



VCU

Student Appeal Procedures for Promotion and Advancement Committee Decisions Policy

Policy Statement and Purpose

This policy establishes the Virginia Commonwealth University School of Medicine's (VCU SOM) process for taking actions that may affect the status of a medical student, in accordance with the Liaison Committee on Medical Education's (LCME) requirements to provide a defined, fair process that includes timely notice of action(s), and disclosure of evidence on which the action(s) would be based. This includes defining a process for impacted students to respond and appeal any adverse action related to their personal advancement, graduation, or dismissal from a program or the institution. The purpose of this policy is to describe the committee responsible for hearing appeals of decisions by the Promotion and Advancement Committee (PAC)—including its membership and official change—and outline the process students must follow in order to submit an appeal of an adverse action rendered by the PAC.

Stakeholders

The faculty, staff, and students of the VCU School of Medicine are responsible for knowing this standard operating procedure, its contents, and provisions.

Definitions

VCU SOM: Virginia Commonwealth University School of Medicine

ADSA: Assistant/Associate Dean of Student Affairs

ADME: Assistant/Associate Dean of Medical Education

ADPME: Assistant/Associate Dean of Pre-Clinical Medical Education

Dean: The Chief Academic Officer for the VCU SOM

OME: Office of Medical Education.

MSPE: Medical Student Performance Evaluation

SADMESA: Senior Associate Dean for Medical Education and Student Affairs

CD: Course/Clerkship Director

PAC: Promotions and Advancement Committee



VCU School of Medicine

LOA: Leave of Absence.

Academic Warning: A designation that reflects initial indications of sub-optimal performance, and prompts the OME to deploy additional resources to support the student

Academic Probation: A designation that indicates a student's performance has fallen below acceptable standards, and is at risk for adverse action

Responsibilities ---

Students: Students seeking an appeal of PAC decisions are responsible for submitting a Promotion & Advancement Committee Decision Appeal Form and adhering to all established timelines and processes outlined within this policy.

OME: The OME is responsible for providing administrative support to the SADMESA and Appeals Committee as outlined in this policy.

Dean: The Dean is responsible for appointing members of the Appeals Committee, and replacing members of the committee in instances where a conflict of interest has been determined.

Appeals Committee: The Appeals Committee is responsible for reviewing all submitted appeal documents and rendering a final decision regarding the outcome of all submitted appeals.

SADMESA: The Senior Associate Dean for Medical Education and Student Affairs is responsible for reviewing any student statements submitted as a means to comment on a decision by the PAC as outlined in the procedures below.

Procedures ---

Appeals Committee

Membership

- Once a student submits an appeal to a decision of the PAC, the Dean will appoint an Appeals Committee to review the information and will designate a chair
- The Appeal Committee consists of three members as set forth below:
 - 1 Chair of a basic science department
 - 1 Chair of a clinical department
 - 1 Chair from either a clinical or basic science department to act as Chair of the Appeals Committee

Conflicts of Interest

- Appeals Committee members and students who may have a conflict of interest regarding a specific appeal under review are responsible for notifying the Dean of any potential conflict of interest.
 - The Dean will notify the Director of Curricular Initiatives and Quality, who will determine if a conflict of interest exists and if the member will remain on the Appeals Committee.
 - Conflicts of interest may include, but are not limited to, instances where the individual:
 - Chairs a department in which a course director has assigned a failing grade to the student
 - Chairs a department in which a professionalism concern for the student was submitted which resulted in an adverse action
 - Currently is or has previously been a healthcare provider for the student
 - Is a family member of or has some personal relation to the student
 - Has evaluated the performance of the student in a course/clerkship where the student did not achieve a grade of pass/competency achieved
 - Has self-identified a conflict regarding the student
 - Is determined by the PAC chair or VCU SOM Dean to have a conflict of interest, for example, upon notice from the student of a potential conflict
 - In instances of a conflict of interest, the Dean will appoint a replacement committee member

Charge

- The Appeals Committee is charged with hearing student appeals of decisions by the PAC. The Appeals Committee is ultimately responsible for providing a fair and impartial review of any student appeal, and rendering a final decision regarding the outcome of the appeal

Meetings

- The Appeals Committee will review and render a decision within twenty-one (21) calendar days of the student providing notice of appeal.

