

<b>STATEMENT of POLICY and PROCEDURE</b>			
Subject:	<b>Candidate Misconduct</b>	Effective:	<b>February 27, 2021</b>

## **1 POLICY**

- 1.01 Candidates are required to maintain the confidentiality of the examination content and information that they encounter at any point during the examination process. Failure to do so will result in disqualification from the examination process and/or legal action by The Royal College of Dentists of Canada.
- 1.02 Unless otherwise instructed by The Royal College of Dentists of Canada, candidates are not permitted to use or have in their possession electronic, recording and/or communication devices from the time of registration until the time they sign-out at the end of the examination day.
- 1.03 Candidates cannot communicate directly with the Examiner-in-Chief, Chief Examiners, Examiners, Members of the Board of Directors about their examination or examination content. All communication must go through Head Office of the College.
- 1.04 Candidates who are caught engaging in alleged misconduct or violating any of the rules or regulations during the administration of the examination will be immediately disqualified from the examination process.
- 1.05 Candidates who are found to have engaged in alleged misconduct or violated any of the rules or regulations following the administration of the examination will be immediately disqualified from the examination process.
- 1.06 Candidates who are found to have engaged in alleged misconduct during their examination after becoming Fellows will be subject to the processes prescribed in the Bylaws.
- 1.07 The decision of the Formal Review Panel is final and binding. There shall be no proceedings for further appeals following this decision.

## **2 PURPOSE**

- 2.01 The purpose this Statement of Policy and Procedure is to formalize a framework for the College to manage any candidate misconduct during and after the examination process.

## **3 SCOPE**

This policy applies to the candidates of the Fellowship Examination and guides the Examiner-in-Chief, Associate Examiner-in-Chief, Chair of Appeals Committee, Formal Review Panel, Chief Examiners, Examiners and College staff.

## **4 RESPONSIBILITY**

- 4.01 It is the responsibility of the Director of IT & Assessments to ensure compliance with the policy.

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## 5 DEFINITIONS

5.01 **“Cheating”** means the sharing, copying, publishing or providing to anyone examination questions or answers by any means, including in person, by telephone, electronically or digitally. Cheating also includes giving a summary or recollection of a question to someone else by any means.

**“Disqualification from the examination process”** means any of expulsion from the examination administration; withholding, voiding or invalidation of examination results; revoking candidate application.

**“Electronic, recording and/or communication devices”** means cell phone, pager, smartphone, camera, laptop, USB or memory stick, smartwatch and any other digital device.

**“Examination personnel”** means any staff or volunteer of The Royal College of Dentists of Canada that is involved in the examination process.

**“Irregularities”** means a situation in which there could be a question about the validity of examination results in accurately reflecting the ability and skills of a candidate. These are a result of cheating and/or misconduct.

**“Misconduct”** means any of the following: cheating; obtaining access to unauthorized examination content; taking an examination for someone else; utilizing electronic, recording and/or communication devices to receive or share examination content; using unauthorized items during the examination.

## 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

None

## 7 PROCEDURES

### 7.01 Misconduct during the Examination

- (a) In the event that an Examiner or an Examination personnel observes that a candidate is committing misconduct or cheating during the examination, then the Examiner or Examination personnel may immediately stop the examination.
- (b) The candidate will be informed by the Examiner or Examination personnel on the reasons for the conclusion of their examination.
- (c) Within 24 hours of the alleged incident, the candidate will be informed by the Examiner-in-Chief or Designate of the avenues at their disposition for appealing this decision. The candidate will also be informed that they will not be permitted to sit the remaining examination sessions (if applicable). The candidate will sign an agreement confirming that this step was taken.
- (d) The Examiner or Examination personnel that initially observed the alleged misconduct and the Examiner-in-Chief or Designate will complete a comprehensive incident report and submit it to the Director of IT & Assessment or Designate.

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## 7.02 Suspected misconduct noted after the Examination.

### (a) By a candidate

- a. If some irregularities are noted following the administration of the examination, the Examiner-in-Chief or Designate will launch an investigation.
- b. The Examiner-in-Chief or Designate will review the evidence of alleged misconduct or irregularity and make a decision.
- c. The Examiner-in-Chief or Designate is able to make one or the following determination:
  - i. Dismiss the allegation.
  - ii. Fail the candidate(s) involved and prohibit the candidate(s) from sitting any future administration for a predetermined period of time.
  - iii. Fail the candidate(s) involved and prohibit the candidate(s) from sitting any future administration of the examination.
- d. Should the Examiner-in-Chief or Designate determine that misconduct occurred, the candidate(s) in question will receive written notice of the outcomes of the investigation within five business days of that decision. This notice will include information about the decision and the procedure for appeal.
- e. The results of the candidate(s) will remain null until the appeal process is completed, and a decision is final or if the deadline for a candidate to launch an appeal has passed.

