

## Committee on Student Performance and Conduct

### **I. Name and purpose**

This committee of the faculty shall be called the Committee on Student Performance and Conduct (CSPC).

Society in general, and the faculty of our School, expect our students to graduate only ethics, consistent with becoming fine physicians. The CSPC is the committee of the faculty established to monitor student progress in both areas—academic performance and conduct.

If the Committee becomes aware of the possibility that a student's academic performance or conduct may not be meeting these high standards, then it is the Committee's responsibility to look into each situation. When minor lapses of performance or conduct have occurred, then the Committee will work with each student to develop a plan to remedy such lapses.

If the Committee becomes aware of evidence that a student's academic performance or conduct is seriously deficient, or has not responded to efforts to remedy a lapse, then the Committee is charged with determining whether more serious steps, up to and including suspension or separation of the student, might be necessary.

The CSPC will meet as often as necessary to carry out these missions, most likely 10-12 scheduled meetings per academic year, with other meetings added as needed.

### **II. Composition**

The Committee shall be appointed by the Dean, and consist of several groups of voting members and non-voting members.

Voting members: Eight voting members shall be nominated by four clinical department chairs and four basic science department chairs. Each departmental representative will be appointed to a 4-year term. Two members (one clinical, one basic) will rotate off each year. All departments will rotate in providing members to the Committee. Often, departmental members will be course or clerkship directors.

Five additional voting members shall be appointed given their areas of expertise, including: Senior Associate Dean for Medical Education, the Associate Dean for Student and Multicultural Affairs, the Coordinator Year 1, the Coordinator of SBM, and the Assistant Dean for Clinical Education.

Two additional voting members will be appointed. One will represent our community-based faculty, and a second will be appointed by the dean to represent the broader societal interests in the quality and conduct of our students. This person will not be a member of the medical school faculty, but will have some direct knowledge of the healthcare system and medical school. (For example, a nurse or social worker with frequent contact with medical students would be appropriate.) These voting members will also serve on a rotating 3-year cycle.

Voting members will be replaced if they consistently miss meetings.

The chairperson shall have a vote, and shall be appointed by the Dean. The chairperson should have considerable experience in the areas of student academic progress and professional conduct, and shall be a faculty member held in respect by faculty in basic science and clinical departments, and by students.

The total number of voting members shall be the 16 participants named above.

As the Committee is constituted, the terms of members will be adjusted to allow for the planned turnover as outlined above. Also, members forced to be away (e.g. illness, sabbatical, etc.) may ask their chairs to invite other members of their department to substitute for them.

Nonvoting members: Non-voting members will attend meetings, contribute their expertise from various areas, their knowledge of students and policy, and some will act as student advisors and advocates. These important but non-voting members will include the Senior Advising Dean, Assistant Dean for Student Affairs, Assistant Dean for Medical Education (Residency issues), Registrar, Director of Admissions, Director of Financial Aid, Chairperson of the CSD, Multicultural Affairs Coordinator, and a member of the health care referral team at Dick's House.

### **III. General policies**

A. All motions (with one exception described below) shall pass by majority of voting members present. Official votes can be taken when a quorum (8 voting members) is present. When a motion is made to separate a student for any reason, then a vote of 2/3 or more of the voting members present is necessary for the motion to pass.

B. Brief minutes of each meeting will be taken by the Registrar, with special emphasis being applied to recording every official motion, and the vote taken on that motion. Official letters sent to students will also constitute part of the minutes of each meeting, as they summarize the decisions of the Committee. Minutes of all meetings will be kept in the Registrar's Office. Letters from the chair to individual students shall be kept in the students' folders in the Registrar's Office, and be a part of the student's file.

C. When a student wishes to contest a decision of the CSPC, that student has the right to request reconsideration of the decision in a two-step process ("appeal"). The first step is to request reconsideration by the CSPC itself. This request should be in the form of a written letter, sent to the Chair of the CSPC within two weeks of its initial decision. The letter should state clearly whether the student is basing the request for reconsideration on the availability of new information (not available to the Committee at the time of the initial hearing, and likely to affect the outcome) or whether the request is based on the student's view that the CSPC did not follow its written guidelines for process. Reconsideration will generally not be offered simply because a student disagrees with a decision reached by the CSPC. Should the CSPC decline to reconsider the case, or should the reconsideration by the Committee result in an adverse decision for the student, then the student can request that the Dean reconsider the case, using the same process outlined above.

