Content Non-Binding, Subject-to-Change Statement
Catalogs and bulletins of educational institutions are usually prepared by faculty committees or administrative officers for the purpose of furnishing prospective students and other interested persons with information about the institutions that issue the same. Information contained in such printed material is subject to change without notice; it may not be regarded as in the nature of binding obligations on the institutions, and the State. In times of changing conditions, it is especially necessary to have this understood.
Preface

Introduction and Statement of Responsibilities .......................................................... 1

Section I.

Medical Student Academic Performance Committee ................................................ 2
A. Committee Reporting and Duties of the Chairperson .............................................. 2
   1. Reporting ............................................................................................................. 2
   2. Duties of the Chairperson ............................................................................... 2
B. Responsibilities ....................................................................................................... 2
C. Jurisdiction .............................................................................................................. 3
D. Decisions and Definitions ...................................................................................... 3
   1. Leave of Absence ............................................................................................. 3
   2. Remediation ..................................................................................................... 3
   3. Probation ......................................................................................................... 4
   4. Suspension ....................................................................................................... 4
   5. Dismissal .......................................................................................................... 4

Section II.

Academic and Behavioral Standards .............................................................................. 4
A. Academic Performance Standards .......................................................................... 4
   1. Determination of academic performance ......................................................... 4
   2. Expectations for 90 credits ................................................................................ 4
   3. Medical Student Grading Policy ........................................................................ 4
      a. Definition of Grades .................................................................................... 5
      b. Year 1 grading policy .................................................................................. 5
      c. Year 2 grading policy .................................................................................. 6
      d. Year 3 grading policy .................................................................................. 7
      e. Year 4 grading policy .................................................................................. 8
      f. USMLE Step Examinations .......................................................................... 9
B. Behavioral Performance Standards .......................................................................... 9
   1. Basic professional traits .................................................................................... 9
      a. Commitment to Excellence .......................................................................... 9
      b. Honesty and integrity .................................................................................. 10
      c. Compassion ................................................................................................ 10
      d. Respect for others ...................................................................................... 10
      e. Professional responsibility ......................................................................... 10
      f. Social responsibility ................................................................................... 11
      g. Altruism ...................................................................................................... 11
   2. Violations of academic honesty ......................................................................... 11
      a. Cheating ...................................................................................................... 11
      b. Plagiarism ................................................................................................... 11
      c. Collusion .................................................................................................... 11
      d. Falsifying data ............................................................................................ 11
      e. Falsifying patient care information ............................................................. 11
Policies and Procedures Governing the Standards for Medical Student Performance

Table of Contents
REVISED: August 2014

f. Furnishing false information .......................................................... 11

g. Restricting study material ................................................................. 12

h. Unauthorized use of curricular and exam materials ........................ 12

i. Falsifying information for admission .............................................. 12

3. Principles of medical ethics ............................................................. 12

a. Providing competent care .............................................................. 12

b. Upholding standards of professionalism ....................................... 12

c. Respect the law .............................................................................. 12

d. Respect rights of patients .............................................................. 12

e. Continued improvement ............................................................... 12

f. Responsibility to community .......................................................... 12

g. Responsibility to patient .............................................................. 12

h. Support access to medical care ....................................................... 13

4. Compliance with federal and state laws ......................................... 13

5. Maintaining highest standards ....................................................... 13

6. Consequences of violations of professional behavior ...................... 13

Section III.

Promotion .......................................................................................... 13

A. From one educational level to the next ........................................... 13

B. Satisfactory grades no guarantee .................................................. 13

Section IV.

Consequences of Unsatisfactory Academic Performance .................... 13

A. Mid-Course Evaluation ................................................................... 13

B. Reexamination ................................................................................ 13

C. Remediation .................................................................................... 14

1. Single Component Failure (Pre-clinical) ....................................... 14

2. More than One Component Failure (Pre-clinical) ......................... 14

3. Clerkship Deficiencies ................................................................... 14

4. Longitudinal Integrated Clerkship Deficiencies .............................. 14

5. Elective Clinical Experience Deficiencies ...................................... 14

D. Probation ....................................................................................... 15

E. Continuance in curriculum ............................................................ 15

F. Dismissal and MSAPC Hearing ...................................................... 15

1. Dismissal for more than one Block Failure during Year 1 ............. 15

   a. Single component block failure ................................................. 15

   b. Multiple component block failure .......................................... 15

   c. Failure of Step exams .............................................................. 15

2. More than one Block Failure during Years 2-4 .............................. 15

   a. Single component block failure ................................................. 16

   b. Multiple component block failure .......................................... 16

   c. Clerkship/rotation failure ........................................................ 16

G. Failure in Repeated Year ............................................................... 16

H. Failure of Step Exams ................................................................... 16

I. Timeliness of Completion .............................................................. 16
## Section V. MSAPC Procedures Related to Unsatisfactory Academic Performance

<table>
<thead>
<tr>
<th>A. MSAPC Responsibilities</th>
<th>16</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Procedure for Dismissal for More than One Block Failure during Year 1</td>
<td>16</td>
</tr>
<tr>
<td>C. MSAPC Hearing Procedure for Year 2 Second Block Failure</td>
<td>17</td>
</tr>
<tr>
<td>1. Notification of Student Affairs</td>
<td>17</td>
</tr>
<tr>
<td>2. Notification of Academic &amp; Faculty Affairs</td>
<td>17</td>
</tr>
<tr>
<td>D. Contents of Hearing Notification Letter</td>
<td>17</td>
</tr>
<tr>
<td>1. Reason(s) for MSAPC hearing</td>
<td>17</td>
</tr>
<tr>
<td>2. Place, time, and date of hearing</td>
<td>17</td>
</tr>
<tr>
<td>3. Information on deliberations</td>
<td>17</td>
</tr>
<tr>
<td>4. Student Rights</td>
<td>17</td>
</tr>
<tr>
<td>a. Open/Closed hearing</td>
<td>17</td>
</tr>
<tr>
<td>b. Choice of advisor</td>
<td>17</td>
</tr>
<tr>
<td>c. Challenge</td>
<td>17</td>
</tr>
<tr>
<td>d. Identity of case providers</td>
<td>18</td>
</tr>
<tr>
<td>e. Witnesses</td>
<td>18</td>
</tr>
<tr>
<td>f. Clarification</td>
<td>18</td>
</tr>
<tr>
<td>g. Access to record</td>
<td>18</td>
</tr>
<tr>
<td>h. Appeals</td>
<td>18</td>
</tr>
<tr>
<td>5. Notice for attorney</td>
<td>18</td>
</tr>
<tr>
<td>6. Notice for list of witnesses/advisor</td>
<td>18</td>
</tr>
<tr>
<td>7. Name of MSAPC Chairperson and committee members</td>
<td>18</td>
</tr>
<tr>
<td>8. Name of appointed advisor</td>
<td>18</td>
</tr>
<tr>
<td>9. Questioning of witnesses</td>
<td>18</td>
</tr>
<tr>
<td>10. Non-retaliation statement</td>
<td>18</td>
</tr>
<tr>
<td>E. Persons called by School</td>
<td>18</td>
</tr>
<tr>
<td>F. List of all individuals at meeting</td>
<td>18</td>
</tr>
<tr>
<td>G. New hearing date and time</td>
<td>18</td>
</tr>
<tr>
<td>H. Hearing Process</td>
<td>19</td>
</tr>
<tr>
<td>1. Fairness</td>
<td>19</td>
</tr>
<tr>
<td>2. Format</td>
<td>19</td>
</tr>
<tr>
<td>3. Attendees</td>
<td>19</td>
</tr>
<tr>
<td>4. Notifications to participants</td>
<td>19</td>
</tr>
<tr>
<td>5. Non-retaliation statement</td>
<td>19</td>
</tr>
<tr>
<td>6. Absence of student</td>
<td>19</td>
</tr>
<tr>
<td>7. Open/closed meeting</td>
<td>20</td>
</tr>
<tr>
<td>8. Student rights</td>
<td>20</td>
</tr>
<tr>
<td>9. Challenge to committee members</td>
<td>20</td>
</tr>
<tr>
<td>10. Legal counsel</td>
<td>20</td>
</tr>
<tr>
<td>11. Questioning of witnesses</td>
<td>20</td>
</tr>
<tr>
<td>12. Reason(s) to be stated</td>
<td>20</td>
</tr>
<tr>
<td>13. Role of Senior Associate Dean</td>
<td>20</td>
</tr>
<tr>
<td>14. Role of student</td>
<td>20</td>
</tr>
</tbody>
</table>
Policies and Procedures Governing the Standards for Medical Student Performance

