

- Demonstration by the student of qualities of character or personality which are incompatible with a career as a physician, including behavior judged to be illegal, unethical, or so objectionable as to be inconsistent with suitability for the medical profession (see Technical Standards for Medical School Admission, Continuation and Graduation).
- A student who does not fulfill requirements in the competency areas for Medical Education as defined by the faculty of the Medical School.

Appeal Policy (Medical Student)

(1) Background

The Basic Science Academic Evaluation Board and the Clinical Science Academic Evaluation Board are charged with reviewing the progress of all medical students. From time to time, these Boards find it necessary to make recommendations to the Progress Board which may recommend to the Dean of the Medical School an extended period of study or otherwise affect a student's progress. A student may, on occasion, feel such decisions are unfair in some way. This document outlines the procedures associated with filing an appeal.

Students are encouraged to try all other routes for resolving differences before resorting to the filing of a formal appeal. Students should seek the counsel and help of the Office of Student Affairs and consider such an appeal only after all alternative routes have been explored.

An appeal alleges a mistake in the facts relied upon for the decision or that the facts support different action by the Progress Board.

(2) Definitions

2.1. Academic Evaluation Board. The Academic Evaluation Boards are the bodies charged with evaluation of the progress of students and with making recommendations either for promotion, for some remedial program or for dismissal.

The Basic Science Academic Evaluation Board monitors progress in the first two (Pre-clerkship) years and the Clinical Science Academic Evaluation Board monitors the last two (Clerkship) years.

2.2. Progress Board. The Progress Board is a subcommittee of the Educational Policy Committee (EPC) consisting of 9 members: 5 clinicians and 4 basic scientists which meets ONLY when a recommendation of the Basic or Clinical Science Academic Evaluation Board which is considered an "adverse recommendation" is made.

2.3. Adverse recommendation. An adverse recommendation is a recommendation of either the Basic Science Academic Evaluation Board or the Clinical Science Academic Evaluation Board to the Progress Board to have the student (1) repeat a whole semester or an entire year; (2) enter a less than full-time or other program which will delay the student's time of graduation, (3) take a leave of absence at the initiative of the Board rather than of the student, or (4) be dismissed.

2.4 Appeal. An appeal is a formal request for reconsideration of a decision. This document addresses appeals filed by students in regard to promotion and dismissal or any adverse decisions. A grade which does not affect promotion or retention may not be appealed beyond the Chair of the Department. Appeals related to issues of Affirmative Action are handled by a specific procedure for such problems (cf. University of Massachusetts Medical School Discrimination Complaint Procedure HR Policy #06.05.10). The appeal must be in writing and state (i) the factual and/or procedural basis for the appeal and, (ii) the resolution the student seeks.

2.5. Senior Faculty Member. A Senior Faculty Member is a member of the faculty at the rank of Associate or Full Professor and participating regularly and significantly in the formal medical curriculum.

2.6. Standing Academic Appeal Committee. The Standing Academic Appeal Committee is a standing committee of the faculty appointed to aid the Dean in evaluation of appeals. The committee shall consist of four senior faculty members, two from basic science departments and two from clinical departments. No member of an Academic Evaluation Board can serve concurrently on the Standing Academic Appeal Committee. The committee shall choose a Chair within as expeditious a time frame as practical, usually within ten working days of its constitution. In the event that the committee cannot agree on a Chair, the Dean shall select one from the committee. In the event of a conflict of interest on the part of a member of the Standing Academic Appeal Committee when issues relating to a specific student arise or in the event that a committee member will not be available given the constraints of time associated with prompt evaluation of an appeal, the Dean shall appoint a substitute. Where practical, the substitute shall be chosen so as to preserve the existing balance of the committee.