D. When the Dean is considering an appeal by a student (as outlined in the paragraph above), the Dean can either sustain the earlier decision by the CSPC, or reverse or alter that earlier decision. In all cases, the Dean can interview anyone that the Dean feels is appropriate in helping to arrive at a decision. The Dean should meet with the student filing the appeal, and with the CSPC, in order to fully understand the arguments and concerns of both parties. Once the Dean makes a final decision, it should be communicated promptly in writing to the student and to the CSPC. In the

event that the Dean decides to overturn or modify the earlier decision of the CSPC, then the Dean should meet again with the CSPC to explain the reason for the decision. In this way, the CSPC can learn whether there were any issues concerning due process that need to be addressed in future hearings.

E. In fairness to the student and to members of the Committee, hearings and student requests for reconsideration must be held as soon as possible in relation to the proximate event. For example, an appeal to the CSPC by the student about an adverse decision made by the Committee must be filed within two weeks. The Chair of the CSPC then has 2 weeks to decide whether the CSPC should hear the appeal. If an appeal is deemed to be appropriate, then the hearing of the CSPC should be scheduled within 4 weeks of the decision to grant the appeal. Similar promptness at each level is expected. (It is recognized that in some unusual cases, a slower time frame may be appropriate, for example, when an evaluation for a possible disability or illness is required.)

F. When the Committee is considering more severe actions such as suspension or separation of a student, a final vote should be taken by the Committee only after the student has been offered an opportunity to address the Committee in person, and to respond to questions from members of the Committee. Also, the student should be notified by the Committee in writing before the meeting as to what the major concerns of the Committee are likely to be during the coming meeting.

G. Decisions made by the Committee may be revealed to authorized College personnel, to the student, and in appropriate circumstances, to the student's parents or guardians (especially when the personal safety of the student is a concern). Other individuals may be notified as appropriate.

H. [The following clause is under revision and the procedure described here is suspended until the revisions have been adopted.] When the Committee's decision results in a student no longer continuing with his or her class (e.g. through a LOA, suspension, or separation), the Chair of the CSPC will contact the class, and inform the class of the change in status of the student.

I. Official notification of Committee actions shall be made by the Registrar as soon as possible after the action is taken by the CSPC (and after the student has been notified of the action, as in III.B above, III.L

below). All individuals and departments with a need to know will be so notified.

J. The official medical school transcript shall accurately reflect the actual academic record of the student, and important decisions reached by the Committee about each student's academic performance or misconduct (for example, reflecting change in student status, courses failed, grades changed through re-examination, suspensions, etc.).

K. When a student addresses the Committee, the student will act as his or her own advocate. In some situations (see below), the student may be accompanied by a current member of the Medical School community (e.g. classmate, faculty member, etc.) for support or advice. Such a guest must be cleared with the committee chair prior to the meeting. Since these are not formal legal proceedings, but internal meetings of an official school committee, no lawyers representing students shall be allowed.

L. Meetings will go more smoothly when a faculty member who is a member of the CSPC is prepared to speak about each case coming before it. (For example, when a student fails a course in the first year or in SBM, the member representing the first year course or SBM should have met with the student in advance, and be prepared to summarize the facts of the case.)

M. The formal decisions of the CSPC shall be communicated by the Chair to the student in a timely fashion, usually on the night of the meeting or the next day. This verbal communication will be backed up by a formal written letter to the student, with copies going into the student's folder, and into the minutes of the CSPC. In some situations, the Chair may invite one of the advising deans to be present as well when news of a decision is given verbally to the student.

N. The Chair of the Committee on Students with Disabilities will be a nonvoting member of the CSPC to facilitate communication between both Committees. There will be no formal relationship with SNAP. There is no formal relationship with the Student Honor Committee, other than that the Student Honor Committee is obligated to refer certain types of cases to the CSPC.

In some situations, student concerns about a certain incident (e.g. a student witnesses possible cheating on an exam by another student) may

result in referral to the SHC, while another member of the community (e.g. a proctor, faculty member) may bring similar concerns about the same incident to the CSPC. In such situations, the concerns of each complainant will be handled fairly by the committee charged with investigating such allegations or concerns.

