ACADEMIC POLICY

Resident/Fellow Discipline and Dismissal

Policy Owner: Associate Dean for Academic Affairs
Policy Contact: Assistant Dean for Advanced Education

POLICY STATEMENT

Trainees are expected to maintain appropriate standards of academic and non-academic behavior. If these standards are not met, trainees can be disciplined for both academic and non-academic reasons. Forms of discipline include, but are not limited to: formal warning, required compliance, probation, suspension, and dismissal. There are separate grounds and processes for each type of discipline.

I. Program Director Responsibilities

The Program Director has primary responsibility for monitoring the academic performance, competency, and professionalism of the trainees in their training program. The Program Director may appoint the Department Chair, Division Director, or any full-time faculty member of the program as their designee. If discipline or dismissal from the program is warranted, it is the Program Director’s responsibility to follow School of Dentistry policies in all aspects of discipline or dismissal.

The specific actions of formal warning, probation, suspension, and dismissal must follow the process outlined below. In the event of disciplinary action, the Program Director must notify the Assistant Dean for Advanced Education.

II. Remediation/Discipline for Academic Reasons

a. Grounds

As students, trainees are required to maintain satisfactory academic performance. Academic performance that is below satisfactory is grounds for mandated remediation or discipline. Below satisfactory academic performance is defined as a failed rotation; relevant exam scores below program requirements; and/or unsatisfactory performance, as evidenced by faculty evaluations and other assessments, in the areas of didactic knowledge, clinical diagnosis and judgment, technical abilities, interpretation of data, patient management, communication skills, interactions with patients and other healthcare professionals, professionalism, and/or motivation and initiative.

To maintain satisfactory academic performance, trainees also must meet all eligibility requirements throughout the training program. Failure or inability to satisfy licensure, registration, fitness/availability for work, visa, immunization, mandatory training, or other program-specific eligibility requirements are grounds for dismissal from the program.
b. Process

Before disciplining or dismissing a trainee for academic reasons, the program must give the trainee:

- Notice of performance deficiencies;
- An opportunity to remedy the deficiencies; and
- Notice of the possibility of dismissal if the deficiencies are not corrected.

Typically, the steps involved in discipline of a trainee for academic reasons include one or all of the following: formal warning, probation, and dismissal. These steps should follow this standard progressive order, but specific steps can be skipped if deemed necessary or the infraction is deemed severe enough to justify such action.

**Formal Warning/Notice of Deficiencies:** A formal verbal or written warning may be issued to trainees for unsatisfactory academic performance. The formal warning is issued by the Program Director. The warning should include a clear description of the performance deficiencies that caused the warning, references to previous discussions, if any, as well as the program's expectations for improvement. A written record of the date and content of the warning shall be maintained in the trainee's academic file.

**Probation:** Trainees who demonstrate a pattern of unsatisfactory academic performance may be placed on probation. The probation notification is issued to the trainee in writing by the Program Director after consultation with the program faculty. The purpose of probation is to give the trainee specific notice of performance deficiencies and an opportunity to correct those deficiencies. The length of the probationary period may vary, but it must be specified at the outset and be of sufficient duration to give the trainee a meaningful opportunity to remedy the identified performance deficiencies. Depending on the trainee's performance during probation, the possible outcomes of the probationary period are: removal from probation with a return to good academic standing; continued probation with new or remaining deficiencies cited; or dismissal from the program.

**Dismissal:** Dismissing a trainee from their program is the final step of the disciplinary process and should not be taken lightly. Dismissal prior to the conclusion of a probationary period may occur if other, non-academic grounds for dismissal exist. Dismissal at the end of a probationary period may occur if the trainee's academic deficiencies are not successfully remediated. If the program director, in consultation with the program faculty who evaluated the trainee's performance during the probationary period, determines that the trainee should be dismissed from the program, the final determination as to whether the trainee should be dismissed shall be made by an ad hoc committee consisting of five full-time advanced education faculty appointed by the Assistant Dean for Advanced Education. The faculty members of this committee must hold appointments in a program other than that in which the trainee is enrolled. If deemed to be of benefit, the Assistant Dean for Advanced Education may also appoint a trainee as a non-voting member to assist the committee in deliberations. The trainee member would also be from a program other than that in which the trainee is enrolled. A faculty chair of the committee will be appointed by the Assistant Dean for Advanced Education. The Assistant Dean for Advanced Education shall be present during committee deliberations as a non-voting member to assist the committee chair in managing the process and to ensure procedural consistency.
Trainees disciplined and/or dismissed for academic reasons may initiate a grievance process through the *Conflict Resolution Process for Student Academic Complaints Policy*. This grievance process is not intended as a substitute for the academic judgments of the faculty who have evaluated the performance of the trainee, but rather is based on a claimed violation of a rule, policy, or established practice of the University or its programs.

