

# Policy

<p><b>Policy Title:</b> Policy on Due Process and Promotion/Disciplinary Action</p>	<p><b>Curricular Structure:</b> All Medical Students in Legacy and ASCEND</p>
<p><b>Approved By:</b> Executive Oversight Committee (EOC)</p>	<p><b>Last Approved:</b> 2/4/22</p>

## RELEVANT LCME STANDARDS:

9.9 Student Advancement and Appeals Process

10.3 Policies Regarding Student Selection/Progress and Their Dissemination

## PURPOSE AND SCOPE:

Outline the charge of the Promotions Committee, including the actions the Committee may decide to make.

## POLICY:

Students may appear before the Icahn School of Medicine at Mount Sinai Promotions Committee if any of the following occurs:

- A student is in Serious Academic Status (see section on Academic Status).
- A student is in Serious Academic Status and fails another course or clerkship while being monitored.
- A student receives one Incident Report that demonstrates egregious behavior or more than one Incident Report that demonstrates a pattern of concerning behavior.
- Any student whose conduct may warrant disciplinary action (see section on Disciplinary Action) for violation of the Student Honor Code, Student Code of Conduct or relevant school or institutional policies.
- A student who switches from the MD/PhD program to the regular MD program
- A student who requests a course of study that is different than the established tracks. (For example, a MD student who wishes a leave to pursue a PhD after Year 3 outside of the traditional MD/PhD program path).
- A student who requests scholarly leave or leave of absence for more than two continuous years.
- A student who appeals a grade (appeal is to a subcommittee).
- A student who requests a second decelerated year (request is to a subcommittee).

Students have the opportunity to appeal a decision by the Promotions Committee to the Dean of the School of Medicine.

The Promotions Committee is the guarantor of excellence in the School of Medicine graduates and its main constituency is the future patients of our graduate physicians. The Promotions Committee is charged with:

- Reviewing medical students not meeting set standards of academic performance and/or professional behavior.
- Recommending to the Dean of the School of Medicine that the degree of Doctor of Medicine be awarded to those students who have satisfactorily completed the requirements of medical school education in accordance with the requirements of the Board of Regents of the State of New York and the faculty of Icahn School of Medicine, and satisfactorily fulfilled the ethical and moral responsibilities inherent in the practice of medicine.
- Recommending advancement of the students who have satisfactorily completed each year's requirements to the next academic year.
- Convening an ad hoc sub-committee for grade appeals.
- Convening an ad hoc sub-committee to examine charges of student misconduct and/or unprofessional behavior.
- Convening an ad hoc sub-committee to review student requests for decelerating an academic year.

Actions of the Committee may include but are not limited to:

- Approval, modification or rejection of proposed academic plans
- Remediation plans
- Disciplinary actions, including: Warning, Probation, Suspension, or Dismissal
- Decisions about grade appeals
- Decision about academic plans for student seeking to decelerate a second year of the curriculum.

Decisions of the Promotions Committee shall be made by a majority vote. A quorum is defined as nine voting members present. A quorum is required for any vote.

Any ex-officio or voting member with a conflict of interest must recuse him/herself from any discussion and/or vote pertaining to a student case. A conflict of interest includes, but is not limited to, a course/clerkship director who has issued a failing grade, familial relationship, mentor/mentee relationship, physician-patient relationship, colleague referral or any other significant professional or social relationship (e.g., preceptor, elective teaching, advising).

### **PROCEDURE:**

The Promotions Committee or an Ad Hoc Subcommittee may consider the student's entire School profile as it relates to overall School performance in academics and professionalism in reaching its decision.

Students presented before the Promotions Committee are permitted to make a statement to the Committee explaining their perspective on the issue(s) before the Committee. Students are also

permitted to bring another individual to the meeting to provide them support. The student may not be represented by an attorney and the accompanying individual may not speak during the meeting.

The Chair may appoint an *ad hoc* Subcommittee to investigate and evaluate the circumstances which brought the student to the Committee's attention and to propose remedial, disciplinary, or other action to the full Committee. The *ad hoc* Committee may meet prior to a full Committee meeting or after the student is initially considered by the Committee. The Subcommittee will consist of a minimum of three Committee members, two of whom must be faculty. One faculty member will serve as Chair of the Subcommittee.

Before the *ad hoc* Subcommittee review, the student shall be accorded an opportunity to challenge any member of the Subcommittee for "cause" where, in the student's view, the Subcommittee member would not be able to render an impartial decision. It shall be in the *ad hoc* Subcommittee Chair's sole discretion (or the Promotions Committee Chair, if the challenge is to the Chair of the Subcommittee) whether to excuse such member.

The student shall be permitted to meet with the *ad hoc* Subcommittee and prior to that meeting shall have the right to know the reason for the Subcommittee investigation. The Student shall be permitted to attend the meeting of the *ad hoc* Subcommittee with an adviser of his/her choice and to present relevant evidence and witnesses on his/her own behalf to the *ad hoc* Subcommittee. The student may not be represented by an attorney. The *ad hoc* Subcommittee may, at its discretion, further define, expand or limit the role of any such representative and may make such additional rules in its discretion to assure fair and expeditious handling of the matter, provided such rules are consistent with these procedures.

The Subcommittee shall present to the Promotions Committee its findings and recommendations. The Promotions Committee will discuss and vote on a decision and notify the student in writing of that decision and the basis for it. The Promotions Committee decision shall be made by a majority of the full Committee.

Ad-hoc subcommittees for grade appeals and second decelerated years should include a minimum of the Committee Members and will make decisions by majority vote. The decisions will be final.

## Disciplinary Action

The Committee may decide to issue a Disciplinary Action, including:

- **Warning:** An official notice in writing which describes consequences contingent on a student's future actions or behaviors.
- **Probation:** An official notice in writing that specifies a time period that must pass without incident or conditions that a student must meet to avoid further consequences, including but not limited to disciplinary action.
- **Suspension of Enrollment:** A removal of the student from educational activities or patient care settings. Immediate suspensions may be made in circumstances where the

student poses a risk to patient care, other members of the School community, the School, or the learning environment.

- **Dismissal:** Expulsion of a student from the School.

### **Committee Decisions and Appeals:**

Committee decisions will be rendered verbally to the student by the Committee Chair and will be confirmed in writing. If in agreement with the outcome and letter, students are required to return a signed copy of the letter within two (2) weeks.

If a student chooses to appeal the decision of the Promotions Committee, he or she must submit a written request stating the reason for the appeal to the Dean of the School of Medicine within two (2) weeks of receipt of the decision letter. The Dean's review will determine whether procedures outlined in the Student Handbook were substantially followed and that the decision was reasonable, or the Dean may make an alternate recommendation. The Dean may, at their discretion, form an advisory committee to assist in reviewing the appeal. The advisory committee should not include any voting or non-voting members of the Promotions Committee. If no appeal is taken as provided above, the decision shall become final.

If a student's appeal is successful, the Promotions Committee may reconvene to determine any further plan or monitoring necessary.

These rules are intended to establish fair and reasonable guidelines for disciplinary action. Breaches of these rules shall not be grounds for a new proceeding unless in the opinion of the Dean the breach is of such a material nature that the validity and the truthfulness of the result are prejudiced.

The decision of the Dean of the School of Medicine shall be final.