

# MEDICAL STUDENT POLICY

Title: <b>Student Promotions Committee Policy and Procedure</b>	
Relevant LCME Element(s): 9.9 Student Advancement and Appeal Process	Last approved: <b>6/4/2019</b>

## I. **PURPOSE**

Defines the purpose, role, policy and procedures of the Student Promotions Committee.

## II. **PERSONS AFFECTED:**

Medical students, educational deans, SPC members

## III. **POLICY AND PROCEDURE STATEMENT**

### **Purpose and Role**

The Student Promotions Committee (SPC) is charged with the responsibility of reviewing student performance and enforcing academic and behavioral standards. The SPC meets monthly to review any academic or behavioral grievances, or leave of absence (LOA) issues that have arisen since the last meeting.

The SPC has the following specific responsibilities:

- Review and recommend to the Vice Dean of Education updates and changes to policies on academic and non-academic student performance standards.
- Recommend the graduation of those students who have met the requirements defined by the medical faculty and documented in the FSM Policy Handbook
- Review evidence and make determinations when students appear before the committee for reasons outlined below.

### **Standards**

The Senior Associate Dean for Medical Education refers students to the SPC in order to consider allegations of student misconduct and determine appropriate action. SPC actions may include but are not limited to: no action, reprimand, suspension, or dismissal of a student whose actions are found to be inconsistent with the qualities of a good physician. These qualities have been defined by expectations set forth in the following documents and policies:

- University Student Handbook
- University Policy on Sexual Misconduct
- Enforcement of University and Feinberg Behavioral Standards
- Feinberg Student Code of Conduct
- Feinberg Standards and Suitability for Medicine

### **Reasons for appearing before the SPC**

Students shall be referred to appear before the SPC by the Senior Associate Dean for Medical Education when one of the following occurs:

- Unprofessional behaviors or qualities as demonstrated through the receipt of 3 physicianship forms. If a single physicianship form describes behavior that the Senior Associate Dean believes represent egregious behavior, a student may be referred to the SPC on the basis of a single form

- Alleged violations of the behavioral and academic integrity standards of the Feinberg School occur (see links above)
- Recurring academic difficulties as defined below:
  - Falling below and/or marginally above the passing cut point in two blocks (Phase 1).
  - Falling below or marginally above the passing cutpoint (or any combination thereof) in three summative assessments (Phase 1).
  - Scoring below the passing cutpoint on a remediation of a summative assessment (Phase 1).
  - Failing a third attempt at the NBME subject exam in a clerkship (Phase 2,3)
  - Falling below the passing cut point and requiring additional time to complete the same clerkship (or elective) twice (Phases 2 and 3).
  - Falling below the passing cut point and requiring additional time to complete two clerkships or electives (Phases 2 and 3).
- To return to active status after a Leave of Absence (LOA) for academic or health reasons.

Students may self-refer to the SPC in the following cases:

- To appeal a clerkship or block grade, the outcome of a particular assessment or a summative portfolio review decision.

In cases where a Feinberg student is found to have violated the University's Student Code of Conduct (including the Policy on Sexual Misconduct) or Feinberg policies and the student is suspended from the University, the SPC is responsible for recommending to the School of Medicine Dean whether it is appropriate for the student to resume their studies at Feinberg. Such a recommendation will be made by the SPC after the term of the suspension has expired and the student is eligible to resume their studies or apply to resume their studies at Feinberg. The SPC hearing procedures set forth below will apply. The Dean may accept, reject, or modify the recommendation of the SPC. The Dean will then notify the student of the decision directly. In such cases, the Dean's decision is final and not subject to any further review.

## **Membership**

The SPC is composed of faculty members and medical students. The Senior Associate Dean for Medical Education, Associate Dean for Student Affairs, Associate Dean for Diversity, Inclusion and Student Support and the Associate Dean for Admissions are ex officio members of the committee without voting privileges. All committee members sign confidentiality agreements that comply with the Family Educational Rights and Privacy Act ("FERPA") regulations.

Faculty members are appointed to the SPC for three-year terms, renewable twice, by the Senior Associate Dean for Medical Education. Two committee members are elected at large by Feinberg faculty. Student members are appointed from nominees advanced by the Medical Student Senate and approved by the Senior Associate Dean for Medical Education and the Faculty Chair of the SPC. Second year students are appointed for a three-year term.

The students selected must show evidence of a strong academic record and high personal behavior standards.

