

Virginia Tech Carilion School of Medicine (VTCSOM)

Statement: Violations of the Honor Code, Attributes of Professionalism and/or Teacher-Learner Compact
Subject: Student Affairs
Administrator: A. Knight
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1 Purpose

VTCSOM takes the precepts outlined in the Attributes of Professionalism, the VTCSOM Honor Code, and the Teacher-Learner Compact quite seriously and has developed a prescribed process regarding alleged student violations of either of them. The Medical Student Performance and Promotion Committee (MSPPC) is delegated the ultimate responsibility for overseeing the student conduct system. The process of addressing concerns is an incremental one, and could involve a hearing by the MSPPC to consider varying actions (see below) that would affect the status of a medical student at VTCSOM up to and including dismissal from VTCSOM.

2 Policy

Definitions of the various committees

1. Medical Student Performance and Promotion Committee (MSPPC)- the VTCSOM committee delegated with the ultimate responsibility for overseeing the student conduct system. The membership of the MSPPC is further described in the student and faculty handbooks.
2. Student Conduct Committee- a sub-committee of the MSPPC which conducts the initial hearings related to violations of the VTCSOM Attributes of Professionalism and/or Teacher-Learner Compact and reports to the MSPPC. The committee is made up of one representative from each of the four value domains (Basic Science, Clinical Science, Research, and Interprofessionalism), two students who are not members of the MSPPC, and the Senior Dean for Student Affairs. The committee is chaired by the Senior Dean for Academic Affairs.
3. Honor Council- a sub-committee of the MSPPC which conducts the initial hearings related to violations of the VTCSOM Honor Code and reports to the MSPPC. The committee is chaired by the Senior Dean for academic Affairs and composed of the chair and two students who are not members of the MSPPC.

Honor Code Violation

Circumstances may arise when a faculty member, staff member, medical school administrator, resident physician, other healthcare worker, fellow student, or other individual involved directly or indirectly with medical student education feels that a student has violated the terms of the VTCSOM Honor Code. When this occurs, the following process should be followed.

1. Any individual who witnesses a potential violation of the Honor Code should report this to the Senior Dean for Academic Affairs.
2. The Senior Dean for Academic Affairs will convene a meeting of the Honor Council.

3. The Honor Council will meet with the involved student and the individual(s) filing the allegation as soon as possible and within five (5) business days. The Senior Dean for Student Affairs will be present in support of the student; the student may self-select one additional support person. The student will be given an opportunity to explain or rebut any of the evidence or information concerning conduct or circumstances contained in the written allegation.

Student Violation of the Attributes of Professionalism and/or Teacher-Learner Compact

Circumstances may arise when a faculty member, staff member, medical school administrator, resident physician, other healthcare worker, fellow student, or other individual involved directly or indirectly with medical student education feels that a student has exhibited an action or behavior that they would consider unprofessional or academically dishonest in nature and/or could be in violation of the Attributes of Professionalism and/or the Teacher-Learner Compact but does not rise to the level of an Honor Code violation. When this occurs, the following process should be followed. The incremental process identifies a hierarchy of individuals who may address the concern.

