



TOURO UNIVERSITY

C A L I F O R N I A

COLLEGE OF  
OSTEOPATHIC MEDICINE

# TUCOM PROFESSIONALISM

BY-LAWS – POLICIES AND PROCEDURES

TUCOM PROFESSIONALISM COMMITTEE

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January 1, 2020

# Policies and Procedures

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## I. Statements on Professionalism and Academic Integrity:

### A. AOA Commission on Osteopathic Accreditation Statement:

The AOA Commission on Osteopathic Accreditation considers professionalism a core element that is critical to maintain the educational quality of the COM program (Element 5.1). As a component of the standards required for accreditation, COCA further states that the COM “must apply best practices to teach, train, and assess students in order to ensure development of the seven osteopathic core competencies of medical knowledge, patient care, communication, professionalism, practice based learning, systems based practice, and osteopathic principles and practice/osteopathic manipulative treatment.”

Prior to understanding what this means to the individual medical student, an agreed upon definition for professionalism is instructional. Contemporary definitions of professionalism go beyond a mere list of desirable traits, attitudes, and behaviors that is expected of a professional. Moreover, while a catalogue of expectations helps recognize behaviors and traits that stray from the ideal, professionalism refers to a belief system shared amongst healthcare providers. Members profess and jointly declare that they will live up to promises made to the individual patient, the public, and society. It is a covenant to those that we care for, overtly expressing that patients can expect shared competency, standards and ethical values, that we are trustworthy and that all medical professionals live up to these promises. It is based on the principles of primacy of patient welfare, patient autonomy, and social justice. We commit ourselves to professional competence, honesty, patient confidentiality, improving quality of care, improving access to care, just distribution of finite resources, commitment to scientific knowledge, maintaining trust by managing conflicts of interest, commitment to professional responsibilities, and maintaining appropriate relations. In exchange, the public grants medical professionals the privilege to self-monitor, enforce, and when necessary, adjudicate our professional behaviors. (Papadakis, Paauw et al. 2012, Wynia, Papadakis et al. 2014)

### B. The TCUS Statement on Academic Integrity:

*“Touro College and University System is a community of scholars and learners committed to maintaining the highest standards of personal integrity in all aspects of our professional and academic lives. Because intellectual integrity is a hallmark of scholarly and scientific inquiry as well as a core value of the Jewish tradition, students and faculty are expected to share a mutual respect for teaching, learning and the development of*

*knowledge. They are expected to adhere to the highest standards of honesty, fairness, professional conduct of academic work and respect for all community members.*

*Academic dishonesty undermines our shared intellectual culture and our ability to trust one another. Faculty and administration bear a major responsibility for promoting a climate of integrity, both in the clarity with which they state their expectations and in the vigilance with which they monitor students. Students must avoid all acts of dishonesty, including, but not limited to, cheating on examinations, fabricating, tampering, lying, and plagiarizing, as well as facilitating or tolerating the dishonesty of others. Academic dishonesty lowers scholastic quality and defrauds those who will eventually depend on the knowledge and integrity of our graduates.*

*The Touro College and University System views violations of academic integrity with the utmost gravity. Such violations will lead to appropriate sanctions, up to and including expulsion from the college community. We commit ourselves to the shared vision of academic excellence that can only flourish in a climate of integrity.*

*The International Center for Academic Integrity (ICAI), of which the Touro College and University System is a member, identifies five fundamental values of academic integrity that must be present if the academic life of an institution is to flourish: Honesty, Trust, Fairness, respect, and Responsibility.<sup>1</sup> To sustain these values, the TCUS Academic Integrity Policy <sup>2</sup>requires that a student or researcher:*

- *Properly acknowledge and cite all ideas, results, or works originally produced by others;*
- *Properly acknowledge all contributors to any piece of work;*
- *Obtain all data or results using ethical means;*
- *Report researched data without concealing any results inconsistent with student's conclusions;*
- *Treat fellow students in an ethical manner, respecting the integrity of others and the right to pursue educational goals without interference. Students may neither facilitate another student's academic dishonesty, nor obstruct another student's academic progress;*
- *Uphold ethical principles and the code of the profession for which the student is preparing.*

*Adherence to these principles is necessary to ensure that:*

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<sup>1</sup> Center for Academic Integrity. The fundamental values of academic integrity. 2013. <https://academicintegrity.org/fundamental-values/>

<sup>2</sup> Rutgers University. Academic Integrity Policy. 2011  
<http://academicintegrity.rutgers.edu/academic-integrity-policy/>

- *Proper credit is given for ideas, works, results, and other scholarly accomplishment;*
- *No student has an inappropriate advantage over others;*
- *The academic and ethical development of students is fostered;*
- *The Touro College and University System is able to maintain its reputation for integrity in teaching, research, and scholarship.*

*Failure to uphold the principles of academic integrity threatens not only the reputation of Touro, but also the value of each and every degree awarded by the institution. All members of the Touro community bear a shared responsibility for enduring that the highest standards of academic integrity are upheld.*

*The Touro College and University System administration is responsible for working with faculty and students to promote an institutional culture of academic integrity, for providing effective educational programs that create a commitment to academic integrity, and for establishing fair procedures to deal with allegations of violations of academic integrity.”*

### C. **The TUCOM Policy**

The Touro University College of Osteopathic Medicine (TUCOM) policy is intentionally designed to complement and oft times mirror the Touro College and University Academic Integrity Policy.