The SPC reports to the Senior Associate Dean for Medical Education. The Associate Dean for Student Affairs acts as an advocate for students brought before the SPC. Student appeals are managed by the Vice Dean for Education and are ultimately decided by the Dean of the medical school.

### **Recusals**

At the beginning of each meeting, all members of the SPC are asked to declare any conflicts with the students who will appear before the SPC at that meeting. Examples of a conflict include a personal relationship (including mentorship), a faculty member who has served as a healthcare provider to a student or a student member who is in the same class/cohort as one appearing before the committee. Members with conflicts are asked to step out of the meeting prior to any discussion of the student and not return until committee actions are final.

Students appearing before the SPC have the right to request a recusal of any member from the deliberations and discussion if they perceive a conflict of interest. The chair of the SPC will give each student the opportunity to declare any such conflicts privately at the start of the meeting. There will be no adverse consequences to any student reporting a conflict of interest.

### **SPC Committee Actions**

Committee actions may include no action, remediation, suspension, probation, reprimand, dismissal, medical or psychological evaluation if fitness for duty must be evaluated for significant health and safety reasons, or revised curricular assignments. A quorum, defined as one-half of the voting membership of the Committee, plus one, must be present for the Committee to conduct official business. Decisions of the committee are made by a majority vote of the members present at an official meeting. The Chair casts a vote in the case of a tie. Student members may participate in all proceedings of the Committee.

#### **Immediate Suspension**

If, in the opinion of the Senior Associate Dean for Medical Education, the alleged violation continues to jeopardize student or patient safety or disrupt the orderly academic processes of the University, School of Medicine, affiliated hospitals, or site assignments, he or she may suspend the student's enrollment immediately. The Dean or a designee will make a reasonable attempt to speak with the student and give the student an initial opportunity to respond to the concerns before issuing an immediate suspension. The imposition of such suspension shall be communicated in writing by e-mail or in person. Delivery of such a letter or personal notification will be followed generally within 24 hours by notification in writing of charges as specified under hearing procedures. A student so suspended may request an expedited hearing before the Student Promotions Committee. A hearing will be scheduled as soon as possible thereafter, to consider the matter and take appropriate action.

#### **Dismissal**

Repeated failures, marginal academic work, egregious professional behavioral issues or a pattern of professional behavioral problems indicate serious difficulty. Continued failing or marginal performances in multiple or repeated courses or clerkships in one or more years will lead the committee to consider dismissal. A dismissal decision will be based upon the number and nature of failed or marginally passed courses and clerkships and the existence of extenuating circumstances.

#### **Sanctions**

Upon finding a student responsible for violating one or more of the foregoing University or School of Medicine standards, the SPC may stipulate a period of disciplinary probation or suspension; if health and safety are a significant concern or if the student otherwise agrees, a course of professional counseling

with periodic reports to the SPC; restitution; termination of participation in school committees or activities; reprimand; dismissal; or any combination of the above.

While on disciplinary probation, a student may continue registration in credit-bearing programs of the school. Further problems during probation typically lead to a more severe action by the SPC. Suspended students may neither register for nor attend classes; they also may not participate in programs or activities of the school.

Please note: Students who receive disciplinary actions (such as reprimand, suspension, probation, dismissal) while enrolled at Feinberg should be aware that these decisions cannot be expunged from their record. These decisions will be disclosed when the student requests that evaluations or recommendations be sent during the residency application process, or in response to requests for support for future employment and licensure. The school in good conscience cannot conceal infractions of the behavioral standards that the SPC has determined should result in official disciplinary actions.

## Hearing Procedures

### **Process for Virtual Student Promotions Committee in Setting of COVID 19 Pandemic**

Students have been informed in advance that the meeting will be virtual due to the COVID pandemic. Students whose appearance can be delayed until an in-person meeting is possible and who desire to wait until such time, will be given that option. All Student Promotions Committee policies and procedures still apply to students electing to appear virtually before the SPC. Modifications to the usual procedures are outlined below.

#### Communication with students who are appearing

Each student appearing has been sent an invitation letter. They are also encouraged to meet virtually with Dr. Green or Sanguino ahead of their appearance to discuss their statement. The Chair will call each student presenting before the committee at least 24 hours prior to the meeting to give them a brief overview of the SPC process, as she would normally do in person prior to the student entering the meeting room. At that time she will present the student the list of faculty and student committee members to identify potential conflicts, notify the student of the committee's confidentiality policy and answer any questions ahead of their appearance.

