

# POLICIES AND PROCEDURES FOR CODE OF CONDUCT VIOLATIONS

For the duration of a student's enrollment at LUCOM, the student is expected to meet both academic and professionalism standards, set forth in the LUCOM policy manuals, independent of his/her course grades. Students with alleged professionalism concerns may be provided with improvement recommendations, referral to the Professional Advisory Group, or escalation to the Student Progress Committee<sup>1</sup>.

Any member of the College community may file a written complaint with the Honor Court, a Representative of the Professional Advisory Group (PAG), or the Chair of the Student Progress Committee (SPC) setting forth specific violations. The PAG handles student-specific incidents related to professionalism that are primarily first time offenses. If deemed appropriate by PAG, they may escalate the concern to SPC. The SPC shall have nonexclusive authority to evaluate all alleged student violations of misconduct, whether academic, moral, professional, or ethical.

During the period of time of any disciplinary action, except dismissal, the student may be directed to comply with the specific requirements intended to rehabilitate or monitor the student. These requirements may include counseling, auditing one or more courses, medical treatment, preparing scheduled reports, or any other requirement intended to rehabilitate the student and/or to ensure that the student is able to continue with their education without further monitoring.

Records of dismissal, suspension, probation, or leave of absence, and the date of each determination shall be placed in the student's permanent records.

Nothing shall limit the right of LUCOM to immediately remove a student from the College who has been accused of a violent act or threat, or any act that constitutes a violation of state, local, or federal criminal law subject to further proceedings consistent with these rules. A student who has been removed from the College shall not return until given permission to do so by the Dean.

Nothing shall prevent the Dean from taking action deemed necessary, including removing a matter from the committee's consideration, whenever, in the Dean's judgment, such action may prevent harm to the health, safety, and welfare of any individual, to school property, or to the integrity of the educational process.

Nothing shall limit the right of the College or any of its representatives or students to file a report with any law enforcement or civil agency.

## Student Progress Committee Meeting Protocols and Process

Proceedings to determine whether a student has violated a regulation, policy, behavior, or academic code of the College shall conform to the following protocols and process:

When informed of alleged violation, the Chair of the Student Progress Committee (SPC) will conduct a preliminary investigation. The Chair may, at that time, deescalate behavioral and/or professional concerns to the Professional Advisory Group (PAG, a subcommittee of SPC). The

Professional Advisory Group may alternatively determine it necessary to escalate concerns to SPC for a hearing and committee deliberation.

The Chair will call a meeting of the committee and shall notify the charged student(s). The student(s) shall receive written notice of the time, place, and subject of the meeting. Legal representation or any other form of representation is prohibited during hearings before the SPC.

If desired, the student or complainant will provide the Chair with a list of any witnesses they may have secured to present in their support, in writing, no later than three business days before the meeting date. The student or complainant will be responsible for ensuring the presence of their witnesses.

Any witnesses will be called individually to be questioned and to provide any statements to the committee. Witnesses may be asked to remain outside the meeting room for later recall. The student will not be present during the questioning of any witnesses.

The student will be given the opportunity to present information concerning the issues and their statements to the committee. The student will only be present during their statements and to respond to any questions from the committee. If the student fails to appear at the designated location, date and time of the hearing, the student waives his/her right to attend the hearing and a decision will be made by the committee based on the available evidence. The committee may, in its discretion and for good cause, reschedule the hearing but it is not required to do so for any reason.

The Chair will dismiss the student and any witnesses. Deliberations of the committee shall be in closed session to protect the student's privacy.

At the conclusion of the discussion, the Committee shall make its recommendation(s) to the Dean in writing. Various disciplinary actions that may be recommended by the SPC include but are not limited to: reprimand, fine, probation, suspension, dismissal, and administrative leave of absence.

The Dean shall review the Committee's recommendation and render a final decision. The Dean may choose to accept, not accept, or change the committee's recommendations or they may send the case back to the committee for further investigation or action. The student shall be notified of the Dean's decision by U.S. mail, certified mail return receipt requested, or personal delivery.

The recommendations of the SPC and all reports, letters, and investigative records shall be maintained in the Office of the Dean's files for not less than five years. This investigatory information is not part of the student's permanent records or the student's transcript. Disciplinary action imposed by the Dean and administration is a permanent part of the student's record and may be recorded on the transcript.

## Professional Advisory Group Meeting Process

The role of the Professional Advisory Group (PAG) is to serve as a mentoring body and is designed to mentor students with professionalism/conduct issues in proper professional behavior. When a student is alleged to have disrupted a professional code of the College the following process will be considered when the concern is presented to PAG:

When informed of a potential professionalism concern, the Professional Advisory Group (PAG) will review the information

presented to the group. The PAG may determine it necessary to escalate concerns to SPC for a hearing and committee deliberation. The PAG handles student-specific incidents related to professionalism that are primarily first-time offenses and are determined to merit discussion and action before escalation to SPC may be required.