(<https://www.touro.edu/students/policies/academic-integrity/>).

Pursuant to TCUS policy, the TUCOM Policy is no less stringent than the requirements and standards set forth in the TCUS Policy Statement, which requires that “any act in violation of this Policy (TCUS) or any allegation of misconduct related to the Policy involving a student must be reported and addressed in accordance with the adjudication procedures outlined below (in this policy document)...”

The general academic standards for professionalism can be found in the College of Osteopathic Medicine 2019-2020 Student Handbook.

([http://com.tu.edu/\\_resources/docs/curriculum/2018-2019\\_handbook.pdf](http://com.tu.edu/_resources/docs/curriculum/2018-2019_handbook.pdf))

Supplemental material can be found in the Student Conduct Code, Appendix C of the TUC Catalog. ([http://studentservices.tu.edu/catalog/2018-2019\\_TUC\\_Catalog.pdf](http://studentservices.tu.edu/catalog/2018-2019_TUC_Catalog.pdf))

## II. Who This Policy Applies To

This TUCOM Academic Integrity and Professionalism Policy applies to all TUCOM students enrolled in the College of Osteopathic Medicine, students enrolled in the TUCOM Master of Science in Medical Health Sciences and the TUCOM DO/MPH dual degree program students. Any act in violation of this Policy or any allegation of misconduct related to this policy involving a student must be reported and addressed in accordance with the adjudication procedures outlined below or those of the student's school, which may not be less stringent than the requirements and standards set forth in the Touro College and University Academic Integrity Policy.

[\(https://www.touro.edu/students/policies/academic-integrity/\)](https://www.touro.edu/students/policies/academic-integrity/)

## III. Committee Membership

### A. Leadership

1. The Chief Academic Integrity Officer (CAI) for Touro University California
  - a. Appointed by the Provost and approved by the President of Touro College and University System.
  - b. At TUC, the CAI Officer oversees violations of academic integrity and professionalism.
2. The Chair of the TUCOM Professionalism Committee (CPC) is appointed by the Dean of the COM and oversees the Professionalism Committee which addresses violations of professionalism and academic integrity for TUCOM and its related programs and degrees (DO; DO/MPH; MSMHS).
3. The CAI Officer and the CPC positions may be filled by the same individual pending approval of the Dean of TUCOM, the Provost of TUC, and the President of TCUS.

### B. Voting Members of the TUC Professionalism Committee

1. CPC (may only vote in the case of a split decision)
2. Associate Chair of the Professionalism Committee
3. Associate Dean for Preclinical Education
4. Associate Dean of Clinical Education
5. Student Promotions Committee Member
6. Basic Science Department Faculty Member
7. Primary Care Department Faculty Member
8. Osteopathic Manipulative Medicine Department Faculty Member

### C. Non-Voting Members

1. Associate Dean of Student Affairs (who will act as the student's ombudsman)
2. Other individuals at the request of the CPC related to specific meeting agenda.
3. Student Government Association Representative, identified in collaboration between the TUC Associate Dean for Student Affairs and the SGA leadership, participates in all professional committee activities other than adjudication of violations and hearings.

If a member of the PC is unable to participate, they may designate another person from their department to participate in a specific meeting or committee function with the permission of the CPC.

## IV. Who Needs to be Familiar With This Policy

- COM Faculty
- Course Coordinators
- Department Chairs
- Administration
- Professionalism Committee
- Student Promotions Committee
- Office of Academic Affairs
- Student Counseling Services
- Office of Compliance
- Bursar's Office
- Registrar's Office
- Title IX Officer

## V. AACOM Professionalism Core Competencies

According to the AACOM, there are nine (9) professionalism components with behaviors, attitudes, and values that define each of the components. See Appendix D for a template of the 9 professionalism components and subcomponents.