Table of Contents

REVISED: August 2014

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>15. Closing Statement</td>
<td>20</td>
</tr>
<tr>
<td>16. Deliberations</td>
<td>20</td>
</tr>
<tr>
<td>17. Availability of resources</td>
<td>21</td>
</tr>
<tr>
<td>I. Hearing Record</td>
<td>21</td>
</tr>
<tr>
<td>1. Confidential</td>
<td>21</td>
</tr>
<tr>
<td>2. Copy of letter of notice</td>
<td>21</td>
</tr>
<tr>
<td>3. All documents related to hearing</td>
<td>21</td>
</tr>
<tr>
<td>4. Audio recording</td>
<td>21</td>
</tr>
<tr>
<td>5. Motions</td>
<td>21</td>
</tr>
<tr>
<td>6. Letter with MSAPC decision</td>
<td>21</td>
</tr>
<tr>
<td>J. MSAPC Decisions</td>
<td>21</td>
</tr>
<tr>
<td>K. MSAPC Chairperson’s Responsibility Regarding Decision</td>
<td>21</td>
</tr>
<tr>
<td>L. Disposition of Documents</td>
<td>21</td>
</tr>
<tr>
<td>M. Appeal</td>
<td>21</td>
</tr>
<tr>
<td>1. Appeal to Dean of SMHS</td>
<td>21</td>
</tr>
<tr>
<td>2. Timing of appeal</td>
<td>21</td>
</tr>
<tr>
<td>3. Stay of imposition of penalty</td>
<td>22</td>
</tr>
<tr>
<td>4. Timing of Dean’s decision</td>
<td>22</td>
</tr>
<tr>
<td>5. Finality of Dean’s decision</td>
<td>22</td>
</tr>
<tr>
<td>Section VI. Policies and Procedures Relating to the Behavioral Component of Performance</td>
<td>22</td>
</tr>
<tr>
<td>A. Role of MSAPC</td>
<td>22</td>
</tr>
<tr>
<td>B. Expectation to Uphold Standards</td>
<td>22</td>
</tr>
<tr>
<td>C. Written charges Unprofessional behavior</td>
<td>22</td>
</tr>
<tr>
<td>D. Preliminary Investigation</td>
<td>22</td>
</tr>
<tr>
<td>E. Development of Confidential File</td>
<td>23</td>
</tr>
<tr>
<td>F. MSAPC Chair Responsibility with Regard to Single Report</td>
<td>23</td>
</tr>
<tr>
<td>1. Appointment of advisory committee</td>
<td>23</td>
</tr>
<tr>
<td>2. Advisory committee Process</td>
<td>23</td>
</tr>
<tr>
<td>3. Advisory committee Decisions</td>
<td>23</td>
</tr>
<tr>
<td>a. Referral to MSAPC</td>
<td>23</td>
</tr>
<tr>
<td>b. Dismissal of charges</td>
<td>23</td>
</tr>
<tr>
<td>4. Chair Responsibility Regarding advisory committee Decision</td>
<td>24</td>
</tr>
<tr>
<td>a. Initiate MSAPC Hearing</td>
<td>24</td>
</tr>
<tr>
<td>b. Dismiss Complaint and Expunge Record</td>
<td>24</td>
</tr>
<tr>
<td>G. Notification of Student</td>
<td>24</td>
</tr>
<tr>
<td>1. Notification of Student Affairs</td>
<td>24</td>
</tr>
<tr>
<td>2. Notification of Academic &amp; Faculty Affairs</td>
<td>24</td>
</tr>
<tr>
<td>H. Contents of Hearing Notification Letter</td>
<td>24</td>
</tr>
<tr>
<td>1. Reason for MSAPC hearing</td>
<td>24</td>
</tr>
<tr>
<td>2. Place, time, and date of hearing</td>
<td>24</td>
</tr>
<tr>
<td>3. Information on deliberations</td>
<td>24</td>
</tr>
<tr>
<td>4. Student rights</td>
<td>24</td>
</tr>
<tr>
<td>a. Open/Closed hearing</td>
<td>24</td>
</tr>
</tbody>
</table>
Policies and Procedures Governing the Standards for Medical Student Performance

Table of Contents

REVISED: August 2014

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>b. Choice of advisor</td>
<td>25</td>
</tr>
<tr>
<td>c. Challenge</td>
<td>25</td>
</tr>
<tr>
<td>d. Identity of case providers</td>
<td>25</td>
</tr>
<tr>
<td>e. Witnesses</td>
<td>25</td>
</tr>
<tr>
<td>f. Clarification</td>
<td>25</td>
</tr>
<tr>
<td>g. Access to record</td>
<td>25</td>
</tr>
<tr>
<td>h. Appeals</td>
<td>25</td>
</tr>
<tr>
<td>5. List of all individuals who will provide information</td>
<td>25</td>
</tr>
<tr>
<td>6. Notice for attorney</td>
<td>25</td>
</tr>
<tr>
<td>7. Notice for list of witnesses/advisor</td>
<td>25</td>
</tr>
<tr>
<td>8. Name of MSAPC Chairperson and committee members</td>
<td>25</td>
</tr>
<tr>
<td>9. Name of appointed advisor</td>
<td>25</td>
</tr>
<tr>
<td>10. Questioning of witnesses</td>
<td>25</td>
</tr>
<tr>
<td>11. Non-retaliation statement</td>
<td>25</td>
</tr>
<tr>
<td>I. Persons called by School</td>
<td>25</td>
</tr>
<tr>
<td>J. List of all individuals at meeting</td>
<td>26</td>
</tr>
<tr>
<td>K. Clinical faculty present for Year 3-4 student hearings</td>
<td>26</td>
</tr>
<tr>
<td>L. New hearing date and time</td>
<td>26</td>
</tr>
<tr>
<td>M. Hearing Process</td>
<td>26</td>
</tr>
<tr>
<td>1. Fairness</td>
<td>26</td>
</tr>
<tr>
<td>2. Format</td>
<td>26</td>
</tr>
<tr>
<td>3. Attendees</td>
<td>26</td>
</tr>
<tr>
<td>4. Notifications to participants</td>
<td>26</td>
</tr>
<tr>
<td>5. Non-retaliation statement</td>
<td>27</td>
</tr>
<tr>
<td>6. Absence of student</td>
<td>27</td>
</tr>
<tr>
<td>7. Open/closed meeting</td>
<td>27</td>
</tr>
<tr>
<td>8. Student rights</td>
<td>27</td>
</tr>
<tr>
<td>9. Challenge to committee members</td>
<td>27</td>
</tr>
<tr>
<td>10. Legal counsel</td>
<td>27</td>
</tr>
<tr>
<td>11. Questioning of witnesses</td>
<td>27</td>
</tr>
<tr>
<td>12. Reason(s) to be stated</td>
<td>27</td>
</tr>
<tr>
<td>13. Role of Senior Associate Dean</td>
<td>27</td>
</tr>
<tr>
<td>14. Role of student</td>
<td>27</td>
</tr>
<tr>
<td>15. Closing Statement</td>
<td>28</td>
</tr>
<tr>
<td>16. Deliberations</td>
<td>28</td>
</tr>
<tr>
<td>17. MSAPC decisions</td>
<td>28</td>
</tr>
<tr>
<td>18. Conditional repeat</td>
<td>28</td>
</tr>
<tr>
<td>N. Hearing Record contents</td>
<td>28</td>
</tr>
<tr>
<td>1. Confidential</td>
<td>28</td>
</tr>
<tr>
<td>2. Copy of letter of notice</td>
<td>28</td>
</tr>
<tr>
<td>3. All documents related to hearing</td>
<td>28</td>
</tr>
<tr>
<td>4. Audio recording</td>
<td>28</td>
</tr>
<tr>
<td>5. Motions</td>
<td>28</td>
</tr>
<tr>
<td>6. Letter with MSAPC decision</td>
<td>28</td>
</tr>
</tbody>
</table>
Policies and Procedures Governing the Standards for Medical Student Performance
Table of Contents
REVISED: August 2014

O. MSAPC Chairman’s Responsibility Regarding Decision ........................................... 28
P. Disposition of Documents ........................................................................................................ 28
Q. Appeal ..................................................................................................................................... 28

Section VII.
Academic Grievances by Medical Students .............................................................................. 29
A. Definition .................................................................................................................................. 29
B. Student Responsibilities .......................................................................................................... 29
C. Questions on Written/Computerized Tests Grievance Process ........................................... 29
   1. Reference to item ......................................................................................................................... 29
   2. Detailed explanation ..................................................................................................................... 29
   3. Documentation ............................................................................................................................ 29
D. Timing of initiation of Grievance Process ............................................................................. 29
E. Discussion with Faculty member .............................................................................................. 29
F. Discussion with Director, Office of Medical Education ............................................................ 29
G. Referral to MSAPC ..................................................................................................................... 29
H. MSAPC Final Decision ............................................................................................................. 29

Appendix
A. Examination Procedure ........................................................................................................... 30
   1. Procedure for examiner .............................................................................................................. 30
   2. Student leaving exam ............................................................................................................... 30
   3. Lost examinations ..................................................................................................................... 30
   4. Form for observed inappropriate behavior .............................................................................. 30
   5. Reporting of student behavior by instructor ............................................................................ 30
B. Statement of Harassment ......................................................................................................... 30
C. Sexual Harassment Policy ........................................................................................................ 31
Preface

Introduction and Statement of Responsibilities

The University of North Dakota School of Medicine and Health Sciences (SMHS) is a professional community of students and faculty who share the responsibility for the achievement of a common goal: the training of competent physicians who shall exhibit and maintain high standards of professional and personal conduct. Achievement of this goal is a complex process with many incremental steps through which a student must progress. The progress of students shall be monitored by the faculty to ensure and facilitate each student’s adherence to proper standards of performance including academic, professional skills, behavior, academic honesty, and satisfactory performance within all components of the curriculum.

