



## **INSTITUTIONAL POLICY: ST-01**

Category:	Students
Subject:	Academic and Professional Standards
Effective Date:	June 11, 2019
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### **ST 01-1. Authority**

W. Va. Code § 18B-1-6

### **ST 01-2. Introduction**

- 2.1 The West Virginia School of Osteopathic Medicine (“WVSOM”) evaluates students pursuing the D.O. degree as thoroughly as possible for their cognitive and non-cognitive abilities, their academic and professional knowledge and skills, their integrity, and their suitability for the practice of osteopathic medicine.
- 2.2 Medical students must behave with primary concern for patients’ welfare and respect for the rights of patients. In addition, they must adhere to the highest standards of integrity and honesty in their interactions with patients, colleagues, faculty and administrators. Students are expected to adhere to the standards set forth in policies, rules and procedures. WVSOM’s degree of Doctor of Osteopathic Medicine may only be conferred on a candidate who, in addition to other requirements, “has demonstrated ethical, personal, and professional qualities deemed necessary for the continued successful study and practice of Osteopathic Medicine” (Institutional Policy E-27, section 2.1.4).
- 2.3 The preservation of order and discipline on a campus shall be the concern of all those who function within the campus community. Admission to WVSOM implies an agreement between the student and institution. The institution provides the opportunity to partake of its programs and privileges. The student agrees to comply with the policies, rules, and regulations of WVSOM to protect those programs and privileges, and to consistently demonstrate the integrity and professional qualities deemed necessary for the continued study and practice of osteopathic medicine. Students are expected to exhibit responsible behavior regardless of time or place. Failure to do so may result in disciplinary action by WVSOM. Responsible behavior is a standard of conduct which reflects the public’s higher expectations of physicians.
- 2.4 It is the responsibility and expectation of faculty to monitor student professionalism and to counsel students who demonstrate unprofessionalism. Faculty are also expected to complete and submit professionalism forms for both positive and negative conduct.
- 2.5 Students shall have the right to appeal such faculty and administrative actions as grades (only failing grades in Years 3 & 4), dismissal, or other academic sanctions. Note: Placement on

Academically-at-Risk status is not considered to be an academic sanction, but is a status designated as a result of receiving a failing grade or grade point average.

- 2.6 Any member of the campus community may bring charges of misconduct or unprofessionalism against any student. The term "campus community" shall refer to all faculty, staff, or students both on the WVSOM campus and at contracted teaching sites. This may also include medical and support personnel at contracted teaching sites. The charges against a student must be detailed in writing including date, time, and witnesses, if any, to the Assistant Dean for Student Affairs. Charges of complaint must be filed within thirty (30) days of knowledge of the event, unless good cause is shown why the charges were not filed within that period.
- 2.7 A file containing a report or reports, and any other written materials pertaining to an incident involving professionalism will be kept by the Assistant Dean for Student Affairs for seven (7) years from the date of a student's matriculation.

### **ST 01-3. Standards of Student Conduct**

- 3.1 All students at the institution are subject to, and are required to comply with, observe and obey the following:
  - 3.1.1 The laws of the United States;
  - 3.1.2 The laws of the State of West Virginia;
  - 3.1.3 Local municipal and county ordinances; and
  - 3.1.4 The policies, rules, and regulations of the institution.
- 3.2 Prohibited conduct includes, but is not limited to:
  - 3.2.1 Disorderly conduct;
  - 3.2.2 Theft; and
  - 3.2.3 Disruption.
  - 3.2.4 The appendix sections of *Fact Finding Committee Procedure* and *Procedure for Appeal of Final Course Grades* for Institutional Policy ST-01 (Academic and Professional Standards) contain additional information on prohibited conduct.