1. Medical Knowledge
2. Humanistic Behavior
3. Primacy of the Patient

4. Accountability
5. Continuous Learning
6. Ethics
7. Cultural Competency
8. Professional and Personal Self-Care
9. Honest, Transparent Business Practice

## VI. Scope of the Professionalism Committee Activities

- A. The Committee serves as a resource for all issues as they relate to Academic Integrity and Professionalism.
- B. The Committee develops the TUCOM Professionalism bylaws, policies, and procedures.
- C. The Committee evaluates, responds to, and adjudicates potential violations of academic integrity and professionalism.
- D. The Committee shares all violations of academic integrity and professionalism with the Chief Academic Integrity Officer in compliance with the TCUS policy and procedures.
- E. The Committee participates in Clinical Faculty Development for professionalism, and may advise on curriculum matters, but does not create curricular content. The latter is the province of the Course Director(s) and teaching faculty.
- F. The Committee participates in the TUCOM medical student orientation by presenting an overview and introductory lecture on Academic Integrity and Professionalism.
- G. The Committee creates a repository of materials for remediation of professionalism violations.
- H. The Committee may communicate with the Student Promotions Committee, Compliance Officers, Student Mental Health Services, the Registrar's Office, the Bursar's Office, Dean of Student Affairs, the Provost of Touro University California, and the Dean of TUCOM as required and according to policies outlined herein.
- I. The Committee serves as a repository of all student records as they pertain to Academic Integrity and Professionalism, pursuant to the TCUS Recordkeeping Policy.

## VII. Examples of Violations of Academic Integrity and Professionalism

Below are examples of violations of Academic Integrity and Professionalism, many referenced in the TUC University Catalog. Students of the Touro College and University System community who commit one of the offenses listed below, or similar such offenses, or those who assist in the commission of such offenses, may be subject to sanctions (classified as A, B, or C, as described in the TCUS Academic Integrity Policy section "[Procedures in Response to Violations of Academic Integrity](#)").



1. Cheating:
  - a. Unauthorized use of a text, notes, or other aids during and exam
  - b. Copying the work of another student
  - c. Obtaining and using a copy of an examination in advance of its administration
2. Plagiarism:
  - a. Presenting as one's own the work of another without proper acknowledgement
3. Deceitful practice:
  - a. Utilizing a substitute or acting as a substitute in any academic evaluation
  - b. Knowingly permitting one's work to be submitted by another person without the instructor's authorization
4. Unauthorized collaboration:
  - a. Working together on an exam, project, or report when expressly prohibited from doing so by an instructor
5. Knowingly furnishing false information to the university
6. Forgery, alteration, or misuse of university documents, records, identification, etc.
7. Malicious obstruction or disruption of teaching, research, or administrative operational procedures
8. Physical abuse of any person on university property or conduct which threatens or endangers the health or safety of any person
9. Theft of, or damage to property of a member of the university on campus, or theft of, or damage to property of Touro University
10. Neglect of clinical and/or hospital duties
11. Neglect of patient's rights
12. Misuse of pharmaceutical privileges
13. Drug abuse:
  - a. Being under the influence of substances of abuse, including alcohol and cannabis, during class, laboratory, externship, clerkship, or any other situation under the jurisdiction of the university in which professional conduct is expected or required
14. Possession or use of firearms, ammunition, or explosive devices or materials on campus
15. Violations of any campus rules or regulations
16. Violation of the confidentiality of any medical, personal, financial, or business information obtained through the student's educational activities in any academic or professional practice setting
17. Behavior inconsistent with the qualities and ethics described for professionals within the chosen fields
18. Engaging in the synthesis, manufacture, theft, sale, or use of a controlled substance for unlawful purposes, or assisting any individual or group in accomplishing this end
19. Breach of the AACOM Professionalism Core Competencies
  - a. Medical Knowledge
  - b. Humanistic Behavior
  - c. Primacy of the Patient

- d. Accountability
- e. Continuous Learning
- f. Ethics
- g. Cultural Competency
- h. Professional and Personal Self-Care
- i. Honest, Transparent Business Practice

## VIII. Academic Guidance and Counseling

Minor behavioral transgressions inconsistent with the academic professional standards may occur from time to time, but not reach a threshold that requires formal action by the Professionalism Committee. Rather, academic guidance and counseling should be considered part of student education and remediation. This can be provided either by the faculty member who observed the behavior or the Chair of the department. When appropriate, referral to other departments such as Student Affairs, Student Health, and/or Student Counseling Services may be advised. Only those behaviors that rise above the academic guidance threshold will be considered by the Professionalism Committee. Evaluation by either the CPC or Associate Chair of the Professionalism Committee may assist the Chair and/or faculty in assessing the merit of a suspected violation. The Academic Integrity and Violation Reporting Form (AIVR) should only be submitted to the Professionalism Committee when the intent is to commence the Informal or Formal Resolution pathways (see below). Faculty and Chairs are encouraged to keep records of any academic guidance and counseling sessions which can be referred to in the future, should this need arise. The remainder of this policy addresses the INFORMAL and FORMAL pathways for resolution of academic integrity and professionalism violations.