This document describes the system employed by the SMHS for considering matters of student progress and should be used by students and faculty alike as a guide to the standards and expectations of the SMHS and the process used by the School to properly certify its students for the M.D. degree.

Each student in the SMHS has the responsibility of abiding by the rules and regulations of the University of North Dakota and of the SMHS and meeting the standards of academic performance and personal conduct. At the same time, each student has the right to be afforded the benefit of policies and procedures in matters related to his/her progress through the medical curriculum and with respect to grievances of an academic nature.

In granting a student the M.D. degree, the faculty of the SMHS endorse the student as having acquired the knowledge and skills appropriate for entry into graduate medical training and as having demonstrated appropriate professional and personal conduct. Therefore, faculty have the responsibility of establishing standards of academic accomplishment and professional conduct that students must attain to receive the M.D. degree. The faculty also have the responsibility of establishing the evaluative criteria consistent with the student performance goals of the SMHS and to assist each student in recognizing and correcting deficits before the M.D. degree can be granted.

This document describes the standards of academic performance and professionalism within all components of the curriculum that must be attained before graduation with an M.D. degree from the SMHS.

This document serves as a guide for the University of North Dakota School of Medicine and Health Sciences disciplinary system and potentially as a part of the professional educational experience, even though most students will never come before the Medical Student Academic Performance Committee (MSAPC). The purpose of the document is to provide the rights and responsibilities of all individuals and to ensure fair treatment for all students. We at the SMHS take these policies seriously and believe that it is our responsibility to assist students as they develop into the health professionals that they will one day become; taking responsibility for their decisions, accepting the consequences for those decisions and at all times demonstrating respect for others both on and off campus.
Section I. Medical Student Academic Performance Committee

The Medical Student Academic Performance Committee functions as a disciplinary and educational body and not as a court of law. Decisions are made using a standard of proof where the preponderance of the information falls on one side or the other.

A. Committee Reporting and Duties of the Chairperson:

1. Reporting: The Medical Student Academic Performance Committee (MSAPC) is a standing committee in the SMHS and reports its findings to the Faculty Academic Council (FAC). This committee will meet as necessary or at the request of the MSAPC Chairperson to consider issues of student performance. The Chairperson of the MSAPC will report MSAPC decisions arising from hearings concerning individual medical students to the Dean, Senior Associate Dean for Academic & Faculty Affairs, Associate Dean for Student Affairs and Admissions, Director of the Office of Medical Education (OME), appropriate Campus Dean, and Director of INMED as appropriate. The MSAPC also reports annually to FAC.

2. Duties of the Chairperson: The Chairperson of the MSAPC in consultation with the Associate Dean for Student Affairs and Admissions and/or the Director of OME will, determine a course of action on all matters within the jurisdiction of the MSAPC. Certain matters do not require convening the full committee. These include, but are not necessarily limited to, Leaves of Absence and the placement of students on academic Probation according to these policies. The Chairperson must refer to the MSAPC any matter requiring a hearing by the MSAPC as described in this document including, but not limited to, hearings on unsatisfactory academic or behavioral performance. For behavioral issues the Chairperson shall also appoint an advisory committee that will investigate the charge for sufficient evidence as provided in Section VI(F). The Chairperson will report to the MSAPC at its next meeting any business that has been handled by the Chairperson in consultation with the Director of OME and/or the Associate Dean for Student Affairs and Admissions since the previous meeting of the MSAPC.

B. Responsibilities:

It is the responsibility of the MSAPC and its Chairperson to adjudicate and, where necessary, hold hearings concerning issues of Leave of Absence, Remediation, Suspension, Probation, and Dismissal of medical students. In disposing of these matters, the MSAPC and its Chairperson will be guided by this document and by the guidelines and policies recommended by the Medical Curriculum Committee and FAC. Actions taken by the MSAPC, as well as matters adjudicated by the MSAPC Chairperson in accordance with these policies, shall be reported annually to FAC by the Chairperson of the MSAPC without disclosing identifiable student information and/or confidential information.
C. Jurisdiction:

Problems with student performance may be identified and reported to the MSAPC through written evaluations by any member of the SMHS community. These concerns should be directed to the MSAPC Chairperson who establishes the agenda for meetings and/or hearings. The MSAPC has jurisdiction to consider all matters of academic conduct including the cognitive measures of academic performance (performance on assessment tools used within all components of the curriculum and professional skills) and the behavioral measures of academic performance (professional conduct and academic honesty observed and assessed).

D. Decisions and Definitions:

1. Leave of Absence: A period of time during which a student chooses to interrupt their studies by voluntarily leaving the medical degree program temporarily with the intention of returning at a later date.
   
a. A student may request a Leave of Absence by submitting to the Office of Student Affairs and Admissions, with a copy to the Chairperson of the MSAPC, a written request that lists the reason(s) for the leave and how the time will be used. The MSAPC Chairperson and Associate Dean for Student Affairs and Admissions will evaluate the request and make a decision. The student will receive a letter regarding the decision, with a copy to the Dean of the SMHS. If approval is granted, the letter shall specify conditions that must be met during the Leave of Absence. The Dean of the SMHS or his/her designee may also within a reasonable time specify additional conditions that must be met during the Leave of Absence, such conditions to be appended to the letter granting approval.
   
b. In emergency situations, at the discretion of the Associate Dean for Student Affairs and Admissions emergency Leaves of Absence may be granted without the advice or consent of the MSAPC Chairperson. The Associate Dean for Student Affairs and Admissions shall notify the MSAPC Chairperson within a reasonable time of such grant. The emergency Leave of Absence remains in place until acted on by the Associate Dean for Student Affairs and Admissions and the MSAPC Chairperson at which time a Leave of Absence may be granted as provided in Section I(D)(1)(a). The Dean or his/her designee may add conditions to the emergency leave of absence.
   
c. The MSAPC chairperson may request a full committee review for a leave of absence if he/she feels that it is warranted.

2. Remediation: The correction of a grade of “Unsatisfactory” in a block, clerkship, or elective.
The MSAPC, or in the case of automatic Probation, the MSAPC Chairperson, may require Remediation of curricular components that have not been completed satisfactorily. A student must complete remediation in the specified time frame and must meet all specific conditions that may be set forth by the MSAPC or its Chairperson.

3. **Probation**: A condition in which a student is other than “in good standing or progressing satisfactorily with the class.” A student who fails to complete satisfactorily a single block, required clinical experience, course, or elective will be automatically placed on academic probation. Students may also be placed on probation as a result of unprofessional behavior within or in some cases outside of the SMHS course work. The MSAPC Chairperson shall consult with the Associate Dean for Student Affairs and Admissions to specify the period of time and contingencies that must be met before the Probationary status is removed. For students in Years 1 or 2 the Chairperson shall also consult with the Director of the OME and for students in Years 3 or 4 the Chairperson shall consult with the Campus Dean. The Chairperson may also consult with other faculty as appropriate. Failure to fulfill the contingencies in the specified time period will result in an MSAPC hearing. Probationary status can result from unsatisfactory academic performance, deficiencies in professional skills and behavior, and/or academic dishonesty. The MSAPC Chairperson will send a letter notifying the student of Probation status and the conditions of the Probation.

4. **Suspension**: The status of a student who has been Suspended by SMHS. A Suspended student may not attend classes and may not participate in extra-curricular or co-curricular activities pending action on the issue(s) by the MSAPC. Suspension may also include stipulations barring the student from being on campus.

5. **Dismissal**: The status of a student who has been Dismissed from SMHS. A Dismissed student is ineligible to continue to be enrolled in the SMHS and cannot be awarded the M.D. degree.

**Section II. Academic and Behavioral Standards**

**A. Academic Performance Standards:**

1. Student academic performance is determined on the basis of achievement in a block, clerkship, or an elective. Students must achieve the satisfactory criterion level established by the faculty and presented to all students at the beginning of each block, clerkship, or elective.

2. Medical students are expected to satisfactorily complete 90 credits of medical education within four years.

3. **Medical Student Grading Policy**: The policy is based on the premise that the curriculum will be criterion-referenced and evaluations will be based on stated learning objectives. The faculty will evaluate and document each student’s general performance characteristics
including self-directed learning, knowledge of the sciences basic to medicine, clinical skills competency, and professional attitudes and behaviors. The grading system is intended to reflect the needs of the students, the faculty, and external agencies (e.g., residency programs). (Grading policy adopted by the FAC June, 2002; amended June, 2006)

a. Definition of Grades:

i. “Satisfactory” (S) – The notation assigned to a student who meets or exceeds the criteria for performance in a block, clerkship, course or elective.

ii. “Honors” (H) – The notation assigned to a student who demonstrates outstanding performance in a block, clerkship, or elective.

iii. “Unsatisfactory” (U) - The notation assigned to a student who fails to meet the criteria for performance in any single component of a block, clerkship, course or elective.

iv. “Successful Remediation” (S/U) – The notation assigned to a student who fails to successfully complete a re-examination of a single component of a block during Special Studies week, fails two components of a block, fails a clerkship, acting internship, course or elective, but successfully remediates the block, clerkship, or elective at a later date.

v. “Incomplete” (I) - An Incomplete grade will be assigned only to a student who has been doing satisfactory work in a block, course, clerkship, acting internship, or elective, but who has not completed all the requirements due to extenuating medical and/or personal circumstances. The Incomplete must be removed within a specific time frame and according to criteria established by the appropriate faculty member or University policy. Failure to do so will result in conversion to a grade of “Unsatisfactory”. The Incomplete grade is a non-prejudicial entry on a student’s record.