The committee may meet with the involved student(s). The student(s) involved are expected to meet with the committee and complete any actions as assigned by the committee. Failure to do so may result in escalation of the concern to the SPC. Legal representation or any other form of representation is prohibited during meetings with the PAG.

The recommendations of the PAG and all related documentation shall be maintained until the individual student's graduation, then promptly discarded. This information is formative, not part of the student's permanent records or the student's transcript unless the nature of the incident requires permanent documentation (ex: misdemeanor) or future disciplinary action is taken regarding the same student during their time at LUCOM. Disciplinary action imposed by the Dean and administration is a permanent part of the student's record.

## Academic & General Conduct Disciplinary Sanctions<sup>2</sup>

### Points

A point's notification is an oral or written notification to the student that continuation or repetitive wrongful conduct may result in more severe disciplinary penalties. Whether the reprimand is oral or written initially, a copy of the document will be given to the student as well as placed in the student's file.

The Dean or designated Associate Dean shall notify the student that they have been placed on disciplinary status, but it is the student's responsibility to be aware of their disciplinary status at all times.

### Academic Monitoring

An internal academic monitoring status is utilized by LUCOM to enhance matriculated students' success with the curriculum. Students identified to be at academic risk will be internally noted and monitored within the Office of Medical Education and/or the Office of Clinical Education. This academic monitoring information may be made available to the Academic Support and Success Center as well as the academic and clinical deans to provide comprehensive academic support. Identified students may be required to meet with Medical Education Learning Specialists or an appropriate dean, and may have additional requirements and/or restrictions imposed by the Office of Medical Education, Office of Clinical Education, or the Office of the Dean.

### Disciplinary Warning or Behavior Monitoring Status

Formal notice to a student that their action and/or behavior have not met University and College standards. This sanction remains in effect for a designated period of time and may be expunged from the student file. This status is defined as a period during which a student has the opportunity to demonstrate that they can effectively cease behavioral misconduct. A student may remain a participating member of professional organizations while on warning or behavioral monitoring status. A student on Warning or Behavioral Monitoring status may be prohibited from participating in activities off campus or activities on campus that involve absence from any scheduled class, laboratory,

clinical or other academic requirement without written permission of Office of Dean, holding office in any LUCOM professional organization, club, student government, or class and being elected to any honorary or other school organization.

### Probation

The Student Progress Committee may make a recommendation for probation to the Dean for, but not limited to:

- It is believed that a student has failed to achieve sufficient maturity of thought or professionalism
- A student is responsible for an infraction of the laws, rules, or codes of conduct that govern the osteopathic medical profession and its members at LUCOM

Probation is defined as a period during which a student has the opportunity to demonstrate that they can remediate failing grades, academically redeem a failing cumulative average, or can effectively cease behavioral misconduct. Probation can be for any period of time, i.e. the remainder of a current term or may be for the remainder of the time the student is enrolled at LUCOM. While on probation, the student will be prohibited from participating in LUCOM sponsored student activities (e.g. mission trips, health fairs), holding office in any LUCOM organizational club, student government, or class and, being elected to any honorary or other school organization.

During probation for disciplinary reasons, the student must show appropriate behavioral, professional, and personal conduct as defined in the conditions of their probation. The student may be required to seek professional behavior modification education or counseling. Additionally, the student is required to refrain from any further violation of the code and may be required to perform community service or comply with any other requirements intended to rehabilitate the student.

Once the student has corrected all academic or behavioral deficiencies, the SPC may recommend to the Dean to remove the student from probation. If, while on probation, the student violates the terms of their probation, actions may be taken up to and including dismissal from the LUCOM. Probations that are issued for reasons that are not academic in nature will not be recorded on the student's transcript.

### Suspension

The Student Progress Committee may make a recommendation for academic suspension to the Dean for, but not limited to:

- the student fails to make satisfactory academic progress
- the student fails to meet academic standards
- the student has multiple course failures
- the student has not attained the academic level expected of the student at their level of education
- has not met the requirements for promotion to the next academic level
- the student has a Student Progress Committee granted sanction

The Student Progress Committee may make a recommendation for suspension to the Dean for, but not limited to:

- the student has deviated from the policies and procedures
- the student has violated Academic Conduct Standards
- the student has violated General Conduct Standards

Suspension bars a student from attending school as a student for credit for a defined period of time. A student suspended for disciplinary reasons will be removed from the academic enrollment with revocation of all other privileges or activities, including the privilege of entering the campus or any affiliated sites for a specified period of time. As a result of suspension, a student will no longer be accounted for in the class rank calculations. Suspension is included in the calculation of the six-year limit for completing all graduation requirements.

In the preclinical years, suspension cannot be less than the remainder of the academic semester if the interruption to classes and laboratories will result in the failure of current courses. In the clinical years, suspension can be imposed for the remainder of the current rotation and/or future additional rotations.

Readmission will not be entertained until the suspension period is completed and any required actions are satisfactorily fulfilled. Return of the student is subject to approval of the University and College administration and faculty. When a student returns from a defined suspension period, they will be placed on academic probation until satisfactory progress is made. A student on this status will have program restrictions.