1. The individual who has witnessed or experienced the behavior may address their concern directly with the student, identifying the specifics of their concern and requesting that the behavior stop or other action be taken to correct the situation.
2. If that fails to correct the situation or if the individual so chooses, he/she may address his/her concern verbally or in writing with whomever would be considered their direct report or the student's direct supervisor in the context in which the concerning behavior has occurred.
3. If that fails to correct the situation or if the individual so chooses, he/she may address his/her concern with the appropriate Domain or Clerkship Director.
4. If that fails to correct the situation or if the individual so chooses, he/she may address his/her concern with either the Senior Dean for Student Affairs or the Senior Dean for Academic Affairs (or designee).
5. Once any individual involved in the process has determined that they will address the concern, they must meet with the student within three (3) business days of when the concern is brought to their attention. During this meeting they are to discuss the nature of the concern/s and identify possible resolution. Should an understanding be reached regarding a resolution, all those who were involved in the process will be informed of the proposed resolution by the person who addressed the concern. If the behavior continues or is repeated after an apparent resolution has been determined, this should be reported in writing to the Senior Dean for Student Affairs or the Senior Dean for Academic Affairs (or designee) and request that the Student Conduct Committee be convened.
6. If the person who initially raised the concern is not satisfied with the outcome of the initial inquiry, they may request that the concern be forwarded to the Senior Dean for Student Affairs or the Senior Dean for Academic Affairs (or designee) and request that the Student Conduct Committee be convened.
7. At any point in this process, based on the nature of the concern, the repetitive nature of it, the comfort of the individual in addressing the concern, or the student's response when the concern is brought to their attention, any of the above individuals may bring the concern directly to the Senior Dean for Student Affairs or

the Senior Dean for Academic Affairs (or designee) and request that the Student Conduct Committee be convened.

8. All concerns brought to Senior Dean for Student Affairs or the Senior Dean for Academic Affairs (or designee) with a request that the Student Conduct Committee be convened should be in writing, specifying in appropriate detail the nature of the concern. The receipt of such information by Senior Dean for Student Affairs or the Senior Dean for Academic Affairs (or designee) will automatically lead to a formal investigation of the concern by the Student Conduct Committee and will be done within three (3) business days.
9. Though not required, the Senior Dean for Student Affairs encourages any concerns regarding student conduct to be brought to his/her attention, even if a satisfactory resolution has been reached. This should be done in writing. If this is done, the communication should specify that no further action is requested ("FYI").
10. If during the investigation into the complaint it is felt that the accusation/s made against the student are unwarranted or frivolous, such actions would be addressed with the direct supervisor of the individual who initially raised the concern.
11. Once a formal investigation is initiated by the Student Conduct Committee, it is considered unprofessional conduct for an accused student to share the details of this investigation with anyone without prior permission from the Senior Dean for Student Affairs. The frivolous, gratuitous, and/or damaging spread of information is an unprofessional action and could in itself result in the student being referred to the MSPPC for disciplinary action.

Protecting Confidentiality:

Circumstances may arise when an individual feels the need to bring forth a concern regarding a student to the school administration but for whatever reason desires to remain anonymous. In such circumstances, the individual is encouraged to contact their supervisor to initiate the grievance. The process of addressing the concern would be that listed above, with the exception that the individual who addresses the concern with the student would be the supervisor who would serve as the proxy for the person who brought forth the concern and wished to remain anonymous. It must be recognized that the ongoing desire for anonymity on the part of the person raising the concern may limit those involved with investigating the complaint and attempting to determine a resolution.

Suspension from School:

In circumstances when it is felt that a student's presence on campus or in the clinical setting, based on the nature of the concern, could have the potential to adversely impact the safety and/or well-being of others, that student may be placed in a suspension status and barred from campus by joint agreement of the Senior Dean for Student Affairs and the Chair of the MSPPC pending an MSPPC hearing. Should this occur, the Dean must be notified in writing and an emergency meeting of the MSPPC must be held within 3 business days to review the circumstances of the violation and make recommendations. The student's suspension status would be reviewed as part of the emergency meeting and could be extended by a determination of the MSPPC.