Student Appeal Procedures

Appealable Decisions

Decisions by the PAC

- Students may appeal the following decisions rendered by the PAC:
 - Suspension or dismissal from the program

- Recommended leave of absence with defined conditions for returning to the curriculum as an alternative to suspension or dismissal based on inadequate performance
- Required repetition of a semester or specific segment of the curriculum
- The Appeals Committee will consider an appeal only on one or more of the following reasons:
 - The PAC process was conducted unfairly or without regard to applicable procedure or protocol
 - There is new evidence or relevant information that was not available at the time of the PAC meeting that would have altered the final decision of the PAC
 - The original decision was not supported by evidence
- An appeal must include specific information showing one or more of the reasons for appeal as described above.
- Students seeking to comment on a non-appealable decision of the PAC may send a written statement via email to the SADMESA and the vcuome@vcuhealth.org inbox.

Other decisions

- Decisions rendered by another VCU unit, such as Student Conduct and Academic Integrity (SCAI), may be appealed through the applicable procedures for that unit.
 - For example, see the SCAI webpage: <https://conduct.students.vcu.edu/>

Appeal Process

Appeal Submissions

- To file an appeal, a student must submit an email within fourteen (14) calendar days of the date of the email notification to the student of the PAC decision including the required information.
 - The fourteen (14) calendar days timeframe will begin on the first day after the notification is sent to the student
 - The ADSA(s) will offer guidance and assistance to the student in the appeals process
 - Emails must be submitted to vcuome@vcuhealth.org and the SADMESA
- The appeal email must include:
 - Promotion and Advancement Committee Decision Appeals Form
 - A narrative response that addresses the specific reason(s) for the appeal, that is no more than 750 words maximum
- The OME will provide confirmation of receipt of the appeal submission via email to the student
 - The OME is responsible for identifying a time for the Appeals Committee meeting

Appeal Hearings

- Students and members of the Appeals Committee will receive a copy of all materials that will be reviewed by the Appeals Committee at least two (2) calendar days prior to the hearing

- The ADSA(s) will offer guidance and assistance to the student in their preparation for the appeals hearing
- The appealing student may appear before the Appeals Committee
 - Students will have a maximum of twenty (20) minutes allotted
 - Additional time may be granted by the Chair to collect additional information as needed
 - The student may be accompanied by a person of support, including an advisor or attorney, during their allotted time with the Appeals Committee
 - The person of support may not make any statements or communicate on the student's behalf to the committee, but may communicate with the student
 - If the presence of the person of support disrupts the hearing, the Chair may require the person to leave.
 - If a student wishes an attorney to serve as their person of support, the student must notify the Chair of the attorney's name and contact information at least twenty-four hours before the scheduled hearing. The attorney may also contact University Counsel directly.
- A curricular dean or other representative from the PAC will present a review of the PAC discussion and decision to the Appeals Committee
- The student will have the opportunity to present any information and/or relevant documentation to support their appeal
 - The student who appeals is responsible for demonstrating the reason to alter a decision of the PAC

Appeal Decisions

- VCU generally records all components of the appeal process except deliberations by the Appeals Committee
 - The recording represents the sole, official, verbatim record of the hearing and is the property of VCU SOM
- The Appeals Committee will send its findings and decision, and the recorded vote—based on a majority vote of the Appeals Committee—to the SADMESA
- The Chair of the Appeals Committee, with support from the OME, will notify the student via email of the final decision within fourteen (14) calendar days of the appeals hearing
- The Appeals Committee decision is final and may not be appealed

Related Policies

Promotion and Advancement Committee Policy

Non-Involvement of Healthcare Providers in Student Promotion and Assessment Policy

Review Cycle and Revision History

The policy is reviewed and may be revised by the Curriculum Council as necessary, but at least every three years.

Current Revision Approved: 06.22.2023

Applicable Laws, Regulations & Standards

LCME Standards for Accreditation of Medical Education Programs Leading to the MD Degree:

- LCME Standard 9, Element 9