### **ST 01-4. Standards of Professional Conduct**

- 4.1 All WVSOM students are personally responsible for their behavior and conduct at all times in all settings, whether on campus or off campus.
- 4.2 Since physicians are held to a higher standard by the general public, the following standards are expected to be maintained by WVSOM students:
  - 4.2.1 Behaves in a responsible, reliable and dependable manner, e.g., demonstrates appropriate personal control, manages time well, is on time for assignments, meetings, and appointments; responds to communication/inquiries from WVSOM in a timely manner (usually within 2 business days), attends required activities, takes

tests on the scheduled day; takes on tasks that he/she can manage; plans ahead and follows through with commitments; cooperates with person(s) in charge of programs; and takes responsibility for absences or missed assignments. Indicates no evidence of participating in academic or clinical endeavors at WVSOM or its affiliated institutions while under the influence of alcohol, a controlled substance, or illicit drugs. The student has not shown evidence of use, possession, or distribution of illegal drugs at any time.

- 4.2.2 Is consistent and truthful; honest in reports and self-evaluations.
- 4.2.3 Projects a professional image in manner, dress, grooming, speech, and interpersonal relationships that is consistent with the osteopathic medical profession's accepted contemporary community standards, e.g., maintains awareness of personal hygiene, adheres to site or activity-specific dress codes, notifies faculty members, associate dean, preceptor, or other leader (whomever is appropriate for the circumstance) in case of emergency absence or calls to apologize if unable to notify in advance; is respectful of other students and patients when doing physical examination or treatment.
- 4.2.4 Recognizes his/her personal limitations and biases, whether they are intellectual, physical, or emotional and strives to correct them, e.g., overcomes negative behaviors such as procrastination, learns to be a team member, and adapts to new situations.
- 4.2.5 Demonstrates the professional and emotional maturity to manage tensions and conflicts which occur among professional, personal, and family responsibilities, seeking professional help if necessary, meets with supposed antagonists to resolve misunderstandings, gets needed help from faculty advisors, tutors, counselors, learning assistance professionals and other qualified persons, shows ability to appropriately prioritize personal, professional, and academic expectations and activities.
- 4.2.6 Demonstrates the ability to exercise sound judgment and to function under pressure, e.g., does not endanger others or place patients at risk. Respects the difference between the medical student and doctor, and remains focused on the task at hand; remembers that as a student he/she represents WVSOM. Students must be able to concentrate, analyze and interpret data, make decisions and behave professionally under a time limitation and do so under a reasonable amount of stress.
- 4.2.7 Demonstrates ability to learn from mistakes and failures and heeds admonitions and warnings from administration and faculty of WVSOM and from clinical supervisors. Is responsive to feedback and constructive criticism regarding professionalism and attitude, understands the seriousness of academic and disciplinary warnings.
- 4.2.8 Demonstrates compassion and respect toward others. Avoids discriminatory conduct (verbal and non-verbal), speech (including e-mails), and harassment. Avoids harm, abuse, damage, or theft to any person or property.
- 4.2.9 Consistently demonstrates respect for administration, faculty, staff and fellow students at WVSOM, e.g., maintains a respectful learning attitude in the classroom and labs; responds promptly to necessary academic requests, or business inquiries

made by staff at the institution. Additionally, recognizes all fellow students as peers who have earned the right to be in the educational process.

- 4.2.10 Has not utilized WVSOM or any hospital/clinic facilities without authorization and gives no indication of treating patients without authorization by the clinical staff and with supervision.
- 4.2.11 Demonstrates compassion and respect toward others. Is not disruptive in any way; does not participate in harassment, fights, or any form of violent behavior including abusive/foul language. Has not been reported as having a conviction of a criminal offense other than a traffic offense. Obeys the laws of the country, state, and city.
- 4.2.12 Remains in compliance with the published policies, procedures, catalog, handbooks, syllabi, and regulations of the West Virginia School of Osteopathic Medicine and its governing board.
- 4.2.13 Adheres to appropriate standards of confidentiality with respect to information about patients.
- 4.2.14 Treats patients and their families with dignity and respect both in their presence and in discussions with other members of the health care team.
- 4.2.15 Honest in interactions with clinical and research colleagues and in record keeping.
- 4.2.16 Respects his/her limits of responsibility and activity set by supervisors.
- 4.2.17 Adheres to all WVSOM, hospital, and clinic, policies, rules and procedures.