3 Procedures

Hearing related to an Honor Code Violation

1. The individual who witnessed the potential violation of the Honor Code should report this to the Senior Dean for Academic Affairs.
2. A confidential file maintained by the Senior Dean for Student Affairs will be created. Access to this file shall be restricted to the Senior Dean for Student Affairs and is not part of the student's permanent record. The Senior Dean for Student Affairs may share information from this file, as necessary, with the accused student, the Chair of the MSPPC, the Dean, other medical school leadership, and VTCSOM legal counsel as he/she deems appropriate.
3. The Senior Dean for Student Affairs will make the student aware of the allegation in writing or, preferably, in person.
4. The Chair of the MSPPC will be made aware of the allegation.
5. The Senior Dean for Student Affairs may mandate a psychiatric, psychological, and/or substance abuse evaluation at any point in the investigation, or as part of the corrective action. The results of this mandated assessment must be made available to the Senior Dean for Student Affairs as well as the Chair of the MSPPC should the MSPPC become involved.
6. The Senior Dean for Academic Affairs will convene a meeting of the Honor Council.
7. The Honor Council will meet with the involved student and the individual(s) filing the allegation as soon as possible and within five (5) business days. The Senior Dean for Student Affairs will be present in support of the student; the student may self-select one additional support person. The student will be given an opportunity to explain or rebut any of the evidence or information concerning conduct or circumstances contained in the written allegation.
8. After reviewing all pertinent information, the subcommittee shall make one of the following recommendations within five (5) business days:
 - a. Refer the matter to the MSPPC for further investigation, hearing, and action.
 - b. Dismiss the matter due to insufficient evidence. If the Honor Council is not in full agreement with regards to their decision, the matter must be referred to the MSPPC for investigation and hearing.
9. The MSPPC Chair will review the subcommittee's recommendation and supporting information and:
 - a. If a hearing is required, the Chair must initiate the procedure by notifying the student by letter following the process outlined below.
 - b. If the matter has been dismissed due to insufficient evidence, the Chair shall inform the student and the Senior Dean for Student Affairs in writing of this decision and shall expunge the record. It is the responsibility of the Senior Dean for Student Affairs to contact other involved parties, including the individual/s who brought forth the allegation/s, to let them know of this decision.

Hearing related to a Violation of the Attributes of Professionalism and/or Teacher-Learner Compact:

1. As outlined above, a concern regarding a possible violation of the Attributes of Professionalism and/or Teacher-Learner Compact including but not limited to unprofessional behavior may be raised at any time by any member of the VTCSOM

community. If an allegation is submitted in written form, it should describe in detail the specific violation to allow review by the appropriate persons and/or committees, and to inform the student of the nature of the offences or conduct which must be explained and should be signed by the person who is raising the concern/allegation. The receipt of a written allegation of unprofessional behavior by the Senior Dean for Student Affairs or Senior Dean for Academic Affairs requires the convening of the Student Conduct Committee for a formal inquiry. A confidential file maintained by the Senior Dean for Student Affairs will be created. Access to this file shall be restricted to the Senior Dean for Student Affairs and is not part of the student's permanent record. The Senior Dean for Student Affairs may share information from this file, as necessary, with the accused student, the Chair of the MSPPC, the Dean, other medical school leadership, and VTCSOM legal counsel as he/she deems appropriate.

2. The Senior Dean for Student Affairs and/or Senior Dean for Academic Affairs, upon receipt of a written allegation of unprofessional behavior, is authorized to convene a meeting of the Student Conduct Committee.
3. The details of the complaint and plans for the Student Conduct Committee timeline are made available to the chair of the MSPPC.
4. The Senior Dean for Student Affairs will make the student aware of the allegation in writing or, preferably, in person.
5. The Senior Dean for Student Affairs may mandate a psychiatric, psychological, and/or substance abuse evaluation at any point in the investigation, or as part of the corrective action. The results of this mandated assessment must be made available to the Senior Dean for Student Affairs as well as the Chair of the MSPPC should the MSPPC become involved.
6. The Student Conduct Committee will meet with the involved student and the individual(s) filing the allegation as soon as possible and within five (5) business days. The Senior Dean for Student Affairs will be present in support of the student; the student may self-select one additional support person. The student will be given an opportunity to explain or rebut any of the evidence or information concerning conduct or circumstances contained in the written allegation.
7. After reviewing all pertinent information, the committee shall make one of the following recommendations within five (5) business days:
 - a. Refer the matter to the MSPPC for further investigation, hearing, and action.
 - b. Dismiss the matter due to insufficient evidence.
8. The MSPPC Chair will review the subcommittee's recommendation and supporting information and:
 - a. If a hearing is required, the Chair must initiate the procedure by notifying the student by letter following the process outlined below.
 - b. If the matter has been dismissed due to insufficient evidence, the Chair shall inform the student and the Senior Dean for Student Affairs in writing of this decision and shall expunge the record. It is the responsibility of the Senior Dean for Student Affairs to contact other involved parties, including the individual/s who brought forth the allegation/s, to let them know of this decision.