2.7. Ad Hoc Academic Appeal Committee.

The Ad Hoc Academic Appeal Committee is a committee constituted to aid the Dean in decisions involving non-procedural issues which may result in dismissal. It consists of the members of the Standing Academic Appeal Committee supplemented by a senior faculty member appointed by the Dean from a list of three senior faculty members

submitted by the student as part of the written document outlining the appeal. The Dean shall screen this appointee for a possible conflict of interest in issues involving the student in question and the Dean shall confirm that the appointee will be available as required for expeditious evaluation of the appeal. The Chair of the Standing Academic Appeal Committee shall serve as Chair of the Ad Hoc Academic Appeal Committee.

(3) Process for an Appeal

In order to file any appeal, the student must produce some evidence of error beyond the student's simple assertion that the Grade Granting Unit or Board was wrong. For example, if a student disagrees with the grade assigned by a Grade Granting Unit, the student should discuss the issue with the faculty coordinator of the relevant course, clerkship or elective and request a reconsideration by the grading committee if that option is offered by the coordinator.

In the event of unsatisfactory resolution of the issue by the grade granting unit, the student has the option to request a reconsideration by the Chair of the relevant department or departments for interdepartmental courses.

The appeal to the Chair of the department is made by writing a letter to the Chair outlining the reasons for disagreeing with the grade. The Chair will convene a small group of faculty, not including the course coordinators, who will review the grade and may interview the student and the course coordinators in coming to a determination.

Once a decision has been made the Chair will inform the student of the outcome by letter. A copy of that letter will also be sent to the Associate Dean of Student Affairs who will inform the appropriate Academic Board.

An appeal to the Dean of the Medical School/Academic Appeal Committee may be made only if the grade has an impact on promotion or dismissal. For example if a grade results in a requirement for repeating a course or other action resulting in a requirement for program extension, it may be appealed in this way.

(4) Procedure for Review of an Appeal

4.1. General. The particular procedure depends upon the nature of the appeal. The alternatives are identified by number and are listed in the sections below. Throughout the process of the appeal, the student will receive information about the progress of the appeal from the office of the Associate Dean for Student Affairs and/or directly from the office or committee reviewing the appeal.

4.2. Procedure I - Program Extension or Repeating of Courses. If the recommendation of the Progress Board involves the student entering a less than full-time program or repetition of a whole semester or an entire year, the recommendation must be implemented within a reasonable period of time so that the student will be able to take the courses while they are still available. Procedure I is intended to be as expeditious as practical consonant with a fair and reliable evaluation. A student wishing to file an appeal related to such a decision must do so in writing to the Dean of the School of Medicine within 10 working days of receipt of notification of the decision of the Progress Board. The appeal should be sent to the Associate Dean of Student Affairs.

The Dean of the School of Medicine will refer it to the Standing Academic Appeal Committee for review. This Committee shall evaluate the appeal and report its finding to the student, the Progress Board, and the Dean, within as expeditious a time frame as practical, consonant with a fair and reliable evaluation, usually within 20 working days. A majority vote of the Standing Academic Appeal Committee is required to recommend reversal or revision of a decision of the Progress Board. If the Committee vote results in a tie, the Progress Board's decision shall be upheld. In the event that the Committee disagrees with the Progress Board, the Committee's report shall include a recommendation for correction. The Dean shall review this recommendation and forward it (with any appropriate modifications) within as expeditious a time frame as practical, consonant with a fair and reliable evaluation, usually within 10 working days of receipt to the Progress Board which shall follow the Dean's directions to remedy the appeal.

4.3. Procedure II - Dismissal. When the appeal relates to a recommendation of the Progress Board for dismissal, the student must notify the Associate Dean for student Affairs of the intent to file an appeal. This must be done in writing within 10 working days of receipt of the notification of the decision of the Progress Board. The student's notification of intent to file an appeal may include a list of three senior faculty members from which the Dean of the Medical School may choose the ad hoc member of the Ad Hoc Academic Appeal Committee. If no list is submitted, the Dean shall appoint an ad hoc member of his/her choosing. Within 20 working days of receipt of the decision of the Progress Board, the student must file the written appeal.