#### **ST 01-5. Standards of Academic Integrity**

- 5.1 The most fundamental value of any academic community is intellectual honesty: all academic communities rely upon the integrity of each and every member. Students are responsible not only for adhering to the highest standards of truth and honesty, but also for upholding the principles and spirit of the following standards of conduct described in this policy.
- 5.2 Activities that have the effect or intention of interfering with education, pursuit of knowledge, or fair evaluation of a student's performance are prohibited. Prohibited academic conduct for which a student is subject to discipline includes, but is not limited to, the following:
  - 5.2.1 Cheating: using or attempting to use unauthorized assistance, material, or study aids in examinations or other academic work or preventing, or attempting to prevent another from using authorized assistance, material or study aids. Example: looking at the papers or computer screen of students in adjacent seats; secreting notes for use during a quiz or exam, whether on one's person, in the examination room, or any other room within the building; having someone else take an exam or portion thereof for the student; or altering a graded exam and resubmitting it for a better grade.
  - 5.2.2 Plagiarism: using the ideas, data, or language of another without specific or proper acknowledgment. Example: copying another person's paper, article, SOAP Note or computer work and submitting it for an assignment; cloning someone else's ideas without attribution; or failing to use quotation marks where appropriate.

- 5.2.3 Fabrication: submitting contrived or altered information in any academic exercise. Example: submitting a false case report; making up data for an experiment; fudging data; citing nonexistent articles; or contriving sources.
- 5.2.4 Multiple submissions: submitting, without prior permission, any work submitted to fulfill another academic requirement.
- 5.2.5 Misrepresentation of academic records: misrepresenting or tampering with or attempting to tamper with any portion of a student's transcripts or academic record, either before or after coming to WVSOM. Example: forging a change of grade slip; tampering with computer records; or falsifying academic information on one's application.
- 5.2.6 Facilitating academic dishonesty: knowingly helping or attempting to help another violate any provision of this policy. Example: letting others see your answers to an exam; letting students who take an exam later than you do know the contents of that exam; or working together on a take-home exam.
- 5.2.7 Unfair advantage: attempting to gain unauthorized advantage over fellow students in an academic exercise. Example: tampering or unauthorized use of computers; gaining or providing unauthorized access to examination materials; obstructing or interfering with another student's efforts in an academic exercise; lying about a need for an extension for an exam or paper; continuing to write even when time is up during an exam; or destroying or keeping library materials for one's own use.
- 5.2.8 Upon signing the Honor Pledge, the will student acknowledge that such academic and professional standards exist and agrees to abide by these standards while at WVSOM or in the community.

### **ST 01-6. Penalties and Sanctions**

Students found in violation of any of the standards of student conduct, professional conduct, or academic integrity shall be subject to institutional disciplinary action, which may result in probation, suspension, dismissal, or other sanction, whether or not there is prosecution for such actions or conduct in local, state, or federal courts. The penalties/sanctions listed are available to the Student Promotions Committee for recommendation and the administrative authority (see Section 7.1) of the school to impose when the circumstances indicate that such action is appropriate. Penalties/ sanctions for a violation may be one or a combination of the following:

- 6.1 Verbal Warning: An oral statement to the student offender that he/she has violated standards of conduct or integrity and that continuation or repetition of the conduct found wrongful may be cause for more severe disciplinary action.
- 6.2 Written Warning: Written notice to the student that continuation or repetition of the conduct found wrongful, may be cause for more severe disciplinary action.
- 6.3 A lower grade or failure of the course or graded activity (e.g., quiz, exam) in which the violation occurred.
- 6.4 Restitution: Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of an appropriate service to repair or otherwise compensate for damage.

