

SAA 002 LCME 9.9 Disciplinary Action and Due Process Policy

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Responsible Office: Student Affairs & Admissions
Responsible for Oversight: Student Affairs & Admissions
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LCME Required: Yes

Approved by:



Alison Netski, MD, Interim Dean

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Definitions

Student Standing: refers to a student being in good standing academically, professionally, and technically.

A student in good standing:

- Is not on probation (academic, probation, technical standards)
- Has made satisfactory progress toward completion of the MD requirements
- Has passed all assessments, courses, clerkships, electives, standardized patient exams, and all other mandatory exercises; and
- Has passed the appropriate USMLE exams in accordance with medical school policy; and
- Has demonstrated behaviors in accordance with the high standards of professionalism, academic ethics, and technical standards per medical school policy.

Medical Student Progress Committees (MSPCs): the duly appointed group of faculty that are charged with evaluating and making decisions concerning promotion, remediation, probation, leaves of absence, expanded curriculum plans, suspension, dismissal, and graduation. The MSPCs are comprised of:

- The Phase 1 Medical Student Progress Committee is responsible for evaluating the progress of students in Phase 1 of the MD curriculum.
- The Phase 2/3 Medical Student Progress Committee is responsible for evaluating the progress of students in Phases 2 and 3 of the MD curricula.

Medical Student Progress Executive Committee (MSPEC): the duly appointed group of faculty responsible for hearing student appeals of adverse recommendations made by a MSPC.

Remedial Actions: The MSPCs may recommend remedial actions for students who are not meeting academic, professionalism, or technical standards. Remedial actions are formative in nature. As such, they do not impact the student progress in the MD program, and they are not recorded in the student's transcript or in the Medical Student Performance Evaluation (MSPE). Such actions include, but are not limited to, the following:

- Repeating an assessment or examination
- Repeating part of a course
- Referral to Academic Support Services
- Referral to Student Health Services

- Referral to the Disability Resource Center
- Professionalism coaching

Warnings: If a student is not meeting MD Program standards and is required to complete remediation in any phase of the program, a MSPC may issue a formal warning as described below. Warnings are formative in nature. Their intent is to alert the student that they may not be meeting the minimum standards necessary for awarding of the MD degree and could be at risk for receiving an adverse action in the future. Warnings do not appear on the academic transcript or in the Medical Student Performance Evaluation (MSPE). Warnings are not appealable.

- **Academic Warning:** Marginal academic performance is defined as failing to meet the minimum academic standards of the MD program. This may include, but is not limited to, poor exam performance, repeated failures, multiple remediation, passing but marginal grades, or other factors determined by the MSPC.
- **Professionalism Warning:** Marginal professionalism performance is defined as failing to meet the minimum professionalism standards of the MD program as described in the Medical Student Handbook. This may include, but is not limited to, tardiness, unexcused absence, dress code violations, and behaviors that negatively impact learning or workplace environments.
- **Technical Standards Warning:** Marginal technical standards performance is defined as failing to meet the minimum technical standards of the MD program as described in the Medical Student Handbook. This may include, but is not limited to, the inability to demonstrate cognitive, behavioral, and physical abilities required for the satisfactory completion of all aspects of the MD curriculum.

Adverse Actions: The MSPCs may recommend adverse actions for students who are not meeting academic, professionalism, or technical standards. Adverse actions are disciplinary in nature. As such, they can impact a student's progress in the MD program, and they are recorded on the student's transcript and in the MSPE. Such actions include, but are not limited to:

- Repeating a course or courses
- Repeating part or all of Phase 1, 2 or 3
- Probation
- Involuntary Leave of Absence
- Dismissal from the MD program

Probation: A status given to a medical student by an MSPC for failing to meet the academic, professionalism and/or technical standards of the MD Program. Probation is an adverse action that may be accompanied by the need to complete one or more remedial actions. When placed on probation, students will be told the reason for the action, the conditions that must be met to be removed from probation, and the anticipated duration of the probation. Probations are noted in the MSPE. Since it is an adverse action, students are granted the opportunity to appeal being placed on probation.

Involuntary Leave of Absence (LOA): Temporary separation from the MD program mandated by an MSPC when the committee deems it essential for a student to rectify one or more identified deficiencies. Leaves of absence are noted on the academic transcript and in the MSPE. When placed on an involuntary LOA, students will be told the reason for the action, the conditions that must be met to be return to the MD program, and the anticipated duration of the LOA. Since it is an adverse action, students are granted the opportunity to appeal being placed on involuntary LOA.

Dismissal: Permanent removal from the MD program. The MSPCs are responsible for evaluating student performance and recommending dismissal for students who are unable to meet the academic, professionalism or technical standards necessary for advancement and graduation. Recommendations by an MSPC for dismissal can be appealed.

Statement of Purpose

The purpose of this policy is to comply with LCME Standard 9.9 which states, “A medical school ensures that there is 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, and opportunity for the medical student to respond, and an opportunity to appeal any adverse decision related to advancement, graduation, or dismissal.”

