

VIOLATIONS OF THE ATTRIBUTES OF PROFESSIONALISM AND/OR TEACHER-LEARNER COMPACT

Introduction

VTCSOM takes the precepts outlined in the Attributes of Professionalism and the Teacher-Learner compact quite seriously and has developed a prescribed process regarding alleged student violations of either of them.

Issues related to student conduct and to academic integrity are handled through the Virginia Tech Student Code of Conduct ([link](#)) and the VTCSOM Doctor of Medicine Honor Code ([link](#)), respectively. In addition, allegations of gender-based misconduct are handled by the VT Title IX office ([link](#)).

The Medical Student Performance and Promotion Committee (MSPPC) is delegated the ultimate responsibility for overseeing the student professionalism 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. Students could be required to appear before the MSPPC for alleged violations of professional or ethical behavior as identified in the Attributes of Professionalism and/or the Teacher-Learner Compact. One possible outcome of an MSPPC hearing for violations of the Attributes of Professionalism and/or the Teacher-Learner Compact is a recommendation for student dismissal from VTCSOM.

Basics

Addressing a Concern Regarding a Student

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 and could be in violation of the Attributes of Professionalism and/or the Teacher-Learner Compact. 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. An initial inquiry regarding a concern may be made by any of the parties who receive the complaint to determine the nature of the concern, and they may address the concern directly with the student if they deem this appropriate in their judgment. 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 an intervention.
6. 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 for further action.
7. 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, if this has already occurred, that the concern be forwarded to the MSPPC.
8. All concerns brought to the Senior Dean for Student Affairs or the Senior Dean for Academic Affairs with a request for intervention should be in writing, specifying in appropriate detail the nature of the concern. The receipt of such information by the Senior Dean for Student Affairs would automatically lead to a formal investigation of the concern 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 the Senior Dean for Student Affairs initiates a formal investigation, 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 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 first discuss with the individual who has brought the anonymous concern as to whether they

are comfortable with the approach that will be taken. 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.

Temporary 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 three 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.

Procedure

Process of addressing a written concern of possible violations of the Attributes of Professionalism and/or Teacher-Learner Compact:

- A. As outlined above, a concern regarding a possible violation of the Attributes of Professionalism and/or the Teacher-Learner Compact 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 requires the initiation of a formal inquiry and the development of a confidential file maintained by the Senior Dean for Student Affairs. 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 VT legal counsel, as he/she deems appropriate.
- B. The Senior Dean for Student Affairs, in conjunction with any other appropriate administrative authority, upon receipt of a written allegation of unprofessional behavior is authorized to conduct an immediate investigation for the purpose of determining appropriate action, which could include addressing the allegation directly or forwarding the complaint to the Chair of the MSPPC. This will occur within three business days of the receipt of the written allegation. If two or more unrelated complaints are submitted during any given Block concerning a student, or if a second complaint is received after an initial complaint has been found to be warranted and the behavior has been addressed, the Senior Dean for Student Affairs must forward the allegations to the Chair of the MSPPC. During his/her investigation, the Senior Dean for Student Affairs may mandate a psychiatric, psychological, and/or substance abuse evaluation for the student either as a part of the initial investigation, or as part of a corrective action as a result of his/her investigation. 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.

