



Policy Title: Adverse Actions, Due Process, and Appeals

Accountable Dean(s), Director(s), or Office(s):

Associate Dean for Admissions and Student Affairs

Reviewed By:

Professionalism & Promotions Committee

Approval Body:

Executive Faculty

RELEVANT LCME STANDARD:

9.9 Student Advancement and Appeal Process

POLICY STATEMENT AND PURPOSE:

The LCME states: A medical school ensures that there is a fair and formal process for taking any action that may affect the status of a medical student, including timely notice of the impending action, disclosure of the evidence on which the action would be based, an opportunity for the medical student to respond, and an opportunity to appeal any adverse decision related to advancement, graduation, or dismissal.

DEFINITIONS:

For purposes of this policy, the following definitions apply:

- **Adverse Action:** Any action that will result in dismissal or prevent promotion to the next level of training.
- **Appeal:** A request for a formal review of an adverse action.

POLICY GUIDELINES

Tulane School of Medicine (SOM) uses a single set of core standards for the advancement and graduation of medical students (see policy on Single Set of Core Standards for Promotion & Graduation) and ensures that students meet academic, technical, and professional requirements. By accepting admission to the School of Medicine, a student agrees to its policies and requirements (Tulane University Code of Student Conduct, Unified Code of Graduate Student Conduct, SOM Code of Conduct) and acknowledges the right of the University and/or the School of Medicine to take disciplinary action, including dismissal, for performance and/or conduct judged unsatisfactory.

I. ADVERSE ACTIONS RELATED TO PROFESSIONALISM:

Tulane SOM's educational program objectives outline the professionalism competencies expected of Tulane graduates, emphasizing a commitment to carrying out professional responsibilities and an adherence to ethical principles. Evaluation of professional behaviors is

an integral part of the assessment process and is generally accomplished through observation and feedback to students through course and clerkship performance evaluations, peer assessments, OSCEs, submission of concerns through the formal Professionalism/Environment of Learning portal, and/or internal documentation of minor professionalism lapses.

Professionalism concerns may be addressed through four mechanisms:

1. Referral to the Tulane SOM Honor Board
 - a. Professionalism concerns/violations that fall under the purview of the Tulane Student Honor Board should be referred to the Honor Board directly. Violations include but are not limited to:
 - i. cheating
 - ii. stealing
 - iii. circumventing course requirements
 - iv. impairing another student's educational opportunities
 - v. acting in a manner detrimental to the moral and ethical standards of the medical profession
 - vi. knowingly deceiving another student, faculty member, or professional associate with the intent to gain advantage, academic or otherwise, for said student or any other student
 - vii. failing to report any infraction of the Honor Code to an appropriate representative
 - b. A full description of violations, the procedures for reporting and investigating violations, timely notification of the hearing date, recusal protocol, as well as potential sanctions are outlined in the Honor Code Constitution, which is available on the SOM Student Affairs website. The Honor Code Constitution also outlines the appeal process.
2. Referral to the Associate Dean of Admissions & Student Affairs
 - a. Breaches in behavior that fall outside those considered by the Honor Board will be referred to the Associate Dean of Admissions & Student Affairs who will review the evidence and email the student to request a meeting.
 - b. If the lapse is considered minor and there is no evidence of a pattern of unprofessional behavior, the Associate Dean of Admissions & Student Affairs will give direct feedback to the student, discuss ways in which their behavior can be improved, and allow the student adequate opportunity to make appropriate changes.
 - c. Assuming the lapse is an isolated event, documentation will be kept on record with the Associate Dean of Admissions & Student Affairs but will not be made part of the student's official academic record.
3. Referral to the Professionalism & Promotions Committee (PPC)
 - a. If the student's behavior is deemed egregious or the problem recurs and suggests a pattern of unprofessional behavior (combination of three or more informal or formal report submissions), the issue will be brought to the PPC by the Associate Dean of Admissions & Student Affairs.
 - b. The student involved will be notified in writing of the nature of the complaint, including potential impending action(s), as well as the date, time, and location of

the next PPC meeting. The student will be given the opportunity to provide a written response, which must be sent to the PPC Chair and the Associate Dean of Admissions & Student Affairs at least three (3) working days prior to the next scheduled meeting. PPC members will be provided access to the written response in advance of the meeting.

- c. The student also has the option to appear before the PPC to present relevant information and answer questions but is not required to do so. If the student chooses to appear before the committee, they may have one support person present (excluding legal counsel, a family member, or a fellow student). If a support person is to attend, the student must notify the PPC Chair and the Associate Dean of Admissions & Student Affairs at the time a request for appeal is made. The support person may not participate in the presentation or discussion. Meeting proceedings may not be recorded by the student or their support person. 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.
 - d. The PPC will deliberate and impose sanctions including, but not limited to, dismissal. PPC members who have a conflict of interest must recuse themselves from voting.
 - e. If the student is permitted to continue in the MD program, they will be advised of that decision by the Associate Dean of Admissions & Student Affairs, along with any requirements the PPC has imposed. The decision to report the lapse(s) on the MSPE will be made by a vote of the PPC.
 - f. If the PPC concludes that a student should be dismissed due to professionalism reasons, the student will be notified of the PPC decision via email within three (3) business days with a “READ” receipt. Notifications will inform the student of their right to appeal the decision and the process for doing so.
4. Referral to the Office of Student Conduct
 - a. Concerns that involve allegations of discrimination, harassment, and/or retaliation will be entered into the *university* student conduct record system, Maxient, and processed in accordance with the [Tulane University Code of Student Conduct](#).

