

Undergraduate Medical Education (UME) Policy

Title: Appeal process for an academic grievance			
<i>Origination</i> Date: 10/07/2010	<i>Last Amended</i> Date: 5/24/2019; 4/19/2019	<i>Next Scheduled Review</i> Date: 5/24/2023	<i>Policy Reaffirmed</i> Date:
Purpose:	The Long School of Medicine (Long SOM) recognizes a student's right to due process and the need to assure that student academic grievances are evaluated fairly, equitably, and are handled in a systematic and timely manner.		
Definitions:	<p><u>Academic grievance</u> - a complaint regarding an academic decision or action that may affect the student's academic record and/or concerns adversely influencing the student's academic status. Examples include, but are not limited to, examination score; module, course or clerkship grades; clinical course narrative comments; remediation; repetition; suspension; probation; professionalism sanctions; or dismissal.</p> <p><u>Informal appeal process</u> - allows a student to pursue resolution of a grievance directly within the administrative structure of a course (i.e. through the associate dean for curriculum in the preclinical phase or the clerkship director/course director in the clinical phase).</p> <p><u>Formal appeal process</u> - allows a student to pursue resolution of a grievance through the medical school's Student Progression and Promotion Committee (SPPC).</p> <p><u>Written communication</u> - for purposes of this policy includes electronic communication via email.</p> <p><u>LCME Element 9.9 Student Advancement and Appeal Process</u> - A medical school ensures that the medical education program has a single standard for the advancement and graduation of medical students across all locations and a fair and formal process for taking any action that may affect the status of a medical student, including timely notice of the impending action, disclosure of the evidence on which the action would be based, an opportunity for the medical student to respond, and an opportunity to appeal any adverse decision related to advancement, graduation, or dismissal.</p> <p><u>LCME Element 11.6 Student Access to Educational Records</u> - A medical school has policies and procedures in place that permit a medical student to review and to challenge his or her educational records, including the Medical Student Performance Evaluation, if he or she considers the information contained therein to be inaccurate, misleading, or inappropriate.</p>		
Policy:	A medical student may choose to resolve an academic grievance in the preclinical and clinical phases of the curriculum through either an informal or formal appeal process.		
Process:	<p><u>PROCEDURES FOR INFORMAL APPEAL</u></p> <p><i>Preclinical Phase</i></p> <p>A student who has an academic grievance in the preclinical phase may pursue resolution of the concern by contacting the associate dean for curriculum in writing within 5 business days from the date the student knew or should have known of the academic concern.</p> <ul style="list-style-type: none"> ➤ Within 20 business days from receipt of the student's written communication of the grievance, the associate dean for curriculum will investigate the concern and provide the student a written decision. 		

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Clinical Phase

A student who has an academic grievance in the clinical phase may pursue resolution of the concern by contacting the clerkship director/course director in writing **within 5 business days** from the date the student knew or should have known of the academic concern. The clerkship director/course director will investigate the student's concern, employing departmental education processes, as per departmental practices.

- **Within 20 business days** from receipt of the student's written communication of the grievance, the clerkship director/course director will investigate the concern and provide the student a written decision.

PROCEDURES FOR FORMAL APPEAL

The following procedures apply for both the preclinical and clinical phases of the curriculum.

For a formal appeal, a student must file written notice of the appeal with the associate dean for student affairs and the chair of the Student Progression and Promotion Committee (SPPC) **within 5 business days** of the date the student knew or should have known of the academic concern.

If a student first pursues an informal appeal process, but is not satisfied with the resolution, he/she may pursue a separate formal appeal process. The student must file written notice of the formal appeal with the associate dean for student affairs and the chair of the Student Progression and Promotion Committee (SPPC) **within 5 business days** of receipt of the written decision from the informal appeal process.

Within 15 business days of the date of the event that triggers the formal appeal (i.e. knew of academic concern or received results of an informal appeal), the student must do the following:

1. meet with the associate dean for student affairs or his/her designee to ensure factual accuracy of the basis for appeal, review the processes and procedures, and anticipate preparation of documentation for the SPPC meeting;
2. submit a written request for a formal appeal describing the rationale for the grievance in detail and propose a resolution; and
3. provide supporting documentation.

***Note:** If after meeting with the associate dean for student affairs and creation of the appeal a case of student mistreatment is discovered, the student's grievance will be handled under the governing student mistreatment policy at either the university or school of medicine level with a separate timeline for addressing the issue. Refer to the Long SOM's *Student Mistreatment* policy for further detail.