Appearing Before the MSPPC:

If the need for an MSPPC hearing has been determined, the MSPPC Chairperson shall notify the student by letter of the details of the dismissal hearing at least ten (10) business days prior to the scheduled MSPPC hearing. The Chairperson shall send the letter by certified mail, return receipt requested, to the student at his/her address appearing in the registrar's records. The letter may also be hand delivered to the student by the Senior Dean for Student Affairs with the student signing a document acknowledging receipt of the letter. A copy of the letter will be sent to the Senior Dean for Student Affairs who will be available to advise the student in matters pertaining to the hearing. In the event that the Chairperson is unable to have the letter personally delivered to the student or the student does not sign the receipt for the certified letter, after reasonable attempts, the MSPPC Chairperson may show by sworn statement that a reasonable attempt has been made to provide notice to the student, and the MSPPC shall proceed with the hearing.

The letter to the student shall:

- A. Document the alleged violation(s) if professional behavior or academic dishonesty;
- B. Direct the student to be present at the specified time, date, and place of the dismissal hearing;
- C. Advise the student of his/her rights to:
 - a. Appear in person alone or with one student-selected member of the VTC community.
 - b. The student may request up to two (2) additional members of the VTC community to attend the hearing to provide support. The granting of this request is entirely at the discretion of the Chair of the MSPPC, taking into account issues of confidentiality and hearing decorum. None of these support persons may participate in the hearing. This request must be made in writing to the Chair of the MSPPC at least 5 business days prior to the hearing.
 - c. Have legal counsel present. Legal counsel may make no statements, may not ask questions, and may not submit written or other materials.
 - d. Request the Chair of the MSPPC recuse any persons designated to hear the case for cause or conflict of interest.
 - e. Know the identity of each person who will provide information in the case.
 - f. Summon individuals to provide supporting information, require production of documentary and other evidence, offer evidence, and argue in his/her own behalf.
 - g. Question each person who will provide information in the case for the purpose of clarification.
 - h. Receive a copy of the secretary's summary of the hearing which will not include a summary of the committee's deliberations.
 - i. Appeal the decision of the MSPPC to the Dean.
- D. Direct the student that they shall disclose through the Committee Chairperson no later than five (5) business days before the meeting their intent to be assisted by legal counsel during the meeting. Failure to provide notification will result in forfeiture of the right to have legal counsel present.
- E. Indicate that the student shall disclose to the Committee Chairperson no later than five (5) business days before the meeting, the names of any persons to be called to the meeting to speak on behalf of the student with regard to the allegations...

- F. List the names of any individuals the Committee will call to provide information concerning the allegations at the hearing.
- G. Indicate that any member of the MSPPC may question the involved student and anyone else who provides information on the student's behalf.

The MSPPC Chairperson shall compile a list of all individuals who will present information on behalf of either the student or VTCSOM and shall distribute the list to the student and to each member of the MSPPC four (4) business days before the meeting. In deciding the question of dismissal, the MSPPC has the right and responsibility to review the student's entire record. The MSPPC for good cause may postpone the hearing and notify all involved persons of the new hearing date, time, and place. Upon request of the student, the MSPPC also may waive the ten business day period of notice, informing all involved persons of the new hearing date, time, and place.