II. **ADVERSE ACTIONS DUE TO ACADEMIC REASONS:**

1. Students with unsatisfactory academic performance that may result in dismissal or prevent promotion to the next phase (see policy on Academic Deficiencies & Student Progress) are given timely written notification (email) of the potential adverse action, including details regarding current deficiencies, as well as the date, time, and location of the next PPC meeting.
2. The student is given the opportunity to provide a written response to the potential adverse action, which must be sent to the PPC Chair and Associate Dean of Admissions & Student Affairs at least three (3) working days prior to the next scheduled PPC meeting. PPC members will be provided access to the written response in advance of the meeting.
3. The student also has the option to appear before the PPC to present relevant information and answer questions but is not required to do so. If the student chooses to appear before the PPC, the student may have one support person present (excluding legal counsel, a family member, or a fellow student). If a support person is to attend, the student must

notify the PPC Chair and Associate Dean of Admissions & Student Affairs at the time a request for appeal is made. The support person may not participate in the presentation or discussion, and meeting proceedings may not be recorded by the student or their support person. 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.

4. The PPC will review the cumulative record of the student, all relevant information, and, if applicable, the student's written and/or verbal response. PPC members who have a conflict of interest must recuse themselves from voting.
5. After deliberation, the PPC will determine whether to enforce sanctions outlined by established policies/guidelines or whether to grant an exception. If the student is permitted to continue in the MD program, they will be advised of that decision by the Associate Dean of Admissions & Student Affairs, along with any requirements the PPC has imposed.
6. If the PPC concludes that a student should be dismissed due to failure to meet academic requirements, the student will be sent written notice (email) of the decision within three (3) business days by the Associate Dean of Admissions & Student Affairs. This notification will inform the student of their right to appeal the decision and the process for doing so. The student will be placed on Leave of Absence until the appeals process is completed.

III. **FIRST LEVEL OF APPEAL OF AN ADVERSE DECISION:**

1. Appeals to decisions made by the Honor Board will follow procedures outlined in the Honor Code Constitution.
2. Should the student wish to appeal a decision made by the PPC, the student must email the PPC Chair and the Associate Dean of Admissions & Student Affairs to make the request within 10 calendar days of notification of the PPC decision. This written request must state the basis for the appeal and must include information that would warrant a reconsideration of the decision to dismiss.
 - a. The appeal will be sent to an ad hoc Appeals Committee, who will convene within 4 weeks (20 working days) to review the decision of the PPC. The Appeals Committee consists of 3 faculty members, at least one of whom must be a preclinical faculty member and one of whom is a clinical faculty member.
 - b. The Appeals Committee will be provided with all relevant materials. The student is invited to appear before the committee, as the appeals hearing is an opportunity for the student to highlight information and evidence presented to the PPC and advocate for a different outcome. New information from the student may be considered at the discretion of the Appeals Committee.
 - c. The student may bring one support person before the Appeals Committee; such an individual is not permitted to be a legal counsel or to take part in the proceedings.
 - d. Following presentation by the student, the Appeals Committee will adjourn the hearing, discuss the case in a closed session, and vote. The decision to uphold or overturn the PPC decision will be made by simple majority vote.
 - e. The Associate Dean of Admissions & Student Affairs will contact the student within 3 business days of the Appeals Committee decision to inform them of the outcome. A follow-up email will also be sent as official documentation of the decision (copy to the registrar and PPC Chair) and saved in the student's record.

If the student is not available to meet, the decision will be transmitted electronically via the student's email, with a "READ" receipt.

- i. If the Appeals Committee upholds the PPC decision, the student is informed of their right to one final appeal.
- ii. If the Appeals Committee overturns the PPC decision, the case returns to the PPC who will discuss and make decisions regarding plans for the student's reintegration.

IV. **FINAL APPEAL OF AN ADVERSE DECISION:**

1. If the student wishes to appeal the decision of the Appeals Committee, the student may make *one final appeal* to the Dean of the School of Medicine, which exhausts the student's appeal options. The decision of the Dean is final.
 - a. The appeal must be made within 14 calendar days of notification of the decision by the Appeals Committee.
 - b. This appeal should be addressed in writing via email directly to the Dean of the SOM and should detail the rationale for the appeal, including any relevant information not previously considered by the PPC or the Appeals Committee and/or a proposed alternative resolution of the issue.
 - c. After the Dean of the SOM reaches a decision, the Associate Dean of Admissions & Student Affairs will contact the student within 3 business days to inform them of the decision. An email with a 'READ' receipt will be sent as official documentation of the decision and saved in the student's record.
 - d. If the final appeal upholds the dismissal decision, the student's transcript will note the 'dismissal' status.
 - e. If the final appeal overturns the Appeals Committee decision, the case returns to the PPC who will discuss and make decisions regarding plans for the student's reintegration.

LAST REVIEW DATE/APPROVAL:

Professionalism and Promotions Committee: 03/11/25

Executive Faculty: 03/25/25

REVIEW CYCLE:

Every 2 years