

Disciplinary And Grievance Actions

The vast majority of medical students will pass through the medical education system without any difficulty. Most students never become known to the Student Promotions and Evaluation Committee (SPEC) except as they are routinely promoted to the next level of study. A few students, however, will have problems that bring them before the Honor Council or SPEC. These problems consist of (1) academic difficulties (deficient academic grades), (2) unprofessional behavior and (3) Honor System violations.

Students who believe that a rule, procedure or policy was applied to them in an unfair or inequitable manner, or that they have been treated unfairly by a faculty member or administrator, can submit a grievance.

Reasons For Disciplinary Action

1. Academic

- Cases arise from marginal or unsatisfactory academic performance.

2. Unprofessional Behavior

- Cases arise from PEC notes, any other reports deemed by the Associate Deans of Medical Education and Student Affairs to merit SPEC review, and/or a breach of Professionalism Contracts designed to remediate unprofessional behavior.

3. Clinical Skills Deficiency

- Cases arise from failure of OSCE, remediation, or performance in any clinical setting that is deemed unacceptable.

4. Honor Code Violations

- Cases arise from alleged incidents.

Academic Procedures

The SPEC meets regularly to review the records of all students as soon as possible after final grades are assigned by the faculty. When a student does not meet cognitive or non-cognitive standards as defined in the Academic Standards, the SPEC will review that student's record in detail and make a recommendation to the Dean. The SPEC may meet anytime during the calendar year upon receipt of a finding by the Honor Council that a student has violated the Honor Code, or for other reasons described in the Academic Standards.

The members of the SPEC and student(s) whose situation(s) will be considered in detail and upon whom action may be warranted will be notified orally and/or in writing of the meeting.

Please refer to the Student Promotions and Evaluation Committee, Composition, General Policies, and SPEC appeals process.

Disciplinary Procedures

Procedures for SPEC review of students for alleged Honors Code violations and breach of ethical or professional behavior.

Cases involving disciplinary actions can arise from alleged infractions of the Honor Constitution or an alleged serious and significant breach of ethical or professional behavior. Examples – by way of illustration, not by way of limitation – of possible actions which would lead to initiation of disciplinary procedures include accusations of:

- Cheating
- Stealing
- Fraud
- Discrimination

- Other violations of the law

After receipt of an allegation of infraction of the Honor Constitution, a hearing before the Honor Council will be conducted to determine the facts. The Chairman or a member of the Investigation Committee shall prepare and present the case against the student. If the student is found guilty of a violation of the Honor Code by the Honor Council, any disciplinary action becomes an academic matter. If the student is found innocent by the Honor Council, all records will be destroyed. If a student is found to have committed a violation by the Honor Council, an account of the investigation and hearing will be submitted to the Associate Deans of Medical Education and Student Affairs. The case shall be referred to the SPEC for determination of subsequent action.

If it is alleged that a student has failed to meet minimal scholastic non-cognitive performance standards as defined in the Academic Standards, the SPEC will review the student's record in detail according to the SPEC General Policies. However, if in the opinion of the Associate Deans of Medical Education and Student Affairs a serious and significant breach of appropriate behavior is alleged or documented the SPEC may hold a disciplinary hearing to evaluate the allegations and make a determination.

The SPEC will follow the General Policies process with the student maintaining the right to appear.

(See SPEC appeals process)

Grievance Procedure

1. Purpose

This policy details internal procedures for filing different types of complaints, including General Complaints, Sexual Harassment and Sexual Violence Complaints and Grade Grievances. College of Medicine (COM) Students are encouraged to follow these procedures. In the event a student complaint cannot be resolved internally, contact information is provided for the Alabama Commission on Higher Education and the Southern Association of Colleges and Schools Commission on Colleges.

2. Applicability

This policy applies to all USA COM Medical Students, who feel that based on facts; there has been a misinterpretation, misapplication, discriminatory application, or violation of a University policy or procedure.

3. Definitions

Not applicable.