The Hearing will be conducted with the objective of providing basic fairness to all parties. For disciplinary hearings of the MSPPC, a quorum is considered a simple majority of the committee members. This number must include at least one student member. The proceedings of the MSPPC meeting may be recorded at the discretion of the committee Chair. The purpose of this recording is to provide clarification for the members of the MSPPC. There will be no transcript made of this recording, and the recording will be destroyed once the case has been resolved or the appeals process has been exhausted. The MSPPC Chairperson shall preside during the meeting according to the following procedure:

1. The Chair of the MSPPC presents an overview of the procedure to the student. The Chair of the MSPPC or the Senior Dean for Academic Affairs will review the allegations against the student.
2. VTCSOM legal counsel may be present.
3. The student presents his/her case.
4. The student may have legal counsel present under the conditions outlined above.
5. The student's legal counsel, if present, may make no statements, may not ask questions, and may not submit written material.
6. Persons called to the meeting may present information and then may be questioned by the student and members of MSPPC. The purpose of the student questioning is for clarification of the information presented, and is not intended to rebut the statements of any individuals presenting.
7. After all information has been presented by those appearing before the committee and these individuals are no longer present at the hearing, the student may present rebuttal evidence and counter-arguments. Members of the MSPPC may ask questions.
8. The MSPPC deliberates on the information presented with the student absent and makes a decision.

The proceedings of the MSPPC are confidential and any discussion of the proceedings or the facts revealed, outside of the committee meeting, is a violation of the student's right to privacy and will be viewed as unprofessional and subject to disciplinary action as such. Exceptions to this would include the sharing the outcome of the meeting or important information from the meeting with appropriate VTCSOM leadership and others as deemed appropriate by the Chair of the MSPPC.

It is also considered unprofessional conduct for an accused student to share the details of the MSPPC proceedings outside of the committee hearing without prior permission from the Chair of the MSPPC. Doing so will be considered unprofessional conduct and could result in disciplinary action by the MSPPC.

MSPPC Actions:

The MSPPC Chairperson submits in writing the decision of the Committee to the parties involved within two (2) business days of the hearing. Possible actions can include:

1. Finding the complaint was without merit;
2. Reprimand acknowledging the conduct was not in accord with the Honor Code, Attributes of Professionalism, and/or Teacher- Learner Compact but that it was not of a serious enough nature to take further action;
3. Probation acknowledging the conduct was not in accord with the Honor Code, Attributes of Professionalism, and/or Teacher- Learner Compact and that further monitoring or intervention is required. This could include a referral for a mandatory psychiatric, psychological, and/or substance abuse evaluation as a condition of the probation. If such a referral for a mandatory evaluation is required, the results of this evaluation must be released to the Chair of the MSPPC for review by the MSPPC. Any financial expenses incurred for such an evaluation will be the responsibility of the student;
4. Disciplinary leave of absence acknowledging the conduct was not in accord with the Honor Code, Attributes of Professionalism, and/or Teacher- Learner Compact and that corrective action is needed prior to the student returning to classes. This could include a referral for a mandatory psychiatric, psychological and/or substance abuse evaluation as a condition of return.
5. Dismissal acknowledging the conduct was not in accord the Honor Code, Attributes of Professionalism, and/or Teacher- Learner Compact and was of such an egregious nature that it is not appropriate for the student to remain at VTCSOM.

The decision shall detail the reasons for the action recommended. After completion of MSPPC proceedings, all documents and records of the case shall be filed in the Student Affairs file. Notation of the MSPPC action will be made in the student's permanent record only if the final decision is for dismissal and this decision is upheld should the student appeal to the Dean. The Hearing record is confidential and consists of a copy of the notice forwarded to the student, a written summary of the hearing prepared by the Chair of the MSPPC, together with all documentary and other evidence offered or admitted in evidence, written motions, pleas and any other material considered by the MSPPC, and the decision of the MSPPC.