- 6.5 Discretionary Sanctions: Work assignments, essays, services to WVSOM, or other related discretionary assignments.
- 6.5.1 Submittal of letter of apology to complainant/victim.
  - 6.5.2 Educational sanction: these may include attending a program, counseling, developing a program, writing a paper, or other educational sanction. Students may be charged a fee to attend an educational program.
  - 6.5.3 Loss of ability to hold any national or WVSOM office or position, either by election, petition, or appointment, in any recognized student organization or group for a specified amount of time.
  - 6.5.4 Loss of membership in clubs, and/or officially recognized organizations.
  - 6.5.5 A lower grade or failure of the course or exam in which the violation occurred.
  - 6.5.6 No contact order in cases where it is warranted.
  - 6.5.7 Other sanctions deemed appropriate.
- 6.6 Disciplinary Probation: Exclusion from the use of all WVSOM property and facilities and exclusion from all WVSOM student and institutional activities with the exception of the Clinical facilities, Library, and classrooms. The time limit shall be set forth in the notice of disciplinary probation and shall not be less than one (1) month nor exceed six (6) months.
- 6.7 Suspension: Temporary interruption of student status. Exclusion from the use of all WVSOM property and facilities and all WVSOM student and institutional activities with the exception of the Clinic as a private patient. The time limit shall be set forth in the notice of suspension and shall not be less than two (2) weeks nor exceed one (1) year. For students in Year 1 or Year 2, due to the nature of the program, the time limit shall be developed to coincide with the course the student was in when suspended and when the same course is taught during the next academic year. Conditions for reinstatement, if any, may be stated in the order.
- 6.8 Dismissal: Termination of student status including any remaining right or privilege to receive some benefit or recognition or certification.
- 6.9 Revocation of Admission and/or Degree: Admission to or a degree awarded from WVSOM may be revoked for fraud, misrepresentation, or other violation of WVSOM standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- 6.10 Students who fail to sign the Honor Pledge during Orientation will not be allowed to complete matriculation.

#### **ST 01-7. Authority to Impose Penalties and Sanctions**

- 7.1 The authority to impose penalties and sanctions for violations of student conduct, professional conduct, or academic integrity resides with the Associate Dean for Preclinical Education for Years 1 and 2, the Associate Dean for Predoctoral Clinical Education for Years

3 and 4 and the Vice President for Academic Affairs and Dean (i.e., the “administrative authority”).

- 7.2 The appropriate Associate Dean, with or without a recommendation from the Student Promotions Committee, can administratively impose any penalty/sanction as listed in Section 6 above with the exception of dismissal and revocation of admission and/or degree, which can only be imposed by the Vice President for Academic Affairs and Dean.
- 7.3 The recommendation or imposition of penalties/sanctions shall be made in consideration of the nature of the violation and the student’s previous record. The consideration of the imposition of sanctions in a matter does not preclude the review and imposition of penalties for other failures to adhere to policies, rules, or procedure while a case is pending.
- 7.4 The appropriate Associate Dean or designee shall review all reports of violations (academic, behavioral, professional) as to whether the matter can be administratively decided or whether the matter includes disputes of material facts and requires independent findings of fact by the Fact Finding Committee. The Associate Dean refers matters to the Fact Finding Committee who will report its findings back to the referring Associate Dean for determination of action regarding the matter in question. The Associate Dean may also refer the matter to the Student Promotions Committee for recommendation of penalties/sanctions.
- 7.5 The Vice President for Academic Affairs and Dean must be notified of all sanctions against a student with the exception of verbal warnings. A student on suspension must petition the administrative authority that imposed the sanction for reinstatement. The administrative authority shall review the petition, make a determination as to whether the terms and conditions of the suspension have been met, make a determination that the student possesses the potential to pursue the D.O. degree successfully, and make a determination as to whether and when the student should be reinstated.
- 7.6 If a matter warrants findings of fact, the Associate Dean handling the case shall inform the accused student of the charges in writing within ten (10) business days and submit the case to the Fact Finding Committee.
- 7.7 Within ten (10) business days following receipt of the written report from the Fact Finding Committee the Associate Dean shall either review the facts of the case and take such action as may be appropriate or refer the matter to the Student Promotions Committee for consideration.
- 7.8 Within ten (10) business days following receipt of the written report from the Student Promotions Committee, the Associate Dean shall review recommendations for the disposition of the case and take such action as may be appropriate. In the case of dismissal, the Associate Dean will forward the recommendation of the Student Promotions Committee along with his/her independent recommendation to the Dean for disposition of the case.
- 7.9 If the Associate Dean’s or Dean’s decision, or any part thereof, is adverse to the student, the Associate Dean or Dean, usually within five (5) business days of notifying the student of the decision, shall advise the student of his/her rights to appeal and appropriate appeal procedures. The student and other appropriate WVSOM employees/faculty shall be notified in writing of the decision.