O. Guidelines and policies written in advance cannot cover all possible scenarios. When in doubt, the Committee should be guided by several important general principles, including: fairness to students; following due process; promptness of action and notification; maintaining confidentiality when possible; and, balancing the best interests of each student with its obligations to the Faculty and to society to train graduates who demonstrate the highest standards of academic performance and conduct.

P. Administrative support to the Committee will be supplied by the Registrar. The Registrar will work with the Chair to set the agenda; inform members of meeting dates and times; take and maintain the minutes; maintain official student folders; maintain copies of all letters sent by the Chair; invite guests (e.g. course or clerkship directors) when necessary; etc.

Q. Each course or clerkship director will determine a student's grade. If the student feels a grade is unfair, the student may request reconsideration directly from the course or clerkship director. Each student is entitled to an explanation of exactly how the final grade was determined. If the student still feels that the grade assigned by the director is unfair, the student should next approach the direct supervisor of the course or clerkship director. When the course or clerkship is offered by a department (e.g. Pharmacology or Medicine), then the student should seek reconsideration from the department chair. When there is no department chair (e.g. a section of SBM), On Doctoring, etc), or when the course director is the department chair, then the final reconsideration of a grade should be to the Senior Associate Dean for Medical Education (for courses in Year 1,2), or the Assistant Dean for Clinical Education (for clerkships, electives in Years 3 & 4).

R. These policies concerning the CSPC, and various types of student status changes, should be updated as needed. The updated version should be posted on the DMS Intranet. The incoming freshman class should receive a copy of the latest version on matriculation.

S. No student will be formally separated or suspended prior to an appropriate hearing by the CSPC, as outlined in other sections. However, on rare occasions an emergency may arise in which the health of a student, faculty member, patient, or other member of the community is placed at risk by the presence of a student. In such an unusual situation, the Chair of the CSPC has the authority to provisionally suspend a student, pending formal consideration of the relevant issues by the full Committee at the earliest possible opportunity. It is anticipated that this action will be required only under very rare circumstances.

#### **IV. Procedures for issues related to academic progress**

A. The academic progress of every student shall be reviewed at the end of each academic year, prior to a formal vote by the CSPC to promote members of the class to the next year. A similar review of the progress of each student shall occur near the end of the fourth year, prior to a vote by the faculty on whether to confer the MD degree to each student.

B. In addition, the academic performance of individual students will always be reviewed when a failing grade is obtained in any course, clerkship, or elective. A faculty member may also request review of a student's performance by the Committee when an extremely marginal, but passing, grade is earned by the student.

C. The Committee shall consider a student's complete academic record (including reference to courses or clerkships that were failed, or that were passed marginally) in trying to plan an optimal academic or remedial program for any particular student

D. There are many different ways that a remedial program can be designed, but the more common ones include retaking an exam if a course is failed; repeating a course or clerkship; splitting a year; repeating a year; going on a leave of absence. Sometimes suspension or separation may be indicated.

E. The Committee will try to determine the optimal plan for each student in academic difficulty. There are no "standard policies" in this area. Nevertheless, over the past few years common problems encountered, and common plans for remedial action, have included:

Failure of one course in Year 1 or Year 2 (with no difficulties as indicated by marginal passes in other courses): Repeat exam at the next convenient time  
Failure of two courses in Year 1 or Year 2 (with no (usually after a vacation) difficulties in other courses): Two repeat exams offered at the end of the year, or split schedule.

Failure of three courses in Year 1 or Year 2: Repeating the entire year, split schedule, or separation.

Failure of a required clerkship: Repeating the failed clerkship (with reduction of vacation or elective time in Year 4; student is still required to complete all requirements for graduation, including a minimum of 3 months of electives.)

Failure of two or more required clerkships: Separation.

Failure of a course during a repeat year, or during a split schedule: Usually results in separation.

Uncertain readiness for promotion given a number of passing grades at the margin: There is no fixed policy here, but the Committee will pay close attention to a student's overall academic performance in making the decision whether a student is prepared for promotion to the next level, or graduation from medical school.

F. The Committee will try to assure that a student is promoted from one year to the next only when that student has demonstrated adequate mastery of that year's material, and only when the student appears to have a high probability of being able to handle the more advanced material offered in the next year.