vi. “Withdrawal” (W) - The notation assigned to a student who has, with the permission of the instructor withdrawn from a block, course, clerkship, acting-internship, or elective, and/or has been granted a Leave of Absence.

b. Year 1

i. Students are graded “Satisfactory” or “Unsatisfactory.”

ii. All of the following specific student academic performance criteria must be met for a student to receive a grade of “Satisfactory” in a Year 1 block:

a). A score of 75% or better on the knowledge-based multiple-choice question (MCQ) examination.
b). A score of 75% or better on the case-based examination (CBE).

c). A grade of “Satisfactory” from the student’s Patient Centered Learning (PCL) facilitator on the end-of-block evaluation.

d). A score of 80% or better on the clinical skills examination (CSE).

e). Examination scores that are within 0.5% of a grade of “Satisfactory” are rounded up (e.g., a score of 74.5% on the MCQ examination will be rounded up to 75%).

f). Failure of any component of assessment in an individual block will result in a grade of “Unsatisfactory” for the block and Remediation or Re-Examination will be required (see Section IV, “Consequences of Unsatisfactory Academic Performance”).

c. Year 2

i. Students are graded “Honors”, “Satisfactory” or “Unsatisfactory.”

ii. All of the following specific student academic performance criteria must be met for a student to receive a grade of “Satisfactory” in a Year 2 block:

   a). A score of 75% or better on the knowledge-based MCQ examination.

   b). A score of 75% or better on the CBE.

   c). A grade of “Satisfactory” from the student’s PCL facilitator on the end-of-block evaluation.

   d). A score of 80% or better on the CSE.

   e). Examination scores that are within 0.5% of a grade of “Satisfactory” are rounded up (e.g., a score of 74.5% on the MCQ examination will be rounded up to 75%).

iii. In addition to “Satisfactory” or “Unsatisfactory” grading, outstanding student performance can be recognized with the award of “Honors” in any Year 2 block. All of the following specific student performance criteria must be met before a student can be considered for the award of “Honors”:

   a). A score of 90% or better on the knowledge-based multiple-choice examination.

   b). A score of 90% or better on the case-based examination.
c). A grade of “Satisfactory” from the student’s PCL facilitator on the end-of-block evaluation.

d). A score of 90% or better on the clinical skills assessment (if applicable).

e). Examination scores that do not meet the criteria for “Honors” will not be rounded upwards (e.g., a score of 89.99% does not qualify for honors).

f). Behavior during the block that exemplifies the standards of professional behavior and academic honesty

iv. An Honors Committee will be responsible for making a final determination regarding the award of “Honors” in each block. The Honors Committee will be comprised of the following individuals:

a). Basic Science Block Director

b). Clinical Science Block Director

c). Associate Dean for Student Affairs and Admissions

d). Director of OME

e). Director of Assessment

v. When a student meets the academic criteria for consideration for the award of “Honors,” the student’s entire performance record for the block will be reviewed by the Honors Committee. Essential elements of the review will include, but not be limited to, the following:

a). Results of end-of-block assessments.

b). Written mid-block and end-of-block facilitator evaluations.

c). Other direct observations of student academic performance and behavior by administration, faculty, or peers that would assist the Honors Committee in determining, in their judgment, a student’s exemplary professional behavior and academic honesty.

vi. Failure of any component of assessment in an individual block will result in a grade of “Unsatisfactory” for the block and Remediation or Re-Examination will be required (see Section IV, “Consequences of Unsatisfactory Academic Performance”).

d. Year 3

i. Students are graded “Honors,” “Satisfactory” or “Unsatisfactory.”
ii. The passing criteria for clerkships and courses must be defined in writing and presented to all students at the beginning of each clerkship or course. Criteria for performance or objective testing, clinical skills, problem solving, behavioral characteristics, and professionalism should be included as well as any other required area of performance.

iii. Specific criteria for achieving a grade of “Honors” must be established by each discipline and made available to the student at the beginning of each clerkship or course.

iv. A grade of “Satisfactory” will be assigned to a student whose performance in a clerkship or course meets or exceeds the criterion level for passing, which has been established by a department.

v. A grade of “Honors” can be awarded to a maximum of the top 20 percent in each clerkship or course; however, disciplines may elect to award Honors to less than 20 percent of the class. Students must meet the defined criteria for the award of “Honors”.

vi. A grade of “Unsatisfactory” will be assigned to a student whose performance in a clerkship or course failed to meet the criterion level for passing, which has been established by a department.

e. Year 4

i. Students are graded “Honors,” “Satisfactory,” or “Unsatisfactory”.

ii. The passing criteria for acting internships and electives must be defined in writing and made available to students at the beginning of each acting internship or elective.

iii. Specific criteria for achieving Honors must be established for each acting internship or elective and announced at the beginning of each acting internship or elective.

iv. A grade of “Satisfactory” will be assigned to a student whose performance in an acting internship or elective meets or exceeds the defined criterion level for passing.

v. In Year 4, the preceptors on the acting internships and electives may award a grade of “Honors” to as many students as have met the defined criteria. A final grade for rotations at another institution is assigned by the Campus Dean.

vi. A grade of “Unsatisfactory” will be assigned to a student whose performance in a clerkship or course failed to meet the established criterion level for passing.
f. USMLE Step Examinations
   
i. Satisfactory completion of Steps 1 and 2 (Clinical Knowledge and Clinical Skills examinations) of the United States Medical Licensing Examination (USMLE), according to established National Board of Medical Examiners (NBME) criteria, is a requirement for graduation and granting of the M.D. degree at SMHS. A student is required to take USMLE Step 1 before beginning Year 3 clinical experiences provided that Blocks I-VIII of Years 1 and 2 have been satisfactorily completed. Students must pass USMLE Step 1 before beginning the second half of the third year.

ii. Should a student fail Step 1 on the first attempt, the student would be allowed to continue in the first half of the Year 3 clinical experiences or, with the counsel of the MSAPC Chairperson and the Associate Dean for Student Affairs and Admissions, petition for a Leave of Absence to adequately prepare to repeat the exam.

iii. Should a student fail Step 2 on the first attempt, the student may complete the current rotation but must consult with campus dean and the Associate Dean for Student Affairs and Admissions before starting the next clinical experience. After consulting with these individuals, the student may petition for a Leave of Absence to adequately prepare to repeat the exam.

B. Behavioral Performance Standards

A medical school has the responsibility to society and to the medical profession to certify that its graduates have the cognitive knowledge and skills and the behavioral qualities necessary to function as competent and safe physicians. Included within the “Behavioral Performance Standards” category is the obvious issue of academic honesty. Also included, however, are issues of professional integrity and ethical behavior, which are viewed as equally important aspects of academic performance.

Accordingly, the University of North Dakota School of Medicine and Health Sciences, through its faculty, hereby defines the standards of professional behavior and academic honesty.

1. The faculty of the University of North Dakota School of Medicine and Health Sciences recognizes seven basic professional traits that are critical components of professional performance. They are listed below with some examples of behavior that illustrate the trait:

   a. Commitment to Excellence

      i. Strives to exceed expectations

      ii. Is committed to life-long learning
iii. Accepts criticism and reacts positively to it, looks at self objectively, and takes steps to correct shortcomings

b. Honesty and integrity

i. Communicates in an honest and timely manner

ii. Admits mistakes

iii. Accurately represents actions and events

iv. Avoids cheating, plagiarism and misrepresentation of the truth

c. Compassion

i. Recognizes and responds to the fears, suffering and hopes of patients and their families

ii. Assists colleagues in dealing with the challenges of professional work

d. Respect for others

i. Maintains patient confidentiality

ii. Is sensitive to patients’ immediate physical and/or emotional needs

iii. Articulates and embraces the many positive aspects of difference among people and demonstrates awareness of how such differences affect personal interactions. Is not racist or sexist

iv. Is not abusive and critical during times of stress

v. Uses appropriate language; addresses patient’s appropriately

vi. Recognizes that appropriate dress and appearance demonstrate respect for others and for the profession

e. Professional responsibility

i. Adheres to professional and/or ethical standards

ii. Can be depended upon to do his or her duty

iii. Follows through on tasks he or she agreed to perform

iv. Arrives on time for class, clinic, rounds, etc.

v. Identifies ethical issues in professional situations and acts in an ethical manner
f. Social responsibility -- understands and actively addresses the multiple social factors that threaten the health of patients

g. Altruism

i. Places the interests of others above self-interest

ii. Is able to give up some personal needs to meet the needs of patients

2. The following shall be considered violations of the standards of academic honesty:

a. Cheating on a test, including but not limited to:

i. Copying from another student’s test.

ii. Using materials during a test not authorized by the person giving the test.

iii. Collaborating with or seeking aid from another student during a test without authority.

iv. Knowingly using, buying, selling, stealing, transporting, or soliciting in whole or in part the contents of an unadministered test.

v. Substituting for another student or permitting another student to substitute for oneself to take a test.

vi. Bribing another person to obtain an unadministered test or information about an unadministered test.

b. Plagiarism, or the appropriation, buying, receiving as a gift, or obtaining by any means another person’s work, in any form or format, and the unacknowledged submission or incorporation of it in one’s own work. Self-plagiarism means the repeated submission of the same work as an original work.

c. Collusion, or the unauthorized collaboration with another person in preparing written work offered for credit.

d. Falsifying or manufacturing scientific or educational data and representing the same to be the result of scientific or scholarly experiment or research.

e. Falsifying by omission or commission any information pertinent to patient care.

f. Furnishing false information to academic officers relative to academic matters.

g. Restricting the use or availability of material used in study in a manner prejudicial to other students.
h. Unauthorized use of curricular and examination materials, restricted in access by curricular policy within the School of Medicine and Health Sciences.

i. Falsifying by omission or commission any information in written, electronic or verbal form, pertinent to application for admission to medical school.