- C. If a written allegation of unprofessional behavior or academic dishonesty is forwarded from the Senior Dean for Student Affairs to the Chair of the MSPPC, the following process will be followed:
- a. The Chair of the MSPPC that an allegation has been forwarded to the MSPPC will notify the student in question.
 - b. The MSPPC Chair shall appoint a subcommittee consisting of two students and three faculty members. The members will be selected from a pool of regular faculty and students. The members of MSPPC may not serve on this subcommittee.
 - c. The subcommittee will meet with the involved student and the individual(s) filing the allegation as soon as possible and within five (5) business days. 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.
 - d. After reviewing all pertinent information, the subcommittee shall make one of the following recommendations within five (5) business days:
 - i. Refer the matter to the MSPPC for investigation and hearing.
 - ii. Dismiss the matter due to insufficient evidence. If this subcommittee is not in full agreement concerning their decision, the matter must be referred to the MSPPC for investigation and hearing.
 - iii. With the acknowledgement from the accused that the behavior was, in fact, unprofessional and unanimous opinion on the part of the subcommittee that the accused demonstrates appropriate recognition of the seriousness of the allegation, the subcommittee may conclude that the matter does have merit but does not require a formal hearing. If this is the case, a report detailing the allegation and the opinion of the subcommittee will be included in the accused student's student affairs file.
 - e. The MSPPC Chair will review the subcommittee's recommendation and supporting information and:
 - i. If a hearing is required, the Chair must initiate the procedure by notifying the student by letter following the process outlined below.
 - ii. 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) of unprofessional behavior;
- 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 five 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 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 and will review the allegations against the student.
2. VT 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. VTCSOM Professionalism Educational Assignment (parts a-c are mandatory, parts d-e are optional)
 - a. The referred student shall not be suspended from school. The sanction is a warning and is intended to serve as a deterrent against future misconduct. In the event of any other VTCSOM professional conduct or MD Honor Code violation, the appropriate parties shall be notified of the previous history of the referred student.
 - b. A record of the action shall be kept in the referred student's folder (not the official transcript) in Academic Affairs until graduation from the University or termination of enrollment.
 - c. A description of the Professionalism Educational Assignment shall not appear on the student's Medical Student Performance Evaluation
 - d. The referred student shall be required to attend a meeting or meetings with the VTCSOM MSPPC Chair and the Senior Dean for Student Affairs for the purpose of achieving a better understanding on the student's actions relative to the Attributes of Professionalism. Failure to participate in the meetings(s) shall be considered unprofessional behavior and subject to further sanctions.
 - e. The referred student may be required to perform an appropriate number of hours (not to exceed 50) of public service and/or restitution congruent with the nature of the offense. Failure to perform this service shall be considered unprofessional behavior and subject to further sanctions.
3. VTCSOM Non-Academic Probation (parts a-e are mandatory, part f is optional)
 - a. The referred student shall not be suspended from VTCSOM, but shall be placed on Probation for the remainder of the current term (semester). The sentence of Non-academic Probation is a warning and is intended to serve as a deterrent against future misconduct. In the event of any other VTCSOM professional conduct or MD Honor Code violation, the appropriate parties shall be notified of the previous history of the referred student(s).
 - b. A record of the action shall be kept in the referred student's folder (not the official transcript) in Academic Affairs until graduation.
 - c. A description of the VTCSOM Non-Academic Probation shall appear on the student's Medical Student Performance Evaluation.
 - d. The referred student shall be required to attend a meeting or meetings with the VTCSOM Honor Board Chair and the Senior Dean for Student Affairs for the purpose of achieving a better understanding on the student's actions relative to the MD Honor Code. Failure to participate in the meetings(s) shall be considered unprofessional behavior and subject to further sanctions.
 - e. The referred student shall be sanctioned to perform an appropriate number of hours (not to exceed 50) of public service and/or restitution congruent with the nature of the offense. Failure to perform this service shall be considered unprofessional behavior and subject to further sanctions.
 - f. The referred student may be referred 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. Suspension (parts a-d mandatory, part e optional)
 - a. Suspension is immediate and the referred student shall not be allowed to complete the current semester. In addition, the referred student shall be suspended for a period not to exceed one (1) full academic year following the current semester.
 - b. All credits shall be lost for work done during the block or rotation in which the referred student is currently enrolled. The penalty shall automatically include a grade of "U for unprofessional behavior" for the course (or equivalent) in which the offense occurred. This grade shall appear on the student's grade report and permanent record (transcript) as a "U", and it shall be a permanent notation.
 - c. The notation "unprofessional behavior" shall be described in the student's Medical Student Performance Evaluation.
 - d. Upon the referred student's re-enrollment at VTCSOM at the end of the period of suspension, the student is subject to being placed on Non-Academic Probation.
 - e. Prior to return from suspension, the referred student may be referred 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.
5. Permanent Dismissal (all parts mandatory)
 - a. The referred student shall be permanently dismissed from VTCSOM without being allowed to complete the current block or rotation.
 - b. All credits shall be lost for work done during the block or rotation in which the referred student is currently enrolled. The penalty shall automatically include a grade of "U for unprofessional behavior" for the course (or equivalent) in which the offense occurred. This grade shall appear on the student's grade report and permanent record (transcript) as a "U", and it shall be a permanent notation.
 - c. The referred student may never re-enroll in the MD program at VTCSOM.
 - d. The notation "permanently dismissed for unprofessional behavior" shall appear on the referred student's permanent record (transcript) under the semester in which the violation occurred.

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's 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.

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.

Suspension:

The MSPPC may place a student on suspension, or approve the return of a student to coursework from a suspension. The MSPPC may consider requests to return from a suspension 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 suspension 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 suspension 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 suspension. The MSPPC has the option of interviewing the student prior to making this determination at an informal hearing.

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 well-being, 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 VTC SOM is not permitted to be reinstated or to reapply for admission.

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 Chair of the MSPPC will make the determination of such a conflict. If the Chair of the MSPPC is the individual in question, the Senior Dean for Academic Affairs will make the determination of such a conflict