Appeals to the Dean:

The student may appeal the MSPPC decision directly to the Dean of VTCSOM. Grounds for appeals are limited to the following:

- a. The proceedings were not conducted fairly in light of the charges and information presented and according to the VTC designated procedures in such a way that resulted in significant prejudice against the accused student;
- b. Significant information was not available to the individual or the MSPPC at the time of the hearing or has subsequently come to light;

- c. The sanction imposed was believed to be inappropriate to the severity of the violation for which the student was found responsible.

The appeal to the Dean must be made in writing within ten (10) business days after the date of the written decision of the MSPPC. The written request for an appeal shall contain the student's name, the date of the decision, all supporting materials accompanying the request, and the name of the student's representative, if any.

A written request of appeal suspends the imposition of sanctions or penalty until the appeal is finally decided. Pending appeal, the Dean may suspend the right of the student to attend class and/or engage in academic programs for reasons relating to the student's physical or emotional safety and wellbeing, or for reasons relating to the safety and well-being of patients, students, or faculty.

The Dean may approve, reject, or modify the decision in question or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The Dean's decision must be forthcoming within five (5) business days of the date of the receipt of all supporting materials. The Dean's decision shall be communicated in writing to the student, the Senior Dean for Student Affairs, the Chair of the MSPPC, and any other parties involved as determined by the Dean. The timeline described in this process (MSPPC meeting through appeal to Dean) may be altered at each level by mutual agreement between the student and the Chair of MSPPC and/or the Dean due to extenuating circumstances. The Dean's decision cannot result in a harsher sanction than the original decision of the MSPPC. Rather, the Dean can uphold the original sanction or decide on a lesser sanction.

The Dean's decision is final and not subject to further appeal. A student who has been dismissed from VTCSOM is not permitted to be reinstated or reapply for admission.

Non-Academic Probation:

The MSPPC is responsible for monitoring student probation status. If a student is placed on probation by the MSPPC, the student must complete the requirements of the probation and inform the Chair of the MSPPC by providing written detail of as to how they have completed the requirements. Once the Chair of the MSPPC has determined that the terms of the probation have been completed, the Chair will contact the Senior Dean for Student Affairs in writing, outlining that the student has completed the requirements of the probation and is no longer in a probationary status. The MSPPC has the option of interviewing the student prior to making this determination at an informal hearing. Student probation will not be recorded on the student's permanent record. These records will be kept in their Student Affairs file.

If a student does not complete the terms of the probation, this would constitute a violation of their probation status and the MSPPC will hold a formal hearing and proceed according to the policy detailed above.

Disciplinary Leave of Absence:

Only the MSPPC can place a student on a disciplinary leave of absence, or approve the return of a student to coursework from a disciplinary leave of absence. The MSPPC may

consider requests to return from a disciplinary leave of absence when the student has completed the terms requested by the MSPPC, which may in some circumstances include a mandatory psychiatric, psychological, and/or substance abuse evaluation. The student must complete the requirements of the leave of absence and provide written detail to the Chair of the MSPPC once these requirements have been completed. Once the MSPPC has determined that the terms of the leave of absence have been completed, the Chair of the MSPPC will contact the Senior Dean for Student Affairs in writing, outlining that the student has completed the requirements of the leave of absence and is no longer in a disciplinary leave of absence status. The MSPPC has the option of interviewing the student prior to making this determination at an informal hearing. Student disciplinary leave of absence will not be recorded on the student's permanent record. These records will be kept in their Student Affairs file.

Conflict of Interest:

In the event of conflict of interest, real or perceived, members of the MSPPC will be expected to recuse themselves from the official proceedings of the committee. The student has the right to challenge the presence of individual members of the MSPPC at the hearing. The determination of such a conflict will be made by the Chair of the MSPPC. If the Chair of the MSPPC is the individual in question, the determination of such a conflict will be made by the Senior Dean for Academic Affairs