3. Medical students are members of the medical community. While trainee status dictates restriction of their privileges within the community, the ethical standards of a student in medicine should be consistent with the stated standards of the medical profession. Therefore, the Principles of Medical Ethics adopted by the American Medical Association in 2001 (http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/principles-medical-ethics.page) will serve as a model for student conduct. As a new member of this profession, the student must recognize responsibility not only to patients but also to society, to other health professionals, and to self. The following principles of the American Medical Association are not laws, but standards of conduct that define the essentials of honorable behavior for the medical student and under which the student will be held accountable.

a. A medical student shall be dedicated to providing competent medical care with compassion and respect for human dignity.

b. A medical student shall uphold the standards of professionalism, be honest in all professional interactions, and strive to report those students/physicians deficient in character or competence, or who engage in fraud or deception, to the appropriate entities.

c. A medical student shall respect the law and also recognize a responsibility to seek changes in those requirements that are contrary to the best interests of the patient.

d. A medical student shall respect the rights of patients, of colleagues and of other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.

e. A medical student shall continue to study, apply and advance scientific knowledge, make relevant information available to patients, colleagues and the public, obtain consultation, and use the talents of other health professionals when indicated.

f. A medical student shall recognize a responsibility to participate in activities contributing to an improved community and the betterment of public health.

g. A medical student shall, while caring for a patient, regard responsibility to the patient as paramount.

h. A medical student shall support access to medical care for all people.
4. A medical student shall have the continuing responsibility to comply with federal and state laws; the rules and regulations of the University of North Dakota, the School of Medicine and Health Sciences and its individual departments, affiliated hospitals and other medical institutions; and other applicable guidelines.

5. A medical student shall at all times maintain the highest standard of academic honesty and professional behavior. To this end, it is expected that each class will function as an effective, professional peer review group responsible for fostering integrity, honesty, and professional behavior within its membership. It is also expected that violations of the standards of academic honesty and professional behavior will be reported to the faculty or the administration of the School of Medicine and Health Sciences. Students will be asked to sign a statement that they have read, understood, and will abide by the standards of academic honesty and professional behavior described herein.

6. After a hearing before the MSAPC, students may be placed on Probation, Suspended, or Dismissed from the School of Medicine and Health Sciences for proven violations of the standards of professional behavior and academic honesty.

Section III. Promotion

A. Promotion from one educational level of the curriculum to the next and graduation from the program with the granting of the M.D. degree are based on a student satisfactorily meeting the performance standards established by the faculty of the SMHS.

B. Satisfactory performance in individual courses, clerkships, acting internships and electives does not guarantee that the student’s performance, viewed as a whole, will meet requirements for awarding the degree.

Section IV. Consequences of Unsatisfactory Academic Performance

A. Mid-Course Evaluation: If, by student self-assessment or observation by a faculty facilitator or preceptor, a student is performing unsatisfactorily during a block, required clinical experience or elective, the block or clinical experience director may prescribe measures to help correct the deficiencies. The availability and type of intervention is developed between the student and faculty and may include, but are not limited to, designated tutorials, academic exercises, or supplemental instruction.

B. Reexamination: Within Blocks I-VIII of Years 1 and 2, if a student fails a single component of assessment in an individual block during Assessment Week, the student will be allowed the opportunity for reexamination during Special Studies week. Successful reexamination during Special Studies Week will result in a grade of “Satisfactory” for the block. Unsuccessful reexamination during Special Studies Week will result in a grade of “Unsatisfactory” for the block and Remediation shall be required. For Year 3, a student will be allowed a single reexamination of the USMLE Shelf examination before receiving a grade of “unsatisfactory”.

13
C. Remediation: Remediation will be required for a student who receives a grade of “Unsatisfactory” for a block, course, elective, or required clinical experience. Students with a grade of “Unsatisfactory” in more than one required clinical experience cannot begin Remediation programs until the MSAPC has given approval.

1. Within Blocks I-VIII of Years 1 and 2, a grade of “Unsatisfactory” will not affect participation in the subsequent block if it is the only unremediated block failure. However, the student will be responsible for Remediating the entire block at a designated time during the summer following the academic year in which the deficiency occurred. Satisfactory completion of the failed block during the summer session will result in a Successful Remediation grade (S/U). Failure to Remedia block assessment in the summer will result in a hearing before the MSAPC.

2. Within Blocks I-VIII of Years 1 and 2, failure of more than one component of assessment in an individual block results in a grade of “Unsatisfactory” grade for the block. While the deficiency will not affect participation in the subsequent block, Remediation of the entire block is necessary and will occur at a designated time during the summer following the academic year in which the deficiency occurred. Remediation will be done according to these policies. Satisfactory completion of the failed block during the summer session will result in a Successful Remediation grade (S/U). Failure to remediate block assessment in the summer will result in a hearing before the MSAPC.

3. For required clinical rotations (clerkships and acting internships), if a student fails one or more components of assessment, the student may progress to the next clerkship but must make arrangements with the clerkship director(s) for remediation of the clerkship in a timely manner. Satisfactory completion of the failed clerkship will result in a grade of “Successful Remediation” (S/U). Failure to remediate the clerkship will result in a hearing by the MSAPC.

4. Within the longitudinal integrated clerkships, students must successfully pass all components of assessment. Failure of any component of assessment will require remediation before going on to Year 4 clinical experiences. Failure to successfully remediate will result in a hearing by the MSAPC.

5. For remediation of elective clinical experiences the student may progress to the next elective but must make arrangements with the preceptor(s) and the campus dean for remediation of the elective in a timely manner. Satisfactory completion of the failed elective experience will result in a grade of “Successful Remediation” (S/U). Failure to remediate the elective clinical experiences will result in a hearing by the MSAPC.

D. Probation: A student who receives a grade of “Unsatisfactory” in a single block, required clinical experience, course, or elective will automatically be placed on academic Probation. Removal of Probationary status by the MSPAC Chairperson requires satisfactory completion of the
remediation process. Students who are placed on probation for issues of professionalism must complete the requirements identified when they were placed on probation as well as those added by MSAPC or the Dean or his/her designee.

E. Continuance in Curriculum: A grade of “Unsatisfactory” in any block of Year 1 must be corrected before starting Year 2. A grade of “Unsatisfactory” in any block of Year 2 must be corrected before starting required Year 3 clinical experiences. “Unsatisfactory” grades in any required clinical experiences of Year 3 must be corrected before starting Year 4 clinical experiences. Students must successfully complete Board examinations as stipulated in other parts of this document to continue in the curriculum. Exceptions to the above must be approved by the MSAPC.

F. Dismissal and MSAPC Hearings

1. Any student who fails to satisfactorily complete two of the four blocks of education during Year 1 will be Dismissed from the SMHS (where a block of education refers to one of the four major instructional groupings that constitute the Year 1 curricular offerings for enrolled medical students at the SMHS). Such Dismissal shall be automatic and final, and no hearing shall be held. Nothing in this policy would preclude a student Dismissed pursuant to this Section IV(F)(1) who so wishes to re-apply for admission to the SMHS, but such an application for re-admission would not be allowable for at least one calendar year after the date of the student’s Dismissal from the SMHS. (Approved by FAC July 1, 2012)

   a. For Blocks I-IV of Year 1, if a student fails a single component of assessment in an individual block, fails reexamination during Special Studies Week, and fails any subsequent block in the same academic year, the student will be Dismissed pursuant to Section IV(F)(1).

   b. For Blocks I-IV of Year 1, if a student fails multiple components of assessment in more than one block in the same academic year, the student will be Dismissed pursuant to Section IV(F)(1).

2. A student who receives two grades of “Unsatisfactory” in an academic year during Years 2-4 will be Suspended and a hearing will be held by MSAPC in accordance with Section V. Situations leading to Suspension and a hearing by MSAPC include:

   a. For Blocks V-VIII of Year 2, when a student fails a single component of assessment in an individual block, fails reexamination during Special Studies Week, and fails any subsequent block in the same academic year.

   b. For Blocks V-VIII of Year 2, when a student fails multiple components of assessment in more than one block in the same academic year.

   c. When a student receives a grade of “Unsatisfactory” in two required or elective clinical experiences in either of Years 3 or 4.
3. A decision by MSPAC to permit a student to repeat any portion of the curriculum is conditional. The ultimate decision lies with the Dean of SMHS and is dependent on the availability of resources.

G. During a repeated year, a student will be Suspended and an MSAPC hearing will be held if the student fails any block in which the student was previously enrolled.

H. Should a student fail any two Step administrations (Step 1, Step 2 CK or Step 2 CS) they are subject to an MSAPC hearing.