## **ST 01-8. Fact Finding Committee**

- 8.1 The Fact Finding Committee investigates alleged violations of policy or any other matter as directed by an Associate Dean or the Dean where disputes of material facts exists that require independent findings of fact. The jurisdiction and authority of the Fact Finding Committee shall be to (1) hear evidence and (2) make findings of fact from the evidence presented. The Committee issues a written report on its conclusions to the Associate Dean or Dean that referred the matter. The Fact Finding Committee neither recommends nor imposes sanctions and cannot overturn any prior decisions on a matter. The Committee may reconsider a matter under certain circumstances (e.g., new evidence) if so directed by an administrative authority.
- 8.2 The Fact Finding Committee is a faculty committee. The procedure for and composition of the committee are specified in a separate document, *Fact Finding Committee Procedures*.

## **ST 01-9. Fact Finding Committee - Hearings**

- 9.1 The Fact Finding Committee shall conduct a hearing on the case within ten (10) business days after receipt of the charges in order to make a determination of the facts of the case.
- 9.2 Hearings by the Fact Finding Committee are closed to the public and the press.
- 9.3 The hearing shall be conducted in such a way as to allow substantial justice and shall not be unduly restricted by the rules or procedure of evidence.
- 9.4 The conduct of hearings is specified in a separate document, *Fact Finding Committee Procedures*.
- 9.5 No determination may be based solely upon the failure of the accused student to answer the charges or to appear at the hearing. At the discretion of the Committee Chair, the hearing may proceed if the accused student fails to appear. In such a case, the evidence in support of the charges shall be presented and considered. In any event, all findings of fact and recommendations shall be based solely upon the evidence in the case as a whole. In hearings involving more than one student, in which one or more, but not all, requests a private hearing, severance shall be allowed.
- 9.6 After the hearing, the Committee shall, within a reasonable time [usually five (5) business days] make findings of fact, if any, according to the standard of “more likely than not”, adopt them by majority vote and forward a written report to the referring Associate Dean or Vice President for Academic Affairs and Dean, as appropriate. The Associate Dean or Dean, as appropriate, will review the findings of fact of the case and will decide the case or forward to the Student Promotions Committee for recommendations for the disposition of the case and sanctions to be imposed.
- 9.7 The procedures for Fact Finding Committee Hearings are specified in a separate document, *Fact Finding Committee Procedures*.



## **ST 01-10. Fact Finding Committee – Hearings on Appeal of Final Course Grades**

- 10.1 If the Dean determines the matter includes disputes of material facts and requires independent findings of fact, the matter may be referred to the Fact Finding Committee. The Fact Finding Committee conducts hearings, reviews the case and forwards all findings to the Dean.
- 10.2 Fact Finding Committee investigations and any hearings are limited to consideration of the following.
  - 10.2.1 Assignment of a grade that is malicious and/or discriminatory: i.e., in determining the grade, the same standard used for grading the appealing student as for other members of the class whose work and behavior were similar to those of the appealing student.
  - 10.2.2 Assignment of a grade that is arbitrary and/or capricious: i.e., the person assigning the grade apparently had no discernible rationale for arriving at the grade given.
  - 10.2.3 Assignment of a grade that has resulted from human error: i.e., an incorrect grade was reported as the consequence of a mistake in computation, in recording or in some other mechanical aspect of the grading process.
- 10.3 The procedures for Fact Finding Committee Hearings are specified in a separate document, *Fact Finding Committee Procedures*.