While appealing an academic suspension, a student may continue to attend classes and take all examinations pending the results of the appeal.

## Dismissal

The Student Progress Committee may make a recommendation for academic dismissal to the Dean for, but not limited to:

- A student found to have misrepresented himself/herself on licensing examinations and/or conducted himself/herself inappropriately and/or unprofessionally during licensing examination testing sessions.
- A student found to be in violation of LUCOM's or NBOME's licensing examination protocols or procedures (including all requirements and timelines)
- Failure to make satisfactory academic progress
- \*Failure of two or more courses during any academic year
- \*Failure of three or more courses during any academic year
  - In such cases, no opportunity for remediation will be permitted
- \*Failure of four or more courses during any academic year
  - In such cases, no opportunity for remediation will be permitted.
- Failure of a repeated course or repeated clinical rotation
- Failure of a total of two clinical rotations
  - Any failing F grade received will be counted toward this total regardless of whether the rotation was repeated and passed
- Exceeding the six-year limit for completing all graduation requirements
- The student has a SPC granted sanction

The Student Progress Committee may make a recommendation for dismissal to the Dean for, but not limited to:

- A student found to have represented themselves as a Doctor of Osteopathic Medicine (D.O.) or to have practiced medicine, or any phase thereof, not under the direct supervision of a licensed physician or a clinical faculty member of the University
- Circumstances of a legal, moral, behavioral, ethical, or academic nature that warrant such action or would result in the student not being able to practice as an osteopathic physician.
- Determination by the Student Progress Committee and Dean that the student's actions would prevent the student from practicing or that they do not meet the professional and ethical standards expected of an osteopathic physician.
- Failure to fully meet the stipulations of a suspension within the time prescribed

\*Remediation of a course failed during one academic year does not remove it from the total failures allowed per year. Failing a remediation examination does not count as a second course failure. In cases of a second failure in the same course, remediation examinations will not be permitted.

Dismissal is the permanent termination of a student's academic enrollment where they are not allowed to return to the program. As with all disciplinary actions, the Dean is responsible for imposing this recommendation. As a result of any dismissal, a student will no longer be accounted for in the class rank calculations. As a result of any dismissal, the status of the student will be updated to reflect disenrollment to an external organization such as the National Board of Osteopathic Medical Examiners.

While appealing a dismissal by the Dean, a student may continue to attend classes and take all examinations pending the results of the appeal.

## Other Sanctions

- Expulsion: permanent dismissal from the University with no right for future readmission.
- Temporary Suspension: action taken removing and barring the student from the campus and/or affiliated University sites pending final determination of student's status taken by the Dean or Director for Admissions and Student Life.
- Final Disciplinary Probation: disciplinary sanction taken when a student is in violation of University or College standards, under which the following conditions may exist:
  - The sanction is for the remainder of the student's career. The action may be reviewed by the Dean no sooner than two academic semesters or its equivalent after the sanction is imposed. The student may request in writing reduction of the sanction after two semesters to disciplinary probation if they can demonstrate reason to substantiate the request.
  - Another violation of the University policy or standards of conduct while on final disciplinary probation will result in at a minimum a suspension.
- Verbal Warning: A verbal admonition to the student by a University or College faculty, administration or staff member that their behavior is inappropriate. A verbal warning will be noted in the student's file for a designated period of time and expunged if no further violations occur.

- Fines: Penalty fees payable to the University for Violations of policy, rules, or regulations.
- Restitution: Payment made for damages or losses to the University or College is directed by the adjudicating body.
- Restriction or Revocation of Privileges: Student may be restricted from participation in extra-curricular activities, i.e., serve as an officer in a LUCOM organization or national organization, mission trips, etc.
- Counseling Intervention: College or University directed professional evaluation or treatment for behavioral or psychological issues
- Other Appropriate Actions: As determined by the SPC or the Dean.

## Readmission Policy<sup>3</sup>

If a student withdraws from Liberty University College of Osteopathic Medicine, they may not apply for admission to a new class starting less than 12 calendar months after the date of withdrawal. The student may only reapply as a first year student. In order to be considered for admission, the candidate must provide adequate evidence that the conditions and/or factors that caused the prior withdrawal have changed significantly, so that there is reasonable expectation that the applicant can perform satisfactorily if admitted.

Any applicant applying for admission must do so through the Office of Admissions and must follow the same procedure as any other entering student. Admission will be solely at the discretion of the Dean as are all admissions. The student's prior academic record will remain a part of their overall academic record and will be recorded on the permanent transcript. If admitted, none of the student's prior grades will be utilized in calculating their new cumulative or term average.

## Additional Information

Academic documents and forms can be found on the LUCOM website.

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<sup>1</sup> 1.4 Governance & Program Policies, 5.1 Professionalism, 9.2 Academic Standards

<sup>2</sup> 5.1 Professionalism

<sup>3</sup> 9.1 Admissions Policy