## IX. Resolution of Academic Integrity/Professionalism Violations

Incidents of academic integrity violations and/or professionalism violations are reported to the department Chairperson who in turn, submits a report to the CPC.

### A. General Instructions for the reporting of all Academic Integrity and/or Professionalism Violation (regardless of pathway)

#### 1. Student Status Pending Evaluation:

Should a student action be of such a serious nature that it is felt that s/he may be considered a danger in a clinical setting, the CAI Officer or the department Chair may remove such a student from a clinical assignment, not to exceed fourteen (14) days pending the outcome of a formal resolution. A student shall not be

removed from a didactic course while an allegation of an academic integrity violation is ongoing.

2. When a faculty member encounters a suspected academic integrity violation or professionalism violation, s/he should contact the Chair of the relevant department.
3. If a violation is identified, the faculty member will complete Section B of the Academic Violation Reporting Form, hereafter referred to as the AIVR (revised 9/15/16). As of 2019, the AIVR now supplants the TUCOM reporting form. The AIVR is downloadable from TouroOne. (<https://www.touro.edu/students/policies/academic-integrity/procedures-in-response-to-violations/reporting-a-case/>). A hard copy is also found in Appendix E. Section B of the AIVR provides background information that identifies the instructor, the student, and an explanation of the incident. The AIVR must be copied to the Chair of the Department and to the CPC.
4. Faculty is strongly encouraged to document the suspected violations by completing the AIVR form. However, in lieu of the AIVR Form, faculty may communicate a suspected violation by electronic or written mail to the Department Chair. This communication must include the following:
  - a. Date of the communication
  - b. Name of the Faculty Member
  - c. Name of the Department Chair
  - d. Name of the Instructor
  - e. Name of the Student
  - f. Student's email address
  - g. Student's mobile phone number
  - h. Student's class, example: OMS III
  - i. Student's anticipated year of graduation, example: 2022
  - j. Date of discovery of suspected academic dishonesty or violation of professional code of conduct
  - k. Explanation of the incident
5. Exception for completing the AIVR: The AIVR is not submitted when the issue is resolved through academic guidance and counseling. However, if there is any question regarding the appropriate pathway for resolution, it is advisable to complete the AIVR.
6. The faculty member will inform the student of the suspected violation of academic integrity and/or professionalism conduct. If appropriate, the faculty member should encourage the student to consult with the Office of Student Affairs (<http://studentservices.tu.edu>) and Counseling Services (<http://studentservices.tu.edu/counseling/index.html>).
7. The Chair will prepare a brief written report summarizing the meeting with the faculty member and submit this report to the CPC.

8. The Chair and the CPC will determine if the matter should be resolved by INFORMAL RESOLUTION or FORMAL RESOLUTION, and the faculty member will be so advised by the Chair.
  - a. Informal resolution may be used only for first offenses or at the discretion of the CPC.
  - b. Formal resolution must be used if any of the following occurs:
    - i. Student denies the charge
    - ii. Student and faculty member do not agree to informal process resolution.
    - iii. Student has been accused and found at fault before.
    - iv. Any other reason as determined by the PC/CAI officer or Dean.
9. Do not submit an earned grade for the course in question before the issue is resolved. (If necessary, enter an "INC" for a graduate course.)
10. The Professionalism Committee will notify the student that notice of a violation has been received. Notification is sent to the student by email and certified U.S. mail within 3 business days.
11. The student is asked to acknowledge receipt of the violation notification letter within 3 business days of receipt. The notification letter briefly summarizes the allegations, requests the student's acknowledgement and acceptance of the violations, paving the way for either INFORMAL or FORMAL resolution.
12. If a student, faculty, staff, or administrator questions whether a specific behavior would be considered in the scope of the Professionalism Committee, the CPC should be contacted for clarification.
13. In instances when the suspected violation is observed and reported by a faculty member that would otherwise be involved in the adjudication process, this faculty member would recuse themselves from the professionalism process.
14. In cases when the violation is reported to an Assistant or Associate Dean, such as the Assistant Dean of Clinical Education, the same processes described for the Chairperson of a department are followed, i.e., the Assistant Dean will submit the AIVR to the CPC.
15. In cases when the violation is reported by the CPC, the AIVR is completed and submitted to the Associate Chair of the Professionalism Committee. The CPC must recuse her/himself from the adjudication process.
16. The CPC will inform:
  - a. The TUC Student Affairs Department regarding each complaint to ensure a coordinated process of intent and responsibility.
  - b. The Campus Compliance Officer of all complaints that are adjudicated by Formal Hearing.
  - c. The Dean of the COM.
  - d. The chairperson for SPC.
17. An occasion may arise when the CPC determines that the formal complaint should be referred to another body, either internal or external to TUC, based on

law, regulation, or TUC policy. Please keep in mind that conveyance of information is often confidential in accordance with privacy information acts such as Family Education Rights and Privacy Regulations (FERPA) or Health Insurance Portability and Accountability Act (HIPPA). If privacy acts prevail for such referrals, the PC will not be privy to information generated in the respective departments following the referral, such as mental health records. Examples of, but not an exclusive list include reporting to:

- a. Title IX complaints to the TUC Title IX Coordinator
- b. Academic issues to the TUCOM Student Promotions Committee
- c. Psychiatric or behavioral health issues to TUC Student Affairs and Student Counseling

18. While a complaint may be referred to another organizational body, the Professionalism Committee may continue to monitor the complaint and continue their involvement, per the decision of the CPC or the TUCOM Dean.

## **B. Resolution Pathways**

### **1. INFORMAL Resolution**

The Informal Resolution process **MAY NOT** be used if:

- ✓ The student denies the charge.
- ✓ The student and the faculty member and/or Chair do not agree to informal process resolution.
- ✓ The student has been accused and found at fault before.
- ✓ Any other reason as determined by the CPC, the CAI Officer, or TUCOM Dean.

#### **a) INFORMAL Resolution by Faculty and/or Chair of the Department**

- 1) Pursuant to the TCUS Academic Integrity Policy (September 2015), after consulting with the department Chair, the faculty member may attempt to resolve the issue informally with the student or with the assistance of the Chair. If the faculty member resolves the issue with the student, without assistance from the Chair, the faculty member must present the resolution and sanctions considered to the department Chair for approval.
- 2) The faculty member, in consultation with the department Chair, may impose any range of Class C sanctions. In addition, the student may be required to take additional ethics and/or professionalism tutorials or complete assignments intended to mitigate the prospect of future student misconduct. Reduction in grade for submitted work; reduction in course grade; failure of course; redo of assignment, paper, practical, laboratory, exam; or placement on academic probation are additional options available

under Class C, as well as “others” that can be specified. This must be documented in Section C of the AIVR.

- 3) If the sanctions are accepted by the student, the Informal Resolution becomes binding on both the student and faculty member, and cannot be appealed by the student. (*If not accepted, go to #9.*)
- 4) Both the faculty member and the student must sign the AIVR, confirming that Section C accurately reflects their discussion thereby verifying the resolution.
- 5) The outcome of the Informal Resolution should be reported in writing by the department to the CPC. The Chair of the Department completes Section D (1) of the AIVR Form and submits it to the CPC.
- 6) The CPC (or CAI Officer) must finalize the AIVR by completing Section E (1). The CPC signature acknowledges receipt of the AIVR and that the Informal Resolution is final.
- 7) Within 3-5 business days, the finalized AIVR is copied to:
  - a) Chief Academic Integrity Officer
  - b) Student Promotions Committee
  - c) Dean of the College of Osteopathic Medicine
  - d) Dean or Associate Dean of Student Affairs for TUC
  - e) Campus Compliance Officer at TUC
- 8) The Professionalism Committee will maintain the record for the duration of the student’s academic career.
- 9) If the student does not accept the Informal Resolution, the faculty member completes Section C (2) and Section D (2) of the AIVR form. This is notification for the **FORMAL** Resolution, which requires a full hearing of the Standing Committee on Academic Integrity/Professionalism Committee.
  - a) The AIVR is submitted to the CPC with copies to the TUC Student Affairs Officer, the CAI Officer (If this individual is different from the CPC), and the TUC Compliance Officer.
  - b) The AIVR must be submitted no later than 3 business days after this determination.
- 10) The CPC (or CAI Officer) completes Section E of this form.

**b) INFORMAL Resolution by Ad Hoc Professionalism Subcommittee**

- 1) For violations that cannot be resolved with the student by either the faculty member and/or the Chair of the department, the charge is referred to the TUC Professionalism ad hoc subcommittee for mediation.