## **ST 01-11. Student Promotions Committee**

- 11.1 The Student Promotions Committee considers cases referred by the Associate Dean for Preclinical Education, Associate Dean for Predoctoral Clinical Education or Vice President for Academic Affairs and Dean for recommendation of penalties/sanctions for violations of policy including but not limited to standards of conduct, academic integrity, professional conduct and failure to meet academic/professional standards.
- 11.2 If there is a conclusion that a violation has occurred, the Associate Dean may forward the case to the Student Promotions Committee for recommendations of penalties/sanctions. When available, the written report of the Fact Finding Committee on the matter will be provided to the Student Promotions Committee. Consideration of a matter by the Student Promotions Committee does not preclude the review and imposition of penalties for other failures to adhere to policies, rules, or procedure while a case is pending.
- 11.3 The penalties/sanctions as listed in Section 6 are available to the Student Promotions Committee for consideration and may be recommended in consideration of the nature of the violation and the student's previous record.
- 11.4 The Student Promotions Committee is a faculty committee. The procedure for and composition of the committee are specified in a separate document, *Student Promotions Committee Procedures*.

## **ST 01-12. Student Promotions Committee – Conduct and Integrity Hearings**

- 12.1 The Student Promotions Committee shall conduct a hearing on the case within ten (10) business days after receipt of the case from an administrative authority.
- 12.2 Hearings by the Student Promotions Committee are closed to the public and the press.
- 12.3 The hearing shall be conducted in such a way as to allow substantial justice and shall not be unduly restricted by the rules or procedure of evidence.
- 12.4 The conduct of hearings is specified in a separate document, *Student Promotions Committee Procedures*.
- 12.5 No determination may be based solely upon the failure of the accused student to appear at the hearing. At the discretion of the Committee Chair, the hearing may proceed if the accused student fails to appear. In such a case, the facts of the case shall be presented and considered. In hearings involving more than one student, in which one or more, but not all, requests a private hearing, severance shall be allowed.
- 12.6 After the hearing, the Committee shall, within a reasonable time [usually five (5) business days] make conclusions and recommendations for penalties/sanctions based upon the evidence in the case as a whole and the student's previous record, adopt them by majority vote and forward a written report to the referring Associate Dean or Vice President for Academic Affairs and Dean, as appropriate.
- 12.7 The procedures for Student Promotions Committee Hearings are specified in a separate document, *Student Promotions Committee Procedures*.

## **ST 01-13. Student Promotions Committee – Failure to Meet Academic Standards**

### 13.1 Years 1 and 2

- 13.1.1 A grade of less than 70% for any course in any portion of the academic program constitutes a failure. A student with a failure in a course will be placed on Academically-at-Risk Category 2 by the Vice President for Academic Affairs and Dean after being notified by the Registrar's Office and his/her academic record will be sent to the Student Promotions Committee at the appropriate time for review.
- 13.1.2 If a student fails a course, the Student Promotions Committee will review the student's performance and make recommendations to the Associate Dean for Preclinical Education. These recommendations may include:
  - (i) remediation of the failure (in accordance with Institutional Policy E-21: Remediation);
  - (ii) repeating a portion of the curriculum;
  - (iii) repeating the entire academic year; or
  - (iv) dismissal.
- 13.1.3 In addition, the Student Promotions Committee may include other recommendations to improve the student's performance.

