



MERITUS SCHOOL OF OSTEOPATHIC MEDICINE

Policy Number: COM 5.1

Effective Date: April 1, 2023

Policy Title: Professionalism Policy & Procedures

MSOM believes in a learning and working environment of professionalism. Furthermore, MSOM Believes in the Eight Tenets of Professionalism:

1. Altruism
2. Compassion
3. Accountability
4. Social Responsibility
5. Integrity
6. Respect
7. Cultural humility
8. Kindness

Code of Professional Conduct

There are various forms of inappropriate behavior. Below is not an exhaustive list but are clear examples of behaviors that are prohibited by all faculty, staff, and students. In addition to this list, other behaviors may be deemed inappropriate by administration and/or the Student Progress Committee:

- Dishonesty
- Abusive behavior and harassment
- Disruptive behavior
- Behaviors that are illegal
- Failure to disclose arrests or unlawful conduct within 48 hours
- Willful patient harm or neglect
- Violation of confidentiality
- Disrespectful behavior
- Malfeasance

- Racism
- Gender discrimination
- Complacency with unprofessional behavior
- Reporting to school or duty under the influence of alcohol and/or drugs
- Trespassing
- Stealing
- Inappropriate sexual behaviors
- Sexual harassment

Faculty and staff who violate the Code of Professional Conduct will be subject to action by administration through processes described in the Faculty and/or Staff Handbooks. Students who violate the Code of Professional Conduct will be subject to action through the Student Progress Committee (SPC).

Student Progress Committee (SPC)

The SPC, in conjunction with the Office of Academic Affairs, monitors the academic progress achieved by students throughout the academic program.

The SPC meets at the end of the semester in which a student has failed to successfully remediate an F, failed a course while on Academic Probation, when a delay in a student's academic progress is identified, or when deemed necessary.

Additionally, the SPC is responsible for the review of situations where students are involved in academic misconduct (i.e., cheating or plagiarism) or nonprofessional conduct. The MSOM Code of Professional Conduct published in the Student Catalog guides this review.

The SPC is composed of following voting members: the Associate Dean of Academic Affairs, the Associate Dean of Clinical Education, the Associate Dean of Student Affairs and a minimum of three faculty members to include at least two clinical faculty members and one biomedical faculty member. The Dean appoints the faculty members. A quorum is defined as a simple majority of members present in person or by teleconference.

Any MSOM faculty or staff providing health services, via a therapeutic relationship, must recuse him/herself from the SPC if a student who is receiving these services is to be discussed by the committee. The employee must not be involved in any discussion or decision made by the committee. The employees must also recuse themselves from the assessment or promotion of the said student.

The committee chair, with approval of the Dean, may invite non-voting members to attend. As this is not considered a legal hearing and is instead an academic proceeding, attorneys or other representatives are not allowed.

SPC Procedures for Academic Performance Matters

Members of the Committee have the following roles:

- The appropriate Associate Dean for the academic year involved reports on the academic progress of the student(s), as necessary.
- The Associate Dean may submit a written report documenting assistance that the student has received or been offered advising.
- The Course Director, Department Chair, and/or the students' Faculty Advisor may be asked by the SPC to comment on student performance and related topics, as necessary.
- The Associate Dean for Student Affairs may report on documentation that the Office of Student Affairs may have which may be relevant to the student's academic progress. The Registrar, if required, provides the student's entire academic record available (course evaluations, performance assessments and the student's transcript) for the members to reference if needed.
- A secretary will be appointed for purposes of recording minutes and ensuring all communication occurs in a timely manner.
- Each student reviewed by the SPC is given the opportunity to make a maximum ten- minute presentation of any issues or considerations that they wish to make known to the SPC. Members of the SPC may then direct questions to the student. This is the only portion of the meeting at which the student may be physically present.
- For issues arising from Code of Professional Conduct violations, the Associate Dean of Student Affairs reports on documentation that the Office of Student Affairs may have which may be relevant to the alleged violation. This may include a verbal report from faculty involved with the incident(s). In the case where students are involved with reporting the breach, confidentiality of the reporting student is always maintained, and the Associate Dean for Student Affairs represents the student's testimony. See below under Non-Academic Matters.

For students deemed to not be making academic progress, including multiple grades in the I or IP range over one semester or an F grade, following deliberations the SPC may make recommendations, including but not limited to the following, for final action by the Dean:

- Award of a satisfactory grade (70%) and promotion to the next semester

following satisfactory remediation

- Require remediation, further coursework, or repeat of a course
- Require one or more additional clinical rotations with satisfactory performance
- Place, not place, or extend the student's term on academic probation
- Require more frequent meetings with faculty advisors with those students on academic probation
- Specify a timeline or manner in which any remediation must occur.
- Make a determination for dismissal or repeat of academic year.
- Request further assessment prior to making sure the student has the ability to make satisfactory progress to become an osteopathic physician including but not limited to: psychological evaluations, drug or alcohol screening / testing, or other evaluations. Such testing is at the student's expense.
- Suspend with reinstatement pending satisfactory performance.
- Suspend with reinstatement decisions pending further evaluation and treatment.
- Repeat of multiple courses in which the student initially earned a F grade,
- Repeat of an entire academic year, or
- Assign a Modified Course of Study that may delay promotion until satisfactory progress through a directed remediation program has occurred, or dismissal.