III. Discipline for Non-Academic Reasons

a. Grounds

Grounds for discipline and/or dismissal of a trainee for non-academic reasons include, but are not limited to, the following:

- Failure to comply with the bylaws, policies, rules, or regulations of the University of Minnesota, affiliated clinics and hospitals, department, or with the terms and conditions of the trainee’s residency/fellowship agreement.
- Commission by the trainee of an offense under federal, state, or local laws or ordinances, which affects the abilities of the trainee to appropriately perform their normal duties in the training program.
- Conduct that violates professional and/or ethical standards; disrupts the operations of the University, its departments, or affiliated clinics and hospitals; or disregards the rights or welfare of patients, visitors, students, clinical/hospital staff, or others involved in the training program.

b. Process

In order to assure due process, prior to the imposition of any discipline for non-academic reasons, a trainee shall be afforded:

- Clear and actual notice by the appropriate University, school, department, or program representative of charges that may result in discipline, including the specific nature of the allegations; and,
- An opportunity for the trainee to appear in person to respond to the allegations.

If a trainee’s conduct is grossly unprofessional, incompetent, erratic, potentially criminal, or reasonably likely to threaten the safety or welfare of patients, visitors, clinical/hospital staff, or the trainee themselves, the University of Minnesota, an affiliated clinic or hospital, and the department or program of the trainee each has a right to impose suspension upon a trainee. Immediate suspensions should be limited to situations where there is an issue that could impact the safety and wellbeing of members of the University community (including patients), to ensure the trainee’s own physical and emotional safety and wellbeing, or if the trainee poses an ongoing threat of disrupting or interfering with the operations of the University. In those cases, the trainee may avail themselves of the hearing procedures described below.

During the suspension, significant effort will be made to ensure a prompt hearing with an ad hoc committee as outlined below to evaluate whether the suspension remains in effect and the impact the suspension has on their academic standing and progress.
c. Determination of Discipline

When discipline of a trainee for non-academic reasons is considered, the Program Director may propose a discipline appropriate to the charges: formal warning, probation, or dismissal. Following the appearance by the trainee, a determination should be made as to whether reasonable grounds exist to validate the proposed discipline and whether it should be imposed. The determination will be made by an ad hoc committee consisting of five full-time advanced education faculty appointed by the Assistant Dean for Advanced Education. The faculty members of this committee must hold appointments in a program other than that in which the trainee is enrolled. If deemed to be of benefit, the Assistant Dean for Advanced Education may also appoint a trainee as a non-voting member to assist the committee in deliberations. The trainee member would also be from a program other than that in which the trainee is enrolled. A faculty chair of the committee will be appointed by the Assistant Dean for Advanced Education. The Assistant Dean for Advanced Education shall be present during committee deliberations as a non-voting member to assist the committee chair in managing the process and to ensure procedural consistency. A written statement of the discipline and the reasons for imposition, including specific charges, witnesses, and applicable evidence shall be presented to the trainee.

After the imposition of any discipline for non-academic reasons, a trainee may request in writing to the Assistant Dean for Advanced Education a hearing to challenge the discipline. If the hearing is requested within thirty (30) calendar days following the effective date of the discipline, a prompt hearing shall be scheduled. If the trainee fails to request a hearing within the thirty (30) day time period, their rights pursuant to this procedure shall be deemed to be waived. Hearings will be conducted following the School of Dentistry Code of Conduct Hearing Rules of Procedure.

A trainee who is dissatisfied with the decision of the Hearing Board may file an appeal with the appellate officer according to the Administrative Procedure Student Conduct Code Procedures: Twin Cities.

Although the discipline will be implemented on the effective date, the stipend of the trainee shall be continued until an appeal has been finalized, the trainee's appeal rights expire (30 days after the Hearing Board issues its decision), or the termination date of the agreement, whichever occurs first.

**REASON FOR POLICY**

To provide a framework for disciplining or dismissing trainees whose performance does not meet academic or non-academic standards.

**PROCEDURES**

There are no procedures associated with this policy.

**FORMS/INSTRUCTIONS**

There are no forms associated with this policy.

**APPENDICES/LINKS**

There are no appendices associated with this policy.
FREQUENTLY ASKED QUESTIONS

There are no