4. Policy Guidelines

4.1 General Complaints

4.1.1 If a student has a complaint, they must provide a written description of the complaint, including the date and time of the event, the person or group with whom the student has the complaint, and the names of any witnesses. The written complaint must be submitted to the Office of the Vice President for Student Affairs and Dean of Students within 30 days of the event.

4.1.2 The Vice President for Student Affairs and Dean of Students or their designee will then meet with the grievant to review the complaint, after which the Vice President for Student Affairs and Dean of Students will determine if the complaint can be handled by that office or needs to be referred to other university officials. Examples of grievances that will be referred to other University officials include discrimination or sexual harassment complaints against faculty, which are referred to the Provost and Senior Vice President of Academic Affairs or Vice President for Medical Affairs and Dean of the College of Medicine, as appropriate, and complaints against University staff, including but not limited to discrimination or sexual harassment, which are referred to Human Resources.

4.1.3 Once it is determined that the Office of Vice President for Student Affairs and Dean of Students is the appropriate forum for the resolution of the grievance, the Vice President for Student Affairs and Dean of Students will contact the accused. At this point, every effort will be made to resolve the complaint through informal discussion with the parties.

4.1.4 Should informal discussion with the parties fail, and the grievant desires a hearing, the Vice President for Student Affairs and Dean of Students will appoint an ad hoc group with two administrators, two faculty, and one student to hear the case and render a decision and recommend a remedy to the complaint. Members of the University Disciplinary Committee may be used on the committee. The ad hoc committee will meet within five (5) working days of the request for a hearing.

4.1.5 Should the grievance be determined by the committee to have merit, an appropriate remedy will be decided upon by the Vice President for Student Affairs and Dean of Students and the accused's supervisor. The accused shall have the right to appeal the decision to an administrator appointed by the Vice President for Student Affairs and Dean of Students within seven (7) working days of the decision. The appointed administrator will render a decision on the appeal within seven (7) working days from receipt of the appeal. The decision is final.

4.1.6 For those complaints related to violations of the Code of Student Conduct, which are taken to the Vice President for Student Affairs and Dean of Students, please refer to the policy in The Lowdown Code of Student Conduct for procedural steps that will be followed. If such a violation is not the basis of the complaint, the Vice President for Student Affairs and Dean of Students will work with the complainant toward a resolution of the complainant's issue, which may include Aid, referral to the Office of Special Student Services, etc.

4.2 Sexual Harassment and Sexual Violence Complaints

4.2.1 Students are protected by the University of South Alabama's Sexual Misconduct Policy. Students may submit a written complaint to the compliance officer as described above or to the Vice President for Student Affairs and Dean of Students. Again, please refer to the specific procedures outlined in The Lowdown, The Faculty Handbook, Staff Employee Handbook, or the College of Medicine (COM) Student handbook for complaints regarding sexual harassment or sexual violence.

4.3 Grade Grievances

4.3.1 A grade grievance is defined as a student complaint regarding an academic action taken by instructional personnel in assigning a final course grade, temporary course grade resulting in activation of the remediation process, or an academic evaluation for any COM course.

4.3.2 For a grade grievance to be considered, the complaint must be based on one or more of the following grounds and upon allegation that the ground(s) cited influenced the grade assignment to the student's detriment:

- • Arithmetical or clerical error;
- Arbitrary or capricious evaluation on the part of the instructor;
- Substantial failure on the part of an instructor to follow the course syllabus or other announced grading policies;

4.3.3 This procedure may not be used to complain about a grading policy, assignments, the difficulty of a course, decisions of previous grievances, or other comparable matters. Finally, students may not file a grievance about a course grade that was assigned as the result of an academic misconduct procedure.

4.3.4 A Grade Grievance must be filed no later than twenty (20) weekdays excluding holidays after the grade is posted by the Senior Associate Registrar, College of Medicine.

5. Procedures

5.1 Filing the Grade Grievance Form

5.1.1 A COM Grade Grievance Form must be filed by the student no later than twenty (20) weekdays after the grade is posted by the Senior Associate Registrar, COM. Blank COM Grade Grievance Forms may be obtained on the USACOM website in the Policies and Forms folder (

<https://www.southalabama.edu/colleges/com/currentstudents/>

). Page One of the COM Grade Grievance Form must be completed and turned into the Associate Dean of Student Affairs or designee.