- 13.1.4 In the case of dismissal, the Associate Dean for Preclinical Education will forward the recommendation of the Student Promotions Committee along with his/her independent recommendation to the Vice President for Academic Affairs and Dean for disposition of the case.
- 13.1.5 While the Student Promotions Committee must meet to discuss all Year 1 and Year 2 failures, the Associate Dean for Preclinical Education will make recommendations to the Student Promotions Committee regarding the appropriate time that the student's performance should be reviewed.
- 13.2 Year 3 and Year 4 failures are addressed in Institutional Policy E-17: Grading Policies and Procedures – Clinical Rotations.
- 13.3 Failure to pass an OSCE is addressed in Institutional Policy E-35.
- 13.4 Standards for professional conduct are discussed in Section 4 of this policy.
- 13.4.1 A student may fail a course or OSCE as a result of unprofessionalism.
- 13.4.2 If a student is remanded to the Student Promotions Committee due to a finding of unprofessionalism in a course or OSCE, the Student Promotions Committee will review the case and make appropriate recommendations to the appropriate Associated Dean which may include:
- (i) repeating a portion of the curriculum;
  - (ii) repeating the entire academic year;
  - (iii) suspension; or
  - (iv) dismissal.
- 13.4.3 In addition, the Student Promotions Committee may include other recommendations to improve the student's professionalism.
- 13.4.4 In the case of dismissal, the appropriate Associate Dean will forward the recommendation of the Student Promotions Committee along with his/her independent recommendation to Vice President for Academic Affairs and Dean for disposition of the case.
- 13.5 Promotion and Graduation
- 13.5.1 The Student Promotions Committee reviews the academic and professional performance of each student and grants promotion to the next academic year.
- 13.5.2 The Student Promotions Committee will review student professionalism files as a part of the student promotion process. The Assistant Dean for Student Affairs will provide a summary report to the Student Promotions Committee on the student's professional behavior.
- 13.5.3 Students may engage in any part of a subsequent curriculum year only after they have successfully completed all academic and non-academic requirements of the current year as determined by the Student Promotions Committee. To be promoted from Year 1 to Year 2, Year 2 to Year 3, or Year 3 to Year 4, a student must pass all courses,

Objective Structured Clinical Examinations (OSCEs), and any remediation presented during those respective years. Promotion from Year 2 to Year 3 also requires compliance with Institutional Policy E-23: Promotion Requirement National Board Examination - Passage of the COMLEX. For each portion of the curriculum, the student must demonstrate ethical, personal, and professional qualities deemed necessary for the continued successful study and practice of Osteopathic Medicine.

13.5.4 The Committee recommends students for graduation based upon the contingency of successful completion of all requirements and upon adherence to all professional standards of behavior. For its review, the Committee has access to each student's entire record.

## **ST 01-14. Appeals**

14.1 The primary purpose of an appeal is to ascertain whether the sanctions under appeal were imposed in a manner consistent with institutional policy. The student may appeal the decision of the Associate Dean to the Vice President for Academic Affairs and Dean. Within five (5) business days of receipt of notification of a decision by the Associate Dean, a written appeal must be submitted to the Dean, with a copy sent to the Associate Dean. The Dean must respond in writing within a reasonable time, usually ten (10) business days. Except in cases of expulsion or dismissal, the decision of the Dean shall be final.

14.2 The consideration of an appeal by the Dean should include, but not be limited to, examination of the pertinent facts and any previous deliberations which resulted in the decision or imposition of a sanction for areas in which they might have been in error, might have contained violations of due process, or might have been made without knowledge of pertinent facts.

14.3 Failure to notify the administrative authority (i.e., the Associate Dean or Dean who made a decision), Fact Finding Committee or Student Promotions Committee of pertinent facts known at the time of the administrative decision or committee hearing is not grounds for an appeal. If the appeal is based on new information that has become available or was not known prior to the decision to impose sanctions or committee hearing, the matter will be returned to the administrative party for reconsideration of the original decision. The matter may also be sent to the Fact Finding Committee and/or Student Promotions Committee for consideration.

14.4 The accused student may not graduate during the process of an appeal.

### **14.5 Appeals of Dismissal or Expulsion**

14.5.1 The primary purpose of an appeal of dismissal or expulsion is to ascertain whether the sanction was imposed in a manner consistent with institutional policy. In the case of dismissal or expulsion, the student may appeal his/her case to the President. Within five (5) business days of receipt of notification of a decision by the Dean, a written appeal must be submitted to the President, with a copy sent to the Dean. The President must respond in writing within a reasonable time, usually ten (10) business days. The decision of the President shall be final.

14.5.2 The accused student may not graduate during the process of the appeal.

## 14.6 Appeals – Role of Fact Finding Committee

14.6.1 The administrative authority considering an appeal may refer the matter to the Fact Finding Committee for consideration of the merits of the appeal. Committee hearings are limited to examination of previous deliberations that resulted in the decision of dismissal or imposition of sanction for:

- (i) areas in which they might have been in error,
- (ii) areas that might have contained violations of due process,
- (iii) relevant, new information discovered after the decision of the administrative authority to impose sanctions.