The Dean of the School of Medicine shall review this document and take one of the following three actions. (1) If the Dean deems the appeal to be without merit, the dean shall reject the appeal. (2) If the Dean determines that the entire appeal deals with a procedural error, the Dean may accept the appeal and set in motion a mechanism for redress. (3) If any or all of the appeal deals with a non-procedural issue, the Dean shall constitute an Ad Hoc Academic Appeal Committee which shall review the written record, hear the student in

person and, at the student's option, hear one advocate chosen by the student from among students, faculty or administration. In addition, the Ad Hoc Academic Appeal Committee shall make a reasonable effort to include participation of all persons it, the student, the Dean, or any member of the faculty shall deem appropriate and necessary for a full evaluation of the case.

In the case of a dismissal on the basis of academic performance, allegations of academic dishonesty or disciplinary action in which no criminal charges are pending, no parties shall be represented by legal counsel (this restriction includes faculty members who also have formal legal training). In the case of dismissal on the basis of academic dishonesty or disciplinary action, a student may submit a written statement drafted by an attorney and that statement will be considered by the Ad Hoc Academic Appeals Committee before a final decision is issued. A student subject to dismissal who faces criminal charges arising from the same facts shall be permitted to select as his or her mentor an attorney, without regard to whether the attorney is a member of the campus community. This right to have an attorney present (at the student's expense) will also apply when, in the judgment of the Ad Hoc Academic Appeals Committee, it appears likely that such charges will be filed.

The Chair of the Ad Hoc Academic Appeal Committee shall have the right to limit witnesses and testimony to that which the Chair deems relevant to the issues at hand. The Chair may also meet informally with any parties to the dispute to identify points on which both sides agree and thereby streamline the hearing itself. The student shall have the right to hear all testimony and to see all evidence introduced as part of the review process (however, in the event that the evidence should contain information relevant to other students, their identities shall not be disclosed to the student). The student shall be allowed five working days to prepare and submit a written rebuttal of any testimony presented at the hearing. After all the testimony and evidence have been presented, the Ad Hoc Academic Appeal Committee shall meet to evaluate the issues raised in the appeal and the hearing. A majority vote shall constitute a decision. The student may not be present during these deliberations.

The Ad Hoc Academic Appeal Committee shall render its recommendations to the Dean of the Medical School within as expeditious a time frame as practical, consonant with a fair and reliable evaluation, usually within twenty working days. In the event that the Ad Hoc Academic Appeal Committee disagrees with the original decision, the Dean shall ask the Progress Board to reconsider its decision. The Progress Board shall respond to the Dean within five working days of its next meeting. The Dean shall then evaluate the case, reviewing all the written evidence in the case and

interviewing the student and the student's advocate (if the student so desires). In particular, in the event of a disagreement between the Progress Board and the Ad Hoc Academic Appeal Committee, the Dean shall make the final evaluation of the appeal and, if it is indicated, effect a mechanism for redress. This decision of the dean shall be final.

In the event that the Ad Hoc Academic Appeal Committee supports the original decision, that decision shall be final.

(5) Protection

No student shall be penalized for having filed an appeal.

Every effort shall be made to meet all time limits set forth in these procedures. However, with the exception of the time limit for filing an appeal, all time limits may be extended at the discretion of the Dean of the Medical School. The time limit for filing an appeal may be extended only in those instances where the Dean finds that there are extreme extenuating circumstances justifying such an extension and that the appeal process will not be unduly burdened as a result.

Advanced Standing

Given the integrated model for our courses and curricular framework, requests for advanced standing will be considered on a case by case basis. Under the oversight of the Associate Dean for Undergraduate Medical Education, requests for advanced standing in a given course will be reviewed by the respective curriculum committee and subject to approval by the designated course co-leaders.

Requests for advanced standing should be directed to the Associate Dean for Undergraduate Medical Education.

Credit Hour Definitions

The University of Massachusetts Medical School, which consists of its School of Medicine, Graduate School of Nursing and Graduate School of Biomedical Sciences, fulfills the following Federal definition of a credit hour:

Except as provided in 34 CFR 668.8(k) and (1), a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than –

(1) One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester or trimester hour of credit, or ten to twelve weeks for one quarter hours of credit, or the equivalent