5.1.2 The Associate Dean of Student Affairs will meet with the student and provide counsel regarding available options and the procedures of the grade grievance process. At the conclusion of this meeting, the student may decide to withdraw the complaint or proceed with the grade grievance process. The student's decision must be noted on the COM Grade Grievance Form. If the student accepts the grade at that point, the process ends, and the signed form will serve as a record of that acceptance. If the student proceeds with the Grievance, then the form will be dated and signed by both the Associate Dean and the student and a copy given to the student.

5.2 Grievance for Arithmetical or Clerical Error (Form A)

5.2.1 The Associate Dean of Student Affairs will forward the grievance to the Medical Education Office for grade recalculation and verification. If the posted grade is found in error, it will be corrected and reported to the Senior Associate Registrar, COM. If no error in grade posting is found this will be recorded on the COM Grade Grievance Form A and the grievance will be considered closed and no further grievances may be made regarding this grade.

5.3 Grievances other than for Arithmetical or Clerical Error (Form B)

5.3.1 COM Grade Grievance Review by Student Promotion and Evaluation Committee (SPEC)

5.3.1.1 The Associate Dean of Student Affairs will forward the Grade Grievance to the Chair of the SPEC within five (5) weekdays excluding holidays of the completed COM Grade Grievance Form B. The Chair of the SPEC will review the membership prior to a hearing to determine members who may have a conflict of interest. The chair may exclude instructional faculty that have a conflict of interest related to the specific grievance. Majority rule will apply to decisions, with the student members having full voice and vote.

5.3.2 SPEC Grade Grievance Hearing

5.3.2.1 Upon receipt of the materials and request for a hearing, the SPEC will conduct a hearing within ten (10) weekdays excluding holidays of receipt of the request or pending availability of a quorum. The Committee hearing process will afford all parties the right to submit any documentation, supporting witnesses, or relevant information 48 hours prior the hearing. Legal representation at the hearing is prohibited. The Committee will review the evidence presented by all parties, and make a decision in the grade grievance.

5.3.2.2 Decision possibilities include: uphold the grade given or academic action taken or find the grievance is valid and make recommendations regarding a remediation plan. The student, all parties involved, and the Dean of the COM will be notified in writing of the Committee's decision within three (3) weekdays excluding holidays of the conclusion of the hearing.

5.3.3 Appeal

5.3.3.1 An appeal must follow the established SPEC appeal procedure.

5.4 Summary

The following summarizes the timeline and procedures for a Final Grade Grievance:

5.4.1 A COM course grade grievance cannot be filed until a final or temporary grade has been received in a pre-clerkship module, clinical clerkship or M4 course. The appropriate COM Grade Grievance Form must be filed by the student no later than twenty (20) weekdays excluding holidays after the final grade has been posted by the Senior Associate Registrar, COM.

5.4.2 The student completes a COM Grade Grievance Form, files the form with the Associate Dean of Student Affairs or designee who refers the form to the appropriate destination within the required time frame.

5.4.3 The decisions of the grade verification or the SPEC Committee will be final.

6. Enforcement

6.1.1 Implementation of Grievance Outcome

6.1.1.1 The Associate Dean of Medical Education will implement the outcome(s) of the grievance committee or appeal, as required, at the conclusion of the grievance procedure.

6.1.2 Confidentiality

6.1.2.1 Throughout the entire procedure, from filing of a formal complaint to final resolution, all information related to the grievance must be kept confidential. Once a final decision has been made and implemented, the original copy of the completed COM Grade Grievance Form and related Grievance documentation will be placed in the official confidential Grievance File within the Offices of Student Affairs for a minimum of five (5) years.

7. Related Documents

7.1 COM Grade Grievance Forms A and Form B.

<https://www.southalabama.edu/colleges/com/currentstudents/>