I. Students admitted to SMHS must complete their requirements for the M.D. degree within six years from the date of matriculation. Blocks I-VIII (Years 1 and 2) must be completed satisfactorily in no more than three years from the date of matriculation, and required clinical experiences and electives (Years 3 and 4) must be completed satisfactorily in no more than three years from the date the student begins the third year required experiences. Students in the M.D./Ph.D. program may exceed the six year limitation in satisfying the requirements of both degrees, but must take no more than three years from the date of matriculation to complete satisfactorily Blocks I-VIII and no more than three years after beginning the required Year 3 clinical experiences to complete satisfactorily required clinical experiences and electives. Failure by any student to complete requirements as stated is grounds for an MSAPC hearing. The MSAPC may make limited exceptions to this policy for medical or other compelling reasons.

Section V. Policies and Procedures Related to Unsatisfactory Academic Performance

A. The MSAPC is responsible for making decisions relative to academic performance.

B. Any student who has received a grade of “Unsatisfactory” in two blocks in Year 1 will automatically be Dismissed from the SMHS pursuant to Section IV(F)(1). The student shall be notified of the Dismissal by mail from the MSAPC Chairperson within ten (10) days of receiving a final grade of “Unsatisfactory” in a second block. The Chairperson shall send the letter by certified mail, return receipt requested, to the student at his/her address appearing in the Registrar’s records or the Chairperson may have the letter delivered personally to the student by a representative of the Senior Associate Dean for Academic & Faculty Affairs. In the event that the Chairperson is unable to have the letter personally served upon the student or the student does not sign the receipt for the certified letter, after reasonable attempts, the MSAPC Chairperson may show by sworn statement that a reasonable attempt has been made to provide notice to the student. All documents and records of the student shall be forwarded to the SMHS Office of Student Affairs and Admissions for storage as a separate record. Documentation of the Dismissal will be made in the student’s permanent record.

C. Any student in Years 2-4 who has received a grade of “Unsatisfactory” in two blocks, required clinical experiences, courses or electives in the same academic year; or any combination thereof; or who has failed to meet the conditions of a Leave of Absence, Probation or Suspension; or, who as a result of a Suspension decision by the MSAPC and/or by operation of these policies has been designated to receive a hearing; shall be notified by the Chairperson of
the MSAPC that a hearing will be held. The MSAPC Chairperson shall notify the student by e-mail (for all purposes herein, e-mail to be delivered to the student shall be sent to the student’s official UND e-mail address) and by letter of the details of the hearing at least ten (10) business days prior to the scheduled MSAPC meeting. The Chairperson shall send the letter by certified mail, return receipt requested, to the student at his/her address appearing in the Registrar’s records or the Chairperson may have the letter delivered personally to the student by a representative of the Senior Associate Dean for Academic & Faculty Affairs. In the event that the Chairperson is unable to have the letter personally served upon the student or the student does not sign the receipt for the certified letter, after reasonable attempts, the MSAPC Chairperson may show by sworn statement that a reasonable attempt has been made to provide notice to the student, and the MSAPC shall proceed with the hearing.

1. A copy of the letter will be sent to the Associate Dean for Student Affairs who will be available to advise the student in matters pertaining to the hearing.

2. Copies of the letter also will be sent to the Senior Associate Dean for Academic & Faculty Affairs, and to the Director of OME. If appropriate a copy of the letter will be sent to campus deans and/or the Director of INMED.

D. The Hearing Notification Letter to the student shall:

1. Document the reason(s) for the MSAPC hearing.

2. Direct the student to attend in person at the specified date, time, and place of the MSAPC meeting.

3. Advise the student that information provided to the MSAPC will be included in the deliberations.

4. Advise the student of his/her rights:
   
   a. To a closed hearing unless the student agrees to an open hearing.
   
   b. The opportunity to appear in person alone or with an advisor.
   
   c. To challenge one member of the MSAPC for bias at least 24 hours prior to the hearing.
   
   d. To know the identity of each person who will provide information in the case.
   
   e. To serve as a witness, or not; to summon individuals to provide supporting information; submit documentary and other information; offer information; and speak in his/her own behalf.
   
   f. To question each person who will provide information in the case for the purpose of clarification.
   
   g. To have access to the record of the hearing after all proceedings are complete.
h. To appeal the decision of the MSAPC.

5. Include a notice to the student to inform the MSAPC Chairperson at least five business days before the hearing whether they will have an attorney at the meeting.

6. Include a notice to the student to provide to the MSPAC Chairperson at least five business days before the hearing: a list of witnesses to be called on behalf of the student, the name of any advisor to the student who will be present at the hearing, and copies of all documents or other materials to be distributed to the MSAPC by the student at the hearing.

7. Contain the name of the person to act as Chairperson of the MSAPC and names of members of the MSAPC.

8. Contain the name of the person available to act as advisor for the student, usually the Associate Dean for Student Affairs.

9. Include a notice to the student that if s/he chooses to serve as a witness, the student may be questioned by the Senior Associate Dean for Academic & Faculty Affairs (or their designee) and all members of the MSAPC. Also, anyone else who provides information on the student’s behalf may be questioned.


E. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) shall disclose through the MSAPC Chairperson five business days before the meeting, the names of any person(s) to be called to the meeting.

F. The MSAPC Chairperson shall compile a list of all individuals who will present information on behalf of either the student or the School and shall e-mail the list to the student and to each member of the MSAPC at least four (4) business days before the meeting.

G. The MSAPC Chairperson for good cause may postpone the hearing and shall notify by e-mail all interested persons of the new hearing date, time, and place. A student may request in writing or by e-mail that an earlier date be set, and if such a request is approved the Chairperson shall notify by e-mail all interested persons of the new hearing date, time, and place.

H. Hearing Process

The Medical Student Academic Performance Committee functions as a disciplinary and educational body and not as a court of law. Decisions are made using a standard of proof where the preponderance of the information falls on one side or the other.

1. All hearings will be conducted with the objective of providing fairness to all parties.

2. The MSAPC Chairperson determines the format of the hearing.
3. Persons in attendance include some or all of the following:
   
a. The student, his/her advisor and/or legal counsel.

b. University General Counsel when a student’s attorney is present and/or to advise the MSAPC.

c. The MSAPC members, the MSAPC recorder, and MSAPC advisor(s).

d. The Senior Associate Dean for Academic & Faculty Affairs, who represents the interests of the School of Medicine and Health Sciences before the MSAPC and presents the facts of the case. The Senior Associate Dean may appoint a designee to represent the SMHS.

e. Any other employee of the University whose presence is required for purposes of safety, logistics, or training, at the discretion of the Chairperson.

4. The hearing is convened by the MSAPC Chairperson. Notification is made to all parties that the hearing is being audio recorded. The recording represents the sole official verbatim record of the MSAPC hearing and is the property of the University of North Dakota. Notification is made to all parties that all hearing documents and discussion are confidential.

5. The student and the Senior Associate Dean for Academic & Faculty Affairs (or their designee) sign two copies of the non-retaliation statement – one for the MSAPC’s record and one for the signee. Each MSAPC member and witness will be asked to follow the same procedure.

6. The hearing may proceed in the absence of the student. Such an absence is not to be interpreted as an admission of responsibility nor a basis for additional disciplinary action. The University will be required to document that a reasonable attempt has been made to provide notification of the hearing to the student.

7. The hearing shall be closed to the public unless the student agrees to an open meeting. If the hearing is to be open to the public, the student shall sign a written statement to that effect. If open, and former witnesses or the public are in the room, they may not speak to either of the parties, their advisors, or attorneys.

8. The student is asked if he/she is aware of their rights contained in the Policies and Procedures Governing the Standards for Medical Student Performance.

9. If a prior challenge to a member of the MSAPC has been made by the student, the Chairperson will only consider a challenge at this time during the hearing. The MSAPC will decide if recusal is warranted.
10. Legal counsel, if present, is advisory only and may make no statements, ask questions, or submit written material to the MSAPC.

11. Persons called to the meeting may be questioned by the student, the Senior Associate Dean for Academic & Faculty Affairs (or their designee), and members of the MSAPC.

12. The Chairperson states the reason(s) for the MSAPC hearing.

13. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) makes a brief opening statement and then presents information from witnesses, documentation or other evidence. Witnesses whose names have been submitted in accordance with policies and procedures, may be called for questioning by the Senior Associate Dean for Academic & Faculty Affairs (or their designee), the student and the MSAPC members. The student and the MSAPC members may ask questions of the Senior Associate Dean for Academic & Faculty Affairs (or their designee).

14. The student makes a brief opening statement and then presents information from witnesses, documentation or other evidence. Witnesses whose names have been submitted in accordance with policies and procedures may be called for questioning by the student, the Senior Associate Dean for Academic & Faculty Affairs (or their designee) and the MSAPC members. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) and the MSAPC members may ask questions of the student.

15. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) and the student may present closing statements.

16. Following the closing statements the MSAPC will move into deliberations. Only MSAPC members and the MSAPC recorder may be present during deliberations. The MSAPC deliberates on the student’s academic record and other information and materials admitted in the hearing.

17. A decision by MSAPC to permit a student to repeat any portion of the curriculum is conditional. The ultimate decision lies with the Dean of SMHS and is dependent on the availability of resources.