The SPC may recommend dismissal of a student when the student demonstrates that he/she is unable to make academic progress through:

- Three course or rotation failures on one academic year.
- An F grade on a modified course of study
- Four cumulative course or rotation across all four years.
- Failure of two or more clinical rotations in one academic year
- Failure to pass any courses while on Academic Probation
- Failure and cumulative evidence that demonstrate the student is not gaining the appropriate knowledge and/or qualifications to become an osteopathic physician
- Any other issues deemed relevant.

The SPC chair, under guidance from the Dean, notifies the student of the outcome of the SPC meeting and any sanctions if applicable. Upon notification, the student may appeal the decision in writing to the President/CEO within seven (7) calendar days of notification. The appeal should

be based upon new and relevant information. The President/CEO normally replies within 14 working days of receiving the written appeal. If the student does not appeal within seven (7) calendar days of notification, the Dean's decision will be final.

SPC Procedures for Non-academic Matters

Charges of misconduct may arise from a student (or group of students), professor, adjunct professor or preceptor. Within three (3) days of the alleged misconduct or discovery of alleged misconduct, the accuser(s) should discuss the situation with the Associate Dean of Student Affairs. Dated and detailed notes should be taken to describe the discussion. Every effort should be made to maintain confidentiality in these discussions. The Dean is advised and constitutes an *ad hoc* committee to investigate the charges.

The *ad hoc* committee investigates the charges and reports back to the Dean in a timely manner. Whenever possible, the investigation should include a personal interview with the student(s), witnesses and others, as necessary. If the student(s) admits to the charges, the Dean may either render adjudication directly or refer the case to the SPC for resolution. If the student(s) does not admit to the charges, the case is referred to the SPC for review.

The Chair of the SPC notifies the accused student(s) and schedules a hearing with the Committee. This hearing typically is held within ten (10) days of the referral of the case to the Committee.

Findings of the investigation are presented by the *ad hoc* committee to the SPC at the hearing. The accused student(s) meets with the SPC and be informed of the allegations and afforded an opportunity to defend him/herself. Although the hearing's purpose is fact-finding, the accused student(s) have the right to solicit advice and to offer witnesses to support his/her position.

All sessions of the Committee are closed to all individuals except those immediately concerned in the case. No attorney is present, as this is not a legal proceeding. All persons present at the proceedings are bound to maintain confidentiality.

Rights of the Student

With respect to violation of the student Honor Code, a student of MSOM is guaranteed the following rights:

- The right to a prompt hearing
- The right to a reasonable amount of time to prepare for his/her hearing
- The right of being presumed innocent until proven guilty
- The right to solicit advice
- The right to appeal
- The right to expect that Student Services deal with his/her case in a confidential manner

Deliberation of the Committee takes place in private and remain confidential. Voting on decisions of whether misconduct has occurred is by secret ballot and determined by a simple majority. If the Committee determines that the student was in violation of the Code of Professional Conduct, it considers and recommends to the Dean an appropriate sanction, including but not limited to:

- Admonition: This consists of a verbal or written warning. Admonitions do not become a part of the student's longitudinal record and may not be reviewed or appealed by the student.
- Ineligibility for election and/or removal from student office or organizational office for specified period of time.
- Withholding of official transcript, barring re-admission to MSOM, and/or blocking a student from enrolling for a specified period of time.
- Restitution, whether monetary or by specific duties, or reimbursement for damages to or misappropriation of MSOM student, staff, or faculty property.
- Academic Sanctions: Writing a paper, reduction of grade on an examination, assignment, or course; repetition of a course(s); being assigned additional

clinic or laboratory activities or coursework; repeating of an exam, coursework, or even an entire academic year or semester or other appropriate penalties.

- **Conduct Probation:** A penalty levied for a specific time, the duration of which is determined by the seriousness of the circumstances. It carries with it a warning that any further violations of MSOM regulations result in more serious disciplinary action.

The SPC may also recommend to the Dean, Disciplinary Probation or Suspension of a student.

- *Disciplinary Probation:* A penalty for a definite period determined by the circumstances of the case. This is the most severe penalty under which a student may remain at MSOM. Disciplinary Probation may result in a warning that further violations may be cause for disciplinary suspension or expulsion. A record of the disciplinary probation remains a part of the student's longitudinal record in the Office of Student Affairs.
- *Suspension:* This penalty may be imposed for continued and/or flagrant violation of the disciplinary probation terms, or it may be imposed directly in first offense cases that warrant such action. In the case of suspension, the student is barred from all campus and non-campus activities.

The SPC Chair, under guidance from the Dean, notifies the student of the outcome of the SPC meeting and any sanctions if applicable. Upon notification, the student may accept the decision by signing the notification letter or may appeal the decision in writing to the President/CEO within seven (7) calendar days of notification. The appeal should be based upon new and relevant information. The President/CEO normally replies within 14 working days of receiving the written appeal. If the student does not appeal within seven (7) calendar days of notification, the Dean's decision is final.

Penalties for violation of institutional policies or rules and regulations may be administered regardless of whether the actions of the student are also civil or criminal violations. Whenever disciplinary actions lead to the student leaving MSOM, grades are assigned in accordance with the MSOM grading policy.

A link to these policies will be found on the MSOM website.