### (b) By a Fellow

- a. Should a candidate be found to have engaged in misconduct at any point during or after their examination after becoming a Fellow will be subject to *Bylaw 9.5 Discipline of Members*.

## 7.03 Candidate Appeal

- (a) A candidate that has been found to commit misconduct or cheating can appeal the decision by the Examiner-in-Chief or Designate by filing a written appeal to the Head Office within 20 days the notice is shared with them.
- (b) An appeal must clearly state the specific relief being requested and outline and explain in detail documentation and evidence which supports this claim.
- (c) Head Office will acknowledge in writing receipt of this appeal and forward to the Director of IT & Assessment within five business days.

## 7.04 Review by the Appeals Committee

- (a) The Director of IT & Assessment will notify the Chair of the Appeals Committee of the appeals request within five business days of receipt.
- (b) The Chair will notify the Examiner-in-Chief of the appeals request, and formally convene the Appeals Committee to address the candidate's request within five business days of receiving the completed request from the Director of IT &

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Assessment.

- (c) Within 15 calendar days of receiving the request to proceed with an appeals request, the Chair of the Appeals Committee shall appoint a Formal Review Panel consisting of three Fellows in good standing who are not Examiners in the candidate's specialty, faculty members in the candidate's specialty training program, or certified in the candidate's specialty.
- (d) The Chair of the Appeals Committee will ensure that the members of the Formal Review panel have no other conflicts of interest with the candidate, or with any individual identified by the candidate in his or her request.
- (e) The Chair of the Appeals Committee will designate one of the Formal Review panel members to serve as Chair.
- (f) The Chair of the Appeals Committee shall provide the Chair of the Formal Review panel with procedural instructions, the templates for Panel deliverables (see (l) below), and the materials relevant to the review, such as
  - a. Any and all incident reports of the alleged misconduct.
  - b. The outcomes of the Examiner-in-Chief's investigation.
  - c. All available and relevant documents and information pertaining to the examination in question.
  - d. Supporting document or evidence the candidate submitted along with their appeals request.
- (g) The Formal Review Panel shall set a date for its consideration of that documentation under conditions of strict confidentiality and conclude its deliberations within 30 calendar days from the receipt of the request for review by a Formal Review panel.
- (h) Following its review of the matter, the Chair of the Formal Review Panel shall deliver its decision in writing to the Chair of the Appeals Committee by completing the templates provided for:
  - a. The Report to the Chair of the Appeals Committee; and,
  - b. The Letter to the Candidate.
- (i) The available decision options are as follows:
  - a. Confirmation that there was misconduct by the candidate and the outcomes identified by the Examiner-in-Chief or Designate are appropriate.
  - b. Confirmation that there was misconduct by the candidate and the outcomes identified by the Examiner-in-Chief or Designate must be revised. This may include pursuing legal action by the College.
  - c. There was no misconduct by the candidate and a repeat examination is allowed either at the next examination session for the specialty or at a special session, if deemed feasible.
  - d. There was no misconduct by the candidate and the initial examination results stand.
- (j) In cases in which a repeat examination is granted:
  - a. The examination subjected to review is to be treated as null and void.
  - b. The Formal Review Panel shall immediately waive the associated examination fees.

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- c. A repeat examination will include all portions of the original exam that was reviewed.
  - d. The candidate will be notified of the date of its administration within 30 calendar days of the communication of the Panel's decision.
- (k) The Chair of the Appeals Committee shall notify the Examiner-in-Chief of the outcome of the Panel deliberations and inform the Director of IT & Assessment of the panel's decision that is to be communicated to the candidate.
- (l) The Formal Review Panel may recommend modified examination formats or submission requirements, subject to approval and implementation by the Examiner-in-Chief.
- (m) The Examiner-in-Chief shall notify the Chief Examiner in the candidate's specialty of the outcome of the appeals process.
- (n) Candidates are responsible for completing an application for a future examination session within the prescribed deadlines, even while their appeal is in progress. Doing so will ensure their registration to challenge the examination at the next opportunity in the event that the appeal is unsuccessful.