#### Materials

Materials that are normally distributed to the committee for review and consideration during a meeting via a paper packet will be prepared for the virtual meeting and will be distributed via Box in a secure Box folder. This folder will allow read only access to the folder and is only accessible to those sent the link for the folder. The materials will be removed from Box at the conclusion of the meeting.

#### Meeting details

The meeting will be held via Zoom. A password will be required for those attempting to access the meeting. Additionally, all users must be authenticated to access the meeting. We will also implement a waiting room upon entering the meeting to make sure that the students presenting only have access to the meeting when we are ready for them to present. They will be removed from the meeting before we deliberate on their appearance and also before the next agenda item is discussed.

The SPC meets monthly to review any academic, behavioral, grievance or leave of absence (LOA) issues that have arisen since the last meeting. They may review written documentation of student performance or request verbal reporting from relevant faculty.

A student suspected of breaching University or FSM standards, independent of performance in the school's courses and clerkships, will need to appear before the SPC based upon the judgment of the Senior Associate Dean for Medical Education. A written request will be provided to the student identifying the specific grounds pertaining to the appearance. The time and place of the related hearing will be identified in this letter. The notification letter is delivered to the student in person, by e-mail, or by registered mail. The hearing generally occurs within two weeks of this written notification, except in extraordinary circumstances.

The purpose of an SPC appearance is to determine whether a student has acted in a manner inconsistent with the aforementioned standards and, if so, to determine what action is to be taken. These hearings are closed, attended only by the SPC members, SPC staff person, and the student(s) in question. The testimony of one or more witnesses may be requested by either the SPC or student; a witness is present only for testimony and any subsequent questioning by the SPC; the SPC determines in its sole discretion whether to call a particular witness. A student also may request the presence of a support person, who must be a trusted mentor or faculty member, but not a family member or attorney. This person may be present for support at the hearing but cannot directly address the SPC.

During the hearing, the student is given the opportunity to present their position, explanation, and evidence. Upon completion, the SPC members are given the opportunity to question the student regarding the situation, the student's educational experience and any other issues that may factor into an educated decision.

Following the SPC meeting, the student will be contacted by the SPC chair and made aware of the committee's decision. A written decision letter will be sent to the student via e-mail and/or registered mail within the following week.

### **Appeal Procedure**

A student has the right to appeal to the School of Medicine Dean any decision of the SPC on the following bases: (a) errors of procedure that reasonably could have affected the outcome of the SPC decision, or (b) an SPC decision or sanction that is manifestly unreasonable and unsupported by the great weight of information. The protocol for appeal of a SPC decision rendered for violation of behavioral or School of Medicine standards is the same as that for inadequate academic performance.

A request for appeal must be made to the Vice Dean for Education, setting forth all the reasons for requesting an appeal, within 14 days of the date of the committee's decision and must indicate the basis for the appeal. The Vice Dean for Education may disallow the appeal if these conditions are not met.

The Vice Dean for Education will arrange for an ad hoc Student Appeals Committee to review the student's written appeal, meet with the student, and recommend action to the Dean. The Student Appeals Committee will review earlier actions and recommendations of the SPC to ensure that deliberations were conducted fairly and equitably, conclusions reached were justified, and any remediation requirements or other actions imposed were appropriate.

### **The Student Appeals Committee**

The ad hoc Student Appeals Committee is composed of three faculty members appointed by the Vice Dean for Education. Members are not simultaneously members of the SPC. The full membership of the Student Appeals Committee must be present for official business to be conducted, and recommendations

are made by majority vote. The Student Appeals Committee may hear other people of its choosing who may provide information related to the issue at hand, and it may investigate written reports, academic records relevant to the issue at hand, committee minutes, examination papers, or related documents.

The student has the right to appear before the Student Appeals Committee to present his or her case and may be accompanied by a support person who is a faculty member or other trusted mentor, but not a family member or attorney. This person may be present for support at the hearing but cannot directly address the appeals committee.

Following its review, the Student Appeals Committee will recommend either that the Dean sustain the original decision of the SPC or modify the SPC's decision, which may include a recommendation to either increase or decrease a proposed sanction.

The Dean may accept, reject, or modify the recommendation of the ad hoc Student Appeals Committee. In considering the recommendation of the Student Appeals Committee, the Dean also may wish to examine related documents and meet with the student and/or others. The Dean then will notify the student of the appeal decision directly. The Dean's decision is final and not subject to any further appeals.

**IV. REVISION HISTORY:**

6/5/2020: Meeting procedure revised for virtual setting.

**V. APPROVING BODY:**

Dean of the Feinberg School of Medicine