G. The Committee can invite guests to provide more information about a student's performance when necessary (e.g. a course or clerkship director who is not a member of the Committee will usually be invited to present relevant information about a student who has done poorly in a course or clerkship).

## **V. Procedures for issues related to student conduct**

A. All students are expected to conduct themselves in an exemplary fashion, according to standards of conduct outlined in the DMS student

policy handbook, the Code of Professional Conduct of the DHMC, relevant laws and regulations, and usual societal standards of responsible adult behavior.

B. The Committee will review the conduct of an individual student when it receives a complaint about possible misconduct by that student. The misconduct may be in the area of academic misconduct (e.g. plagiarism, cheating, etc.); professional misconduct (e.g. failure to respect patient confidentiality; misuse of a computer information system; misuse of an on call room, etc.); or personal misconduct (e.g. assault, harassment, other potentially criminal activity, etc.).

C. All concerns about possible student misconduct, raised by any person, should be directed to the CSPC. The exception to this policy occurs when a concern about a student's conduct as a potential violation of the student honor code is raised only by a fellow student. In such a case, the student alleging this particular type of misconduct may contact either the CSPC, or the Student Honor Committee (the choice is up to the student who is reporting the behavior). The DHMC Advisory Panel for Professional Conduct (in the medical center) will not review cases of medical student misconduct, but will refer such cases to the CSPC. (Note: Reporting potentially criminal misconduct to the CSPC does not preclude the witness also reporting the alleged misconduct to the proper legal authorities.)

D. Once a concern about a student's conduct is brought to the Chair of the CSPC, a two-step process will be initiated as quickly as possible. The first step (in all cases) will be a quick review by a small ad hoc committee (described below). When warranted, a second step shall consist of a formal hearing before the full Committee.

E. For each allegation of student misconduct, the Chair shall appoint an ad hoc group of three voting members of the Committee to interview all witnesses and the students involved, and review all evidence. At the end of this review, the ad hoc group shall prepare a written summary of the evidence, and a conclusion. The ad hoc group needs to conclude that either no further action is warranted (e.g. evidence is inconclusive, or evidence is solid but the misconduct was minor), or that the case should be referred to the full CSPC for a formal hearing. In either case, the summary letter about the case prepared by the group shall go into the student's file in the registrar's office. The ad hoc group may also ask the Chair to send a

written warning to the student, but not initiate any other formal disciplinary action on its own. If a formal disciplinary action is indicated (e.g. suspension or separation), then the case must be referred by the ad hoc group to the full Committee. If the student disagrees with the letter prepared by the Chair at the direction of the ad hoc group, then the student may request that the matter move on to the full committee for a formal review.

F. When a formal review by the full CSPC is warranted (either at the request of the student, or by referral from the ad hoc group), then a specific set of rules will apply. The formal hearing will include any witnesses and evidence as deemed appropriate by the Chair. The student may also propose to include evidence or witnesses as well, as cleared by the Chair. The Committee and student involved will hear all witnesses approved by the Chair, and review all evidence submitted. All written evidence to be entered must be made available to both the student and the committee at least three days before the hearing. Both the accuser and the accused may be asked to submit written summaries in advance of the meeting, which both can review. Questions by the accuser and the accused shall be directed to the Chair. Members of the Committee can directly question the accuser or the accused student. A tape recorder will be used to record all testimony, but not the deliberations of the Committee. A copy of this tape will be made available to the accuser and the accused, if requested. Minutes will not include the discussion, but only the formal motion made and the vote.

G. Each case will be decided on its own merits by the ad hoc group, or in some cases by the full Committee. No automatic disciplinary action is warranted for any particular case. In the past, actions have included suspension, required leave of absence, separation, or other less severe penalties.

H. The CSPC should proceed in such cases first by voting on whether or misconduct occurred. If the finding is that misconduct did occur, then the committee will move on to consider and vote on possible appropriate actions.

I. For the CSPC to conclude that a student is guilty of misconduct, a simple majority of voting members present must vote that they find “clear and convincing proof” that misconduct did occur.

J. If a student is found guilty of misconduct, and a subsequent vote is taken to either suspend or separate the student, then that motion must be approved by 2/3 or more of voting members present to pass.

K. These procedures may be supplemented or modified, as necessary, to achieve a full and fair resolution of the relevant matter. Revised guidelines for the CSPC will be included in each year's edition of the DMS student policy handbook.