I. Hearing Record

1. The hearing record is confidential.

2. A copy of the letter of notice for the hearing sent to the student.

3. All documents including the student’s academic record, information and materials admitted in the hearing.

4. The audio recording of the hearing, which is the sole official verbatim record of the MSAPC hearing and is the property of the University of North Dakota.
5. Motions considered and decision(s) rendered by the MSAPC.

6. A copy of the MSAPC decision letter to the student.

J. The MSAPC decisions may include but are not be limited to:
   a. Failure to find cause for the charge.
   b. Probation with conditions explicitly defined by the MSAPC.
   c. Suspension with conditions explicitly defined by the MSAPC.
   d. Dismissal from the UND School of Medicine and Health Sciences.

K. The MSAPC Chairperson submits in writing the decision of the MSAPC to the student, the Dean, the Senior Associate Dean for Academic & Faculty Affairs, the Associate Dean for Student Affairs and Admissions, and principal parties within ten (10) business days of the meeting. The document details the reasons for the actions taken by the MSAPC.

L. After completion of all the MSAPC actions, all documents and records of the case shall be forwarded to the SMHS Office of Student Affairs and Admissions for storage as a separate record. Documentation of the MSAPC action will be made in the student’s permanent record.

M. Appeal

1. The student may appeal the MSAPC’s decision directly to the Dean of the SMHS.

2. An appeal shall be made by the student giving written notice of the intent to appeal to the Dean within ten (10) business days after the date of the written decision. A notice of appeal shall contain the student’s name and contact information, the date of the decision or action, the reason for appeal and the name of the student’s advisor, if any. All materials from the student in support of the student’s appeal must be received by the Dean within thirty (30) business days after the decision was announced.

3. Filing a notice of appeal stays the imposition of any penalty until the appeal is finally decided. Pending appeal, the Dean may bar the student from attending class and/or engaging in academic programs:
   a. For reasons relating to the student’s physical or emotional safety and well-being, or
   b. For reasons relating to the safety of patients, students or faculty.

4. The Dean may approve, reject, or modify the decision in question or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The Dean’s decision must be forthcoming within fifteen (15) business days of the date of the receipt of all supporting materials. The Dean’s
decision shall be communicated in writing to the student and to the Associate Dean for Student Affairs and Admissions.

5. The Dean’s decision is final and not subject to further appeal.

Section VI. Policies and Procedures Relating to the Behavioral Component of Performance

A. The Medical Student Academic Performance Committee (MSAPC) is responsible for making decisions relative to the behavioral component of performance.

B. Students enrolled at the UND School of Medicine and Health Sciences are expected to adhere to the standards and policies of professional behavior detailed in this document. The following process has been developed to address unprofessional behavior.

C. A written charge of unprofessional behavior may be submitted at any time by any member of the School of Medicine and Health Sciences community. The charge shall be written, signed, and submitted to the Associate Dean for Student Affairs and Admissions or to the appropriate Campus Dean. The charge must detail the specific conduct or circumstances, which will allow review by the appropriate persons and/or committees and which informs the student of the nature of the offenses or conduct which must be explained.

D. The Associate Dean for Student Affairs and Admissions or Campus Dean, upon receipt of a written charge is authorized to conduct a preliminary investigation for the purpose of determining whether to forward the complaint to the Chairperson of the MSAPC in relation to a single charge. The sole purpose of any information gained from this preliminary investigation is to aid the Associate Dean for Student Affairs and Admissions or Campus Dean in determining whether to forward the charge to the MSPAC. The Associate Dean for Student Affairs and Admissions or the Campus Dean may decide whether to pursue action in relation to a single isolated report about a student. However, if two or more written charges are submitted during any given semester regarding a student, referral to the MSAPC Chairperson is required and the procedure outlined below in Section VI(F) must be followed. The preliminary investigative information shall not be forwarded or otherwise supplied to the advisory committee as described below in Section VI(F).

E. A written charge of unprofessional behavior requires the development of a confidential file located in the Office of Student Affairs and Admissions. Access to this file shall be restricted to the student under consideration and/or his/her designee, the Associate Dean for Student Affairs and Admissions, the Dean of the SMHS, the Associate Dean for Academic & Faculty Affairs, the Chairperson of the MSAPC, and the Campus Dean, if pertinent.

F. After a written charge of unprofessional behavior is forwarded to the Chairperson of the MSAPC, the following process will be followed:
1. The MSAPC Chairperson shall appoint an advisory committee consisting of two students and one faculty member. The members will be selected from a pool of faculty and students appointed annually by the Dean of the SMHS. Members of the MSAPC may not participate in the pool.

2. The advisory committee shall have access to the written charge(s). The committee will interview the involved student and the individual(s) filing the charge as soon as possible to gather evidence and to ascertain the circumstances surrounding the complaint. The student will be given an opportunity to explain or rebut any of the evidence or information concerning conduct or circumstances contained in the written charge.

3. After reviewing the pertinent information the committee shall make one of the following decisions:
   a. Refer the matter to the MSAPC for investigation and hearing. The faculty member of the advisory committee shall forward a written document on the decision to the MSAPC Chairperson, signed by all members, that details the reason(s) for the decision. This document shall be available to the Associate Dean for Student Affairs and Admissions, the Senior Associate Dean for Academic & Faculty Affairs, and the MSAPC.
   b. Dismiss the matter due to insufficient evidence. The faculty member of the committee shall forward a written document on the decision to the MSAPC Chairperson, signed by all members, that details the reason(s) for the decision. This document shall be available to the Associate Dean for Student Affairs and Admissions and the Senior Associate Dean for Academic & Faculty Affairs.

4. The MSAPC Chairperson will review the advisory committee’s decision and supporting information.
   a. If an investigation and hearing are required, the Chairperson must initiate the MSAPC hearing procedure outlined below in Section VI(G).
   b. If the matter has been dismissed due to insufficient evidence, the Chairperson shall inform the Associate Dean for Student Affairs and Admissions to expunge the record including the committee’s document to the MSAPC Chairperson.

G. Any student who has been designated by the MSAPC for a hearing for unprofessionalism shall be notified by the Chairperson of the MSAPC that a dismissal hearing will be held. The MSAPC Chairperson shall notify the student by e-mail (for all purposes herein, e-mail to be delivered to the student shall be sent to the student’s official UND e-mail address) and by letter of the details of the hearing at least within ten (10) business days prior to the scheduled MSAPC hearing. The Chairperson shall send the letter by certified mail, return receipt requested, to the student at his/her address appearing in the Registrar’s records or the Chairperson may have the letter.
delivered personally to the student by a representative of the Senior Associate Dean for Academic & Faculty Affairs. In the event that the Chairperson is unable to have the letter personally served upon the student or the student does not sign the receipt for the certified letter, after reasonable attempts, the MSAPC Chairperson may show by sworn statement that a reasonable attempt has been made to provide notice to the student, and the MSAPC shall proceed with the hearing.

1. A copy of the letter will be sent to the Associate Dean for Student Affairs who will be available to advise the student in matters pertaining to the hearing.

2. Copies of the letter also will be sent to the Senior Associate Dean for Academic & Faculty Affairs, and to the Director of OME. If appropriate a copy of the letter will be sent to campus deans and/or the Director of INMED.

H. The Hearing Notification Letter to the student shall:

1. Document the reason(s) for the hearing, including specific violation(s) of professional behavior.

2. Direct the student to attend in person at the specified date, time, and place of the MSAPC meeting.

3. Advise the student that information provided to the MSAPC will be included in the deliberations.

4. Advise the student of his/her rights:
   a. To a closed hearing unless the student agrees to an open hearing.
   b. The opportunity to appear in person alone or with an advisor.
   c. To challenge one member of the MSAPC for bias at least 24 hours prior to the hearing.
   d. To know the identity of each person who will provide information in the case.
   e. To serve as a witness, or not; to summon individuals to provide supporting information; submit documentary and other information; offer information; and speak in his/her own behalf.
   f. To question each person who will provide information in the case for the purpose of clarification.
   g. To have access to the record of the hearing after all proceedings are complete.
   h. To appeal the decision of the MSAPC.
5. Contain the names of any individuals who will provide information concerning the alleged violations of professional behavior or academic honesty.

6. Include a notice to the student to inform the MSAPC Chairperson at least five business days before the hearing whether they will have an attorney at the meeting.

7. Include a notice to the student to provide the to the MSPAC Chairperson at least five business days before the hearing: a list of witnesses to be called on behalf of the student, the name of any advisor to the student who will be present at the hearing, and copies of all documents or other materials to be distributed to the MSAPC by the student at the hearing.

8. Contain the name of the person to act as Chairperson of the MSAPC and names of the members of the MSAPC.

9. Contain the name of the person available to act as advisor for the student, usually the Associate Dean for Student Affairs.

10. Include a notice to the student that if s/he chooses to serve as a witness, the student may be questioned by the Senior Associate Dean for Academic & Faculty Affairs (or their designee) and all members of the MSAPC. Also anyone else who provides information on the student’s behalf may be questioned.

11. Provide a copy of the non-retaliation statement

I. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) shall disclose through the MSAPC Chairperson five business days before the meeting, the names of any person(s) to be called to the meeting.

J. The MSAPC Chairperson shall compile a list of all individuals who will present information on behalf of either the student or the School and shall e-mail the list to the student and to each member of the MSAPC at least four (4) business days before the meeting.

K. If the student in question is participating in Year 3 or Year 4 activities, at least two of the three clinical faculty members on the MSAPC must be present for the hearing. The relevant Campus Dean can participate as an ex officio member without voting privileges.

L. The MSAPC Chairperson for good cause may postpone the hearing and shall notify by e-mail all interested persons of the new hearing date, time, and place. A student may request in writing or by e-mail that an earlier date be set, and if such a request is approved the Chairperson shall notify by e-mail all interested persons of the new hearing date, time, and place.

M. Hearing Process

The Medical Student Academic Performance Committee functions as a disciplinary and educational body and not as a court of law. Decisions are made using a standard of proof where the preponderance of the information falls on one side or another.
1. All hearings will be conducted with the objective of providing fairness to all parties.

2. The MSAPC Chairperson determines the format of the hearing.

3. Persons in attendance include some or all of the following:
   a. The student, his/her advisor and/or legal counsel
   b. University General Counsel when a student’s attorney is present and/or to advise the MSAPC.
   c. MSAPC members, the MSAPC recorder, and the MSAPC advisor(s)
   d. The Senior Associate Dean for Academic & Faculty Affairs, who represents the interests of the School of Medicine and Health Sciences before the MSAPC and presents the facts of the case. The Senior Associate Dean may appoint a designee to represent the SMHS.
   e. Any other employee of the University whose presence is required for purposes of safety, logistics, or training, at the discretion of the Chairperson.

4. The hearing is convened by the MSAPC Chairperson. Notification is made to all parties that the hearing is being audio recorded. The recording represents the sole official verbatim record of the MSAPC hearing and is the property of the University of North Dakota. Notification is made to all parties that all hearing documents and discussion are confidential.

5. The student and the Senior Associate Dean for Academic & Faculty Affairs (or their designee) sign two copies of the non-retaliation statement – one to sign for the MSAPC’s record and one for the signee. Each MSAPC member and witness will be asked to follow the same procedure.

6. The hearing may proceed in the absence of the student. Such an absence is not to be interpreted as an admission of responsibility nor a basis for additional disciplinary action. The University will be required to document that a reasonable attempt has been made to provide notification of the hearing to the student.

7. The hearing shall be closed to the public unless the student agrees to an open meeting. If the hearing is to be open to the public, the student shall sign a written statement to that effect. If open, and former witnesses or the public are in the room, they may not speak to either of the parties, their advisors, or attorneys.

8. The student is asked if he/she is aware of their contained in the Policies and Procedures Governing the Standards for Medical Student Performance
9. If a prior challenge to a member of the MSAPC has been made by the student, the Chairperson will only consider a challenge at this time during the hearing. The MSAPC will decide if recusal is warranted.

10. Legal counsel, if present, is advisory only and may make no statements, ask questions, or submit written material to the MSAPC.

11. Persons called to the meeting may be questioned by the student, the Senior Associate Dean for Academic & Faculty Affairs (or their designee), and members of the MSAPC.

12. The Chairperson states the reason(s) for the MSAPC hearing.

13. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) makes a brief opening statement and then presents information from witnesses, documentation or other evidence. Witnesses whose names have been submitted in accordance with policies and procedures, may be called for questioning by the Senior Associate Dean for Academic & Faculty Affairs (or their designee), the student and the MSAPC members. The student and the MSAPC members may ask questions of the Senior Associate Dean for Academic & Faculty Affairs (or their designee).

14. The student makes a brief opening statement and then presents information from witnesses, documentation or other evidence. Witnesses whose names have been submitted in accordance with policies and procedures, may be called for questioning by the student, the Senior Associate Dean for Academic & Faculty Affairs (or their designee) and MSAPC members. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) and the MSAPC members may ask questions.

15. The Senior Associate Dean for Academic & Faculty Affairs (or their designee) and the student may present closing statements.

16. Following the closing statements the MSAPC will move into deliberations. Only MSAPC members and the MSAPC recorder may be present during deliberations. The MSAPC deliberates on the student’s academic record and other information and materials admitted in the hearing.

17. The MSAPC decisions may include but are not be limited to:
   a. Failure to find cause for the charge.
   b. Probation with conditions explicitly defined by the MSAPC.
   c. Suspension with conditions explicitly defined by the MSAPC.
   d. Dismissal from the UND School of Medicine and Health Sciences.
18. A decision by MSPAC to permit a student to repeat any portion of the curriculum is conditional. The ultimate decision lies with the Dean of SMHS and is dependent on the availability of resources.

N. Hearing Record

1. The hearing record is confidential.

2. A copy of the letter of notice for the hearing sent to the student.

3. All documents including the student’s academic record, information and materials admitted in the hearing.

4. The audio recording of the hearing, which is the sole official verbatim record of the MSAPC hearing and is the property of the University of North Dakota.

5. Motions considered and decision(s) rendered by the MSAPC.

6. A copy of the MSAPC decision letter to the student.

O. The MSAPC Chairperson submits in writing the decision of the MSAPC to the student, the Dean, the Senior Associate Dean for Academic & Faculty Affairs, the Associate Dean for Student Affairs and Admissions and principal parties within ten (10) business days of the meeting. The document details the reasons for the actions taken by the MSPAC.

P. After completion of all the MSAPC actions, all documents and records of the case shall be forwarded to the SMHS Office of Student Affairs and Admissions for storage as a separate record. Documentation of the MSAPC action will be made in the student’s permanent record.

Q. Appeal (see Section V(M))

Section VII. Academic Grievances by Medical Students

A. As per the UND Code of Student Life (IIIa-2), the term “academic grievance” is defined as: A statement expressing a complaint, resentment, or accusation lodged by a student about an academic circumstance (such as grading, testing, quality of instruction) which is thought by the student to be unfair.

B. It is the responsibility of the student to initiate and advance the grievance at all stages of the grievance.

C. Questions and/or challenges to individual items or answers on the multiple choice or case examinations during the first two years of medical school must be in writing and should be directed to the Director of Assessment in the OME as per published OME policy and must include:
1. Specific reference to the item in question,

2. A detailed narrative explaining why the student thinks the item or answer needs attention, and

3. Appropriate documented support for the student’s position from lecture, textbook, or any other resources.

D. Academic grievances with respect to grades must be initiated by the student within ten (10) business days after receipt of the grade. Each step of the grievance process must be initiated within ten (10) business days after a previous step has been completed. Response time at each step also shall be ten (10) business days.

E. Any student with an academic grievance should discuss that grievance with the involved faculty person (i.e., Block Director, Clerkship Director) and request relief from that person. Following the process outlined in the section on grievances.

F. If the grievance is not resolved at the faculty level, the student should discuss it with the Director of OME or with the appropriate clinical department Chairperson and request relief.

G. If the grievance is not resolved at the OME or clinical department level, the student may request a review of the grievance by the Medical Student Academic Performance Committee (MSAPC). The grievance must be presented in writing to the Chairperson of MSAPC. At a meeting MSAPC will consult with all parties significantly involved in the grievance, document its findings, and make a decision. Copies of the decision will be forwarded to all principle parties.

H. The decision of the MSAPC is the final step in the grievance process.
Appendix

A. Examination Procedure

1. The examiner must be present at the beginning of the examination period to answer any questions pertaining to the exam. In order to insure equal and proper treatment of all students, one of the following procedures must be adhered to by the examiner:

   a. The examiner will answer no questions.

   b. The examiner will answer questions but in doing so will repeat the question and response to the entire class.

2. The student is permitted to leave the examining room at any time during the course of the exam so long as the exam paper is left at the desk. Students completing the examination early will forfeit any opportunity for further information.

3. If an examination is ever lost prior to the time of correction and the student can prove to the MSAPC that the student took the examination, the student has the option of either retaking the examination or receiving the average grade obtained by the class.

4. Students are given an opportunity to sign a form included with each examination requesting to be contacted by a member of the administration to discuss inappropriate behavior during an examination.

5. Should any instructor observe a student giving or receiving aid on an examination, the instructor will report his/her observations to the MSAPC.

B. Statement of Harassment

Harassment of an individual or group that is related to their status in a protected class that is sufficiently severe, persistent or pervasive so as to interfere with or limit the ability of the individual or group to participate in or benefit from the University of North Dakota’s programs or activities is prohibited. If you feel that you have been harassed, please report the incident to one of the following: If you are a student, contact the office of the Associate Dean for Student Affairs and Admissions. If you are a graduate student and the harassment deals with academic issues, grant assistantships, awards and scholarships, contact the Graduate School. If you work within the academic arena, contact the Office of the Dean. If you are a medical student, contact the Associate Dean for Student Affairs and Admissions and if you are a resident, contact the program director at each site (Grand Forks, Fargo, Bismarck and Minot).

If the incident occurred in housing, contact the housing office. If you are a student or graduate student and the incident occurred during your employment, contact the Financial Aid Office. If you are a staff member, contact Human Resources. Also, the Affirmative Action Office is always available to help.
C. Sexual Harassment Policy

In addition to the above-described Policies and Procedures Governing the Standards for Student Performance, the UND School of Medicine and Health Sciences adheres to the guidelines set forth by the UND sexual harassment policy. For more information, contact the UND Affirmative Action Office or consult The Code of Student Life, appendix I-3, A-G.