Upon receipt of the formal written appeal and supporting documentation, an *ad hoc* group of the SPPC, including the chair of the SPPC and at least two additional voting members of the SPPC, will investigate the grievance, review the appeal, and might request a meeting with the student, at the discretion of the *ad hoc* committee, to ensure a comprehensive review. The associate dean for student affairs will also be present to provide information as needed by the SPPC *ad hoc* group, such as background information about Long SOM policies and course requirements, as well as information about a student's global performance.

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The chair of the SPPC will present the student's written statement and any supporting documentation, as well as the *ad hoc* inquiry into the formal appeal, to the SPPC at the next scheduled SPPC meeting. At this point the SPPC will decide to either:

1. render a decision on the appeal, or
 2. defer a decision pending additional information, which might include a meeting with the student at the discretion of the SPPC.
- **Within 10 business days** after the SPPC meeting, the SPPC chair will provide the student a written decision. The decision of the SPPC is final, pending appeal to the dean of the Long SOM. The student continues in the curriculum until the appeal process is exhausted unless the student's continuance poses a safety concern.

APPEALING A SPPC DECISION TO THE DEAN

If a student is not satisfied with the SPPC's decision, he/she may file a written secondary appeal to the dean of the Long SOM following the below requirements.

Within 5 business days of receipt of the SPPC's written decision, the student must file a written secondary appeal to the Dean with the associate dean of student affairs as an additional recipient.

Within 10 business days of receipt of the SPPC's written decision, the student must do the following:

1. meet with the associate dean for student affairs or his/her designee to ensure factual accuracy of the basis for the secondary appeal; review the processes and procedures; and anticipate preparation of documentation, AND
2. submit a written request with a justification statement for secondary appeal and all supporting documentation in its entirety to the associate dean for student affairs who will submit it to the dean on behalf of the student.

Upon review of the student's record and appeal portfolio, the dean may elect to do one of the following:

1. allow the SPPC decision to stand;
2. modify the SPPC decision;
3. make an alternate decision; or
4. impanel an *ad hoc* committee to re-examine the appeal and make recommendations to the dean.

The *ad hoc* committee will be composed of three Long SOM faculty members appointed by the dean. Faculty disallowed includes members of the SPPC, undergraduate medical education (UME) professional leadership, and module/clerkship/course directors. The *ad hoc* committee will have full investigative authority and make recommendations directly to the dean. At the discretion of the dean and/or the *ad hoc* committee, a face-to-face meeting with the student might be requested. In order to ensure continuity throughout the process, the associate dean for student affairs will accompany the student in any/all face-to-face meetings with the dean and/or the *ad hoc* committee.

- **Within 20 business days** from receipt of the student's appeal, the dean will provide a written decision to the student, the vice dean for undergraduate medical education, and the chair of the SPPC. The decision of the dean is final. The associate dean for student

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affairs will meet with the student to inform him/her about the dean's decision. At the next scheduled SPPC meeting, the chair of the SPPC will present the dean's decision for entry into the minutes.

MANAGEMENT OF POTENTIAL CONFLICTS OF INTEREST

If any of the above named individuals or members of groups have a potential conflict of interest they will recuse themselves from discussions and/or name a designee to handle proceedings. The following university policies, Handbook of Operating Procedures (HOP) Policies 10.1.2 *Code of Ethics and Standards of Conduct* and 10.1.12 *Institutional Conflict of Interest* govern management of conflicts of interest. Furthermore, SPPC members are required to abide by the following policy, *Recusal from Student Progression and Promotion Committee Discussions and Votes*.

Approval Body: Office for Undergraduate Medical Education, Executive Leadership

CERTIFIED BY:

Policy Custodian(s)

Name: Deborah Conway, MD

Title: Associate Dean for Curriculum

Name: Joshua Hanson, MD

Title: Associate Dean for Student Affairs

ACCEPTED AND AGREED TO:

Student Progression and Promotion Committee (SPPC)

Name: Sadie Trammell-Velasquez, MD

Title: Associate Professor, Medicine

Responsible Officer

Name: Florence Eddins-Folensbee, MD

Title: Vice Dean for Undergraduate Medical Education

Responsible Executive

Name: Robert Hromas, MD, FACP

Title: Dean/Vice President for Medical Affairs, Long School of Medicine

References to regulations and/or other related policies:

- **LCME Elements:**
 - 9.9 Student Advancement and Appeal Process
 - 11.6 Student Access to Educational Records
- **Other Relevant Policies/Guidelines/Procedures/Forms:**
 - Handbook of Operating Procedures (HOP) Policies
 - 10.1.2 Code of Ethics and Standards of Conduct
 - 10.1.12 Institutional Conflict of Interest
 - Student Progression and Promotion (SPPC) Policy
 - Recusal from Student Progression and Promotion Committee Discussions and Votes
 - Office for Undergraduate Medical Education Policy
 - Student Mistreatment policy