14.6.2 The Fact Finding Committee will make findings of fact from the evidence presented. The Committee may forward one of the following conclusions to the referring administrative authority.

- (i) Rejection of the appeal if it does not meet one of the three criteria listed above.
- (ii) The appeal meets the criteria set forth for consideration and warrants further consideration. Furthermore, the Committee shall, if so directed by the referring administrative authority, investigate alleged violations of policy or any other matter where disputes of material facts may exist. The Committee shall issue a written report on its findings of fact and conclusions to the Associate Dean or Dean that referred the matter.

14.6.3 Committee Hearings are conducted as described in a separate document, *Fact Finding Committee Procedures*.

## 14.7 Appeals – Role of Student Promotions Committee

The administrative authority considering an appeal may refer the matter to the Student Promotions Committee to consider the appropriateness of sanctions against a student given the circumstances of the case. Committee Hearings are conducted as described in a separate document, *Student Promotions Committee Procedures*.

## **ST 01-15. Appeal of Final Grades**

15.1 Only the final grade of a course may be appealed. In order to appeal a final grade in a course, a student must offer convincing evidence that good cause exists for mandating a change of grade. A request for a grade appeal is not automatically granted.

15.2 Only the following three (3) circumstances, if supported by sufficient evidence, shall constitute "good cause" for the purposes of appealing a final course grade.

15.2.1 Assignment of a grade that is malicious and/or discriminatory: i.e., in determining the grade, the same standard used for grading the appealing student as for other members of the class whose work and behavior were similar to those of the appealing student.

15.2.2 Assignment of a grade that is arbitrary and/or capricious: i.e., the person assigning the grade apparently had no discernible rationale for arriving at the grade given.

- 15.2.3 Assignment of a grade that has resulted from human error: i.e., an incorrect grade was reported as the consequence of a mistake in computation, in recording or in some other mechanical aspect of the grading process.
- 15.3 The procedures for the appeal of a final course grade are specified in a separate document, *Procedures for the Appeal of a Final Course Grade*.
- 15.4 None of the following shall constitute "good cause" for the purposes of appealing a final course grade.
- 15.4.1 Disagreement with the course requirements established by the faculty member.
- 15.4.2 Disagreement with the grading standards established by the faculty member.
- 15.4.3 Disagreement with the judgment of the faculty member in applying grading standards – so long as he/she has made a reasonable effort in good faith to be fair and consistent in exercising that judgment. Good faith on the faculty member's part shall be assumed unless the student can offer convincing evidence to the contrary.
- 15.4.4 The student's desire or "need" for a particular grade, while compelling to the individual on the personal level, shall not be considered "good cause" for purposes of appeal.
- 15.5 Appeal of Final Grades – Years 1 - 4
- 15.5.1 After discussing the grade assignment with the appropriate Associate Dean, the student may appeal to the Vice President for Academic Affairs and Dean. Only failing grades may be appealed in Years 3 & 4.
- 15.5.2 The Dean can administratively decide the matter if the facts of the case are not in dispute. If the Dean determines the matter includes disputes of material facts and requires independent findings of fact, he/she may refer the matter to the Fact Finding Committee. The Fact Finding Committee shall investigate the matter, conduct hearings as appropriate, review the case and forward its findings and conclusions to the Dean.
- 15.5.3 The decision of the Dean on a grade appeal is final. The Dean may request the appropriate Associate Dean to make appropriate grade changes. If not done, the Dean can administratively make the change.



### Honor Pledge

I acknowledge that I have been made aware of the Academic and Professionalism Standards policy and will familiarize myself with its contents.

I pledge:

1. To uphold the principles of academic integrity and professionalism expected of a student doctor and will not encourage nor assist others in violating these principles;
2. That all work submitted including examinations will be my own work and that I will not assist others in submitting work that is not their own; and
3. That should I observe a violation of these guiding principles, I will report the violation in compliance with the appropriate Associate Dean.

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date