul style="list-style-type: none"> <li>– violate the law</li> <li>– subject the School to regulatory fines or CODA findings</li> <li>– expose School to legal action</li> <li>– include repeated Level 1, 2 infractions or Level 3 violations</li> </ul>	<ul style="list-style-type: none"> <li>– Termination of information system user privileges</li> <li>– Revocation of clinical privileges</li> <li>– Final written warning and/or</li> <li>– Immediate termination of employment: ineligible for rehire</li> <li>– Required reporting of issues and sanctions applied to the relevant government and oversight agencies</li> </ul>