Entities Affected by This Policy

This policy applies to all students enrolled in the Kirk Kerkorian School of Medicine (“SOM”) at UNLV. By accepting admission to the SOM, students accept its regulations (Academic Progress and Standing, Student Code of Conduct, etc.) and acknowledge the right of the University of Nevada, Las Vegas (“UNLV”) and SOM to take actions including suspension and dismissal for academic failure and/or breaches of professional behavior.

Required Acknowledgement

This policy is posted in the appropriate catalog(s), student handbook, and/or syllabi, and accessible for student and faculty reference.

Policy

Review and Actions

The Medical Student Progress Committees (“MSPCs”) are charged with evaluating and making decisions concerning promotion, remediation, probation, leaves of absence, expanded curriculum plans, suspension, dismissal, and graduation. To meet this charge, the MSPCs routinely convene to review the progress of all medical students and to address concerns raised about any student who is not meeting the academic, professionalism, and/or technical standards of the MD program.

If a student is not meeting standards of the MD program, a MSPC can recommend the following:

- Remedial action
- Warning
- Adverse action

In accordance with LCME standard 9.9, when a MSPC is considering adverse action(s) that would affect an individual student’s standing within the SOM, the student will receive the following:

- Timely notice of the potential action(s) in writing,
- Disclosure of the reason(s) for the potential action(s); and,
- The opportunity to submit a statement and/or appear in person before the committee to present relevant information.

The MSPC may ask to meet with a student prior to taking an action. Students can choose to attend or to opt out of meeting with the MSPC. Students who choose to attend a MSPC meeting may bring someone to provide support. This individual may be a fellow student, parent, advisor, pastor or friend. The support individual is not permitted to speak to the committee for the student, ask questions, or participate in the deliberations in any way.

Following a meeting with the student, the MSPC will convey its final decision in writing to the student. If the MSPC imposes an adverse action on a student, the student will have the option to appeal the decision to the Medical Student Progress Executive Committee.

Appellate Process

Students have the right to appeal adverse actions made by a MSPC to the Medical Student Progress Executive Committee ("MSPEC"). The student must submit their appeal in writing to the dean for student affairs and career services within ten (10) business days of written notification of an adverse action.

Upon receipt of the written appeal, the MSPEC will meet to review the student's appeal. The MSPEC is chaired by the vice dean for academic affairs and education. The MSPEC shall include the vice dean and three (3) faculty members who do not serve on either of the Phase 1 or Phase 2/3 MSPCs.

The MSPEC may ask to meet with a student prior to rendering a decision. Students can choose to attend or to opt out of meeting with the MSPEC. Students who choose to attend the meeting may bring someone to provide support. This individual may be a fellow student, parent, advisor, pastor or friend. The support individual is not permitted to speak to the committee for the student, ask questions, or participate in the deliberations in any way.

Following its meeting, the vice dean will convey the MSPEC's decision in writing to the student. The decision of the MSPEC is final, except when the decision is dismissal from the MD program. In that case the student may submit a final appeal to the dean of the SOM. If a student chooses to appeal the decision, they have ten (10) business days to submit their appeal in writing to the vice dean for academic affairs and education.

Upon receipt of an appeal, the dean of the SOM will review the student's educational record and the student's appeal and meet with the dean for student affairs and career services and the vice dean for academic affairs and education. The dean may also request to meet with the student. The student can meet with or opt out of meeting with the dean. Students who accept an offer to meet with the dean may bring someone to provide support. This individual may be a fellow student, parent, advisor, pastor or friend. The support individual is not permitted to speak for the student, ask questions, or participate in the deliberations in any way. In all cases the SOM dean's decision is final.

Students who seek guidance concerning the appellate process should consult with the office of student affairs and career services.

Students have access to their educational records during the appeals process. Students with complaints, questions, or requests for review of their educational records should contact the SOM registrar. Access to the educational records is subject to limitations as described in (STUDENT RECORDS POLICY). The student must allow a reasonable time for the office of student affairs to make the file available.

During the appeals process the student may be removed from all classes and clinic participation at the discretion of the MSPC in consultation with the dean for student affairs, the vice dean for academic affairs and education, and/or the dean of the SOM.

Confidentiality

Incident reports and written materials related to a complaint of medical student mistreatment will be kept in confidential files maintained by the office of student affairs. At the end of the academic year, the dean for student affairs and career services will submit an annual report to the MSPCs, the Curriculum Committee, and the SOM dean.

Review of Policy

This policy shall be reviewed and approved at least annually by the Curriculum Oversight Committee.

Related Documents

Clerkship Syllabi
Student Handbook
Electives Catalog

Contacts

Student Affairs & Career Services
studentaffairs@medicine.unlv.edu

Academic Affairs & Education
somcurriculum@medicine.unlv.edu