



**Policy Title:** Review and Challenge of Educational Records

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**Accountable Dean(s) or Director(s):**

Associate Dean for Admissions and Student Affairs  
Associate Dean for Medical Education & Academic Affairs

**Reviewed By:**

Phase I/II Curriculum Subcommittees  
T3/T4 Curriculum Subcommittee  
Professionalism and Promotions Committee

**Approval Body:**

Executive Faculty

**RELEVANT LCME STANDARD:**

11.6 Student Access to Educational Records

**POLICY PURPOSE:**

The LCME states: A medical school has policies and procedures in place that permit a medical student to review and to challenge the student's educational records, including the Medical Student Performance Evaluation (MSPE), if the student considers the information contained therein to be inaccurate, misleading, or inappropriate.

**I. REVIEW OF EDUCATIONAL RECORDS**

- Under the Family Education Rights and Privacy Act of 1974 (FERPA), medical students have access to all items of their educational record with the following exceptions:
  - Those items to which they waive their rights (e.g., letters/statements of recommendation)
  - Medical treatment records: Records maintained by a physician, psychiatrist, psychologist, or other recognized professional or para-professional which are used only for treatment purposes (such records may, however, be reviewed by a physician or other appropriate professional of the student's choice)
  - Financial information submitted by the student's parents (these records are kept in the Financial Aid Office)
  - Admissions records for a student who did not officially attend the program of admission. If the student completed a course at the University but never officially attended as a degree candidate in the program of admission, then the student has FERPA rights with respect to that course but does not have rights in respect to the admissions records for that program
  - Records of a student that contain information on other students

- Students have electronic access to final grades at any time through Gibson online; electronic access to individual course/clerkship grade components are viewable in Tulane learning management systems (eMedley and/or Canvas).
- Students may make a written request to review their educational records to the Associate Dean for Admissions and Student Affairs. A copy of the student's file will be provided for review within 3 business days of receipt. The records must be viewed in the Office of Admissions and Student Affairs, and the Registrar (or designee) must be present during the review.

## **II. DATA AND/OR GRADE APPEAL STANDARDS**

Data and/or grade appeals may be made because of irregularities associated with the following: accuracy of data, inclusion of all evaluative components, adherence to grading policy, or perceived bias. Appeals that fail to meet these standards are considered without merit and will be denied.

## **III. PROCEDURES FOR CHALLENGING COURSE AND CLERKSHIP DATA AND/OR GRADES:**

- The initial request for a grade or data appeal/challenge should be made by the student to the course/clerkship director. The request should be sent through email and should outline what aspect of the data or grade is being challenged, the basis for reconsideration, and the desired outcome. The request must be made within 30 days of grade assignment.
- The course/clerkship director is expected to respond to the student's email with an appeal decision within 30 days. For courses or clerkships that utilize a grading committee as part of the grading process, the decision should be made no later than 10 days after the next grading committee meeting.
- If the student wishes to appeal the decision of the course/clerkship director, they must do so within 2 weeks of receipt of the course/clerkship director decision. At this next level, the appeal moves to the Department Chair or their delegate. The Department Chair's decision to uphold or reject the appeal is expected to be made in writing by email within 2 weeks of receipt of the student's appeal.
- If the student wishes to appeal the Department Chair's decision, the student must notify the course/clerkship director within 2 weeks of receipt; the course/clerkship director then forwards the appeal to the Chair of the Professionalism & Promotions Committee (PPC) for inclusion at their next meeting. In consideration of the appeal, the PPC reviews the following:
  - a. The course/clerkship data and/or original grade
  - b. The student's written request for appeal
  - c. The course/clerkship director's response (written, in-person, or by proxy)
  - d. Additional evidence deemed appropriate by the PPC to reach a decision
- The PPC will make a recommendation, either favorable or unfavorable, based on a simple majority vote of voting members present at the meeting.
- The PPC recommendation is sent to the Executive Faculty, who render an appeal decision. Note that the student may not appeal directly to Executive Faculty nor can the student appear before Executive Faculty. At the Executive faculty meeting, the Dean recuses themselves from Executive Faculty deliberations.

- If the student wishes to appeal the Executive Faculty decision, the student may make one final appeal to the Dean, which exhausts the student's appeal options. The decision of the Dean is final.

#### NOTES:

- During the appeal's process, students should direct all questions/concerns related to the evaluation of their performance to the course/clerkship director or coordinator. Students are prohibited from contacting site directors, attending physicians, residents, preceptors, or other faculty unless approved by the course/clerkship director. A student found to violate this protocol will have their appeal automatically denied.
- The student and course/clerkship director are *not required* to appear before the PPC during the review but have the option to do so.
- If the student chooses to appear before the committee to present relevant information and answer questions, the student may have a support person present (excluding family members or fellow students). If a support person is to attend, the student must notify the Chair of the PPC at the time a request for appeal is made. The support person may not participate in the presentation or discussion. After questions have been answered, the student (and support person if present) will leave the meeting and allow PPC members to discuss the case in a closed session.
- PPC members who have a conflict of interest must recuse themselves from voting.

#### IV. PROCEDURES FOR APPEALING THE MSPE:

All students are afforded the opportunity to review their MSPE prior to the ERAS release date. All appeals must be made within 30 days of review and must follow the process outlined below:

- When disputing a comment on the MSPE, the student must send an email to the relevant clerkship director. This email should outline the comment being challenged and the basis for the challenge. The clerkship director is expected to respond by email to the student with a decision within two weeks of receipt.
- If the student would like to appeal the decision of the clerkship director, the student must do so within 2 weeks of receipt of the clerkship director's decision. At this next level, the appeal moves to the Department Chair or their delegate. The Department Chair's decision to uphold or reject the appeal is expected to be made in writing by email within 2 weeks of receipt of the student's appeal.
- If the student wishes to appeal the Department Chair's decision, the student must notify the course/clerkship director within 2 weeks of receipt; the clerkship director then forwards the appeal to the Chair of the Professionalism & Promotions Committee (PPC) for inclusion at their next meeting. In consideration of the appeal, the PPC reviews the following:
  - a. The student's MSPE
  - b. The student's written request for appeal
  - c. The clerkship director's response (written, in-person, or by proxy)
  - d. Additional evidence deemed appropriate by the PPC to reach a decision
- The PPC will make a recommendation, either favorable or unfavorable, based on a simple majority vote of voting members present at the meeting.
- The PPC recommendation is sent to the Executive Faculty, who render an appeal decision. Note that the student may not appeal directly to Executive Faculty nor can the

student appear before Executive Faculty. At the Executive faculty meeting, the Dean recuses himself from Executive Faculty deliberations.

- If the student wishes to appeal the Executive Faculty decision, the student may make one final appeal to the Dean, which exhausts the student's appeal options. The decision of the Dean is final.

**LAST REVIEW DATE/APPROVAL:**

Phase I/II Curriculum Subcommittees: 09/03/24

T3/T4 Curriculum Subcommittee: 09/18/24

Professionalism & Promotions Committee: 10/01/24

Executive Faculty: 10/15/24

**REVIEW CYCLE:**

Every 3 years