- 2) The Dean or Associate Dean for Student Affairs is notified.
- 3) The Professionalism Informal Resolution ad hoc subcommittee will meet with the student to evaluate and review the complaint and identify appropriate actions.
- 4) The PC ad hoc subcommittee shall arrange a meeting generally:
  - a) No earlier than three (3) business days or no later than twenty (20) TUC calendar days after receipt of the complaint.
  - b) The ad hoc subcommittee includes at a minimum two (2) and ideally three (3) members of the PC.
  - c) Members will be selected by the Chair of the PC.
  - d) One member may be the Chair of the PC (or his/her designee).
  - e) One member may be the Associate Chair of the PC or a PC voting member.
  - f) Decisions are made by consensus.
  - g) For split decisions, for cases when the CPC was not part of the tribunal, the CPC will review the evidence and provide the tie-breaking vote.
  - h) For split decisions, for cases when the CPC was part of the tribunal, but the Associate Chair of the CPC was not, the Associate Chair shall offer the tie-breaking vote.
  - i) For split decisions, for cases when the CPC and Associate Chair of the PC were part of the tribunal, the Dean of the COM will be presented the evidence and provide the tie-breaking vote.
  - j) Minutes will be recorded by either a Committee member or a member of the administrative staff per the decision of the Chair and availability. Minutes will be made available within three (3) business days and no later than ten (10) calendar days after the hearing.
  - k) Attendance for these meetings may be in-person. Alternatively, with the permission of the Chair, members may participate online, telephonically, or another analogous technology.
- 5) The subcommittee must determine whether the violation was:
  - a) A minor or inadvertent violation:
    - i. These violations will not be reported or acknowledged in the student's academic record or Dean's letter, otherwise known as the Medical Student Performance Evaluation (MSPE).

- ii. Records related to this violation will be retained until the student has graduated and will be embargoed in the Professionalism files and referred to in any future complaints while the student is attending Touro University California.
      - iii. Violations will be reported to the TCUS Academic Integrity Committee during the quarterly meeting, in written format.
      - iv. Repeat offenders may be subject to more stringent sanctions.
    - b) A major or significant violation with a potential verdict of Sanctions A through C:
      - i. These will be reported to the Student Promotions Committee with a recommendation that the incident be reported to the Dean and/or that it be acknowledged in the student's academic record or Dean's letter.
      - ii. Regardless of the outcome, these complaints will be reported in the annual report to the Student Promotions Committee and the TUCOM Dean and all sanctions A through C reported to the TCUS Academic Integrity Committee during the quarterly meeting in written format.
- 6) A decision letter is sent via email and U.S. mail to the student, summarizing the final conclusions from the INFORMAL subcommittee hearing. See Appendix F for the template of this form.
  - 7) Within 3-5 business days, the finalized AIVR is copied to:
    - a) Chief Academic Integrity Officer
    - b) Student Promotions Committee
    - c) Dean of the College of Osteopathic Medicine
    - d) Dean or Associate Dean of Student Affairs for TUC
    - e) Campus Compliance Officer at TUC
  - 8) The Professionalism committee will maintain the record for the duration of the student's academic career.
  - 9) Once accepted by the student, the decision of the Professionalism subcommittee is final and not subject to appeal.
  - 10) If the student does not accept the Informal Resolution, the faculty member completes section C subsection (2) and section D subsection (2) of the AIVR form. This is notification for the



FORMAL RESOLUTION, which requires a full hearing of the Standing Committee on Academic Integrity/Professionalism Committee.

- a) The AIVR is submitted to the CPC with copies to the TUC Student Affairs Officer, the CAI Officer, and the TUC Compliance Officer.
- b) The AIVR must be submitted no later than three (3) business days after this determination.

11) The CPC (or CAI Officer) completes Section E of this form.

## **2. FORMAL Resolution by the Professionalism Committee**

- a. When the Chair and the CPC determine that the matter should be resolved by FORMAL RESOLUTION, the faculty member will be so advised by the Chair.
  - i. The AIVR should be completed accordingly. The Department Chair must complete Section D to submit the violation for Formal resolution.
  - ii. Signature from the CPC or CAI Officer in Section D acknowledges receipt of the reporting form (AIVR) and the recommended disposition for Formal resolution.
  - iii. Formal resolution must be used if any of the following occurs:
    - 1) The student denies the charge.
    - 2) The student and faculty member do not agree to informal process resolution.
    - 3) The student has been accused and found at fault before.
    - 4) Any other reason as determined by the PC/CAI Officer or Dean.
- b. The CPC shall arrange a hearing which, generally speaking, should take place no earlier than three (3) business days and no later than twenty (20) calendar days after receipt of the complaint.
- c. The hearing shall take place before the Professionalism Committee.
- d. A quorum is comprised of four (4) voting members (including the Chair) and the Associate Dean for Student Affairs (or their designee) and must be present for all hearings and meetings.
- e. The CPC will participate in all aspects of the meeting, but will only vote in cases of a tie.
- f. Decisions are made by majority vote of the voting members present.
- g. Minutes will be recorded by either a Committee member or a member of the administrative staff per the decision of the Chair.
- h. Attendance for these meetings may be in-person or with the permission of the Chair, the meeting can be held online or telephonically.

- i. All persons involved in a hearing shall be given adequate notice of all hearing dates, times, and places. Such notice will be given at least two (2) business days prior to any hearing, unless waived by the parties involved.
- j. Postponements of Committee hearings may be made by the interested parties or the administration. The student may be granted a postponement if the pertinent information or interested parties cannot, for good cause, be present at the appointed time. Any postponement may not extend beyond a three-month period.
- k. The reported student and the person who reported the student will be afforded the following opportunities;
  - 1) To review, but not copy, all pertinent information to be presented to the Committee. The length of time for review shall be reasonable, as determined by the CPC.
  - 2) To present fully all aspects of the issue before the Committee.
- l. The student who is the subject of the complaint and the person submitting the complaint will be provided:
  - 1) A copy of the written complaint and charges via email with return receipt confirmation or certified mail with return receipt or provided in-person. The length of time for review shall be reasonable, as determined by the CPC.
- m. Postponement of hearings:
  - 1) May be made by the complainant, student subject of the complaint, or the Committee if approved by the CPC.
  - 2) The student may be granted a postponement if pertinent information is unavailable or interested parties cannot be present at the hearing.
  - 3) No postponement may extend for more than three months.
- n. Hearings and meetings are closed sessions to anyone other than: the complainant, the student subject of the complaint, the Professionalism Committee, other invitees (with the permission of the Professionalism Chair, who are present to substantiate facts of the complaint).
- o. The Committee:
  - 1) May hear other individuals of its choosing, though the student who is the subject of the complaint will be notified of these individuals prior to the meeting.
  - 2) May investigate relevant written reports or other documents.
  - 3) Makes decisions by majority vote of the voting members present.
  - 4) The hearing is academic in nature and non-adversarial.
- p. The student:

- 1) Has the right to appear in person before the committee in order to present his/her case, but after proper notice of the hearing, the Committee may proceed, notwithstanding the student's absence.
  - 2) May not be represented by an attorney or other counsel.
  - 3) Has the right to be accompanied by an advocate of the student's choosing, but the advocate is not permitted to speak during the proceedings.
- q. At the completion of the information gathering and all discussions, the student and the complainant may each make a closing statement.
  - r. At any time during the hearing, the student, the complainant, the Committee, and/or Touro College and University System representatives may raise questions about the information under review.
  - s. Audio recordings of the hearing are not permitted.
  - t. All information supporting the charges made against a student shall be presented first. Following this presentation, the student who has been accused of a violation will present his/her side of this issue, submitting to the Committee information that he/she chooses to submit to support the student's stance or position. The CPC (or CAI Officer), his or her designee, or other members of the Administration may also meaningfully participate in this information exchange. Pursuant to the Touro College and University System's Code of Conduct, the student is expected not to obstruct the investigation or proceedings. Other parties involved are expected not to obstruct the inquiry or the proceedings.
  - u. The student, his/her accuser, the Committee, TUC and /or Touro College and University System's representatives may raise questions about the information under review so that all aspects of the case are clarified.

### **C. Committee Decision Guidelines**

1. The Committee will meet in closed session to reach a decision, including deciding upon sanctions, if applicable.
2. Meetings will generally be held within one (1) TUC business day following the hearing and no more than four (4) calendar days following the hearing.
3. If the Committee seeks additional information, the Committee shall
  - a. Notify the parties within two (2) TUC business days of the original date of the hearing,
  - b. Reconvene all relevant parties for another hearing within five (5) TUC business days of the original hearing,
  - c. Make the final decision at the final meeting.
4. The Committee's decision must be based solely on the information presented at the hearing.

5. If the student is found responsible for an Academic Integrity and/or Professionalism violation that is deemed significant enough by the Committee to warrant a decision to include sanctions that may affect the student's grades, advancement, or academic record, such decisions will be presented in writing to the Student Promotions Committee within three (3) TUC business days of the Professionalism Committee's determination.
6. The Committee's decision must be based solely on the evidence presented at the hearing and will be the final disposition of the issues involved, including sanctions.
7. The decision of the Committee will be presented in writing to the CAI Officer, the student, and the department Chair. The Committee's letter will contain the following elements: Charge; Hearing Date; Findings; List of Sanctions; and the Right to Appeal and to whom.
8. All parties to be notified include:
  - a. Department Chair
  - b. Student Promotions Committee
  - c. Campus Compliance Officer
  - d. Dean/Associate Dean of Student Affairs
  - e. CAI Officer
  - f. Provost of TUC
9. If the Professionalism violation is within the domain of the TCUS Academic Integrity Policy, in the absence of an appeal, the TUCOM Dean will transmit the Committee's decision to the Touro College and University System Academic Integrity Council.

#### **D. The Appeal Process**

1. Following a FORMAL Professionalism Hearing and notification of the Committee's decision, a student may appeal the decision. An appeal may only be granted on the basis of:
  - a. Evidence of bias of one or more of the members of the Committee;
  - b. New material documenting information that was not available at the time of the decision;
  - c. Procedural error.
2. The student has three (3) business days from receipt of written notification to submit a formal written appeal of the decision to the respective Chief Academic Officer (CAO) (e.g., the Provost or Senior Provost) or his/her designee. The CAO may grant an appeal only on the basis of one of the following:
  - a. Evidence of bias of one or more of the members of the Committee or of the Appeals Dean.

- b. New material documenting information that was not available to the Committee or the Appeals Dean at the time of the initial decision.
- c. Procedural error.

The CAO may conduct interviews and review materials, as appropriate. The CAO will notify the student, the CAI Officer, and the Dean in writing of the appeal decision. The decision of the CAO shall be final.

#### **E. Status of the Student Pending a Decision**

Pending resolution on charges, the status of the student will not be altered except in cases where the student may be considered a danger in a clinical setting. Such a student may be suspended only from the clinical aspect of their program pending the outcome of a formal resolution. If a student is suspended for any reason, all as-yet-undisbursed financial aid may be withheld unless or until the action is fully resolved and the student is reinstated. If reinstated, the financial aid funds can be released to the student. If the student is dismissed, the funds will be returned to the proper agency or lender.

## **X. Recordkeeping**

#### **A. Maintenance of files**

1. The Chair of the Professionalism Committee/CAI Officer will maintain records of all violations and resolutions, both informal and formal.
2. On an annual basis, the CAI Officer will submit data on academic integrity violation to the TCUS Academic Integrity Council.
3. Such records shall be kept in accordance with the Record Retention Policy as it relates to student records.

#### **B. Annual Reporting**

1. Annual reports will be made to the TUCOM Dean following the end of each Academic Year which will include the results of all informal and formal meeting activities of the Professionalism Committee. This same report is shared with the CAI Officer for TUC in accordance with the policies set forth by TCUS.

#### **C. Student Access**

1. A student may see his/her file in accordance with Touro College and University System regulations concerning inspection of records as spelled out in Guidelines for Access to and Disclosure of Educational Records Maintained by the Touro College and University System.

#### **D. File Access (all others)**

1. In accordance with TCUS policies.

## XI. Appendices

### A. References

Papadakis, M. A., D. S. Paauw, F. W. Hafferty, J. Shapiro, R. L. Byyny and T. Alpha Omega Alpha Honor Medical Society Think (2012). "Perspective: the education community must develop best practices informed by evidence-based research to remediate lapses of professionalism." Acad Med 87(12): 1694-1698.

Wynia, M.K., M. A. Papadakis, W. M. Sullivan and F. W. Hafferty (2014). "More than a list of values and desired behaviors: a foundational understanding of medical professionalism." Acad Med 89(5): 712-714.

## B. Abbreviations

AACOM	American Association of Colleges of Osteopathic Medicine
ACGME	Accreditation Council for Graduate Medical Education
AI	Academic Integrity
CAI	Chief Academic Integrity Officer
CAO	Chief Academic Officer
CPC	Chair of the Professionalism Committee
INC	Incomplete
MSPE	Medical Student Performance Evaluation
PC	Professionalism Committee
SPC	Student Promotions Committee
TCUS	Touro College and University System
TUC	Touro University California
TUCOM	Touro University California College of Osteopathic Medicine

## C. Sanctions

1. Sanctions may include any of the following or combinations thereof:
  - a. Class A Sanctions
    - i. Expulsion/dismissal
    - ii. Documented on the student's official university transcript
  - b. Class B Sanctions
    - i. Suspension up to twelve (12) months from Touro University California College of Osteopathic Medicine
    - ii. Documented on the student's official university transcript
  - c. Class C Sanctions
    - i. Placement on Academic Probation
    - ii. Indication of the disciplinary action in a letter of reprimand, in reference letters, in the Dean's letter, licensure, and regulatory forms, etc.
    - iii. Failure in the course, with consequences as determined by the individual program's rules and regulations



- iv. Reduction of the grade for a particular submitted piece of work, segment of work required for a course/clerkship, or the entire course/clerkship with or without the option of redoing the work or the course/clerkship
  - v. Requiring the student to redo the assignment
2. The sanction appraised should correspond to the degree of the violation.
  3. Degree conferral will be suspended until the violation/case is fully adjudicatd.
  4. Repeat offenders may be subject to more stringent sanctions.

#### **D. AACOM Professional Competencies and Sub-Competencies**

<https://www.aacom.org/docs/default-source/core-competencies/corecompetencyreport2012.pdf?sfvrsn=4>

## E. AIVR

<https://www.touro.edu/students/policies/academic-integrity/procedures-in-response-to-violations/reporting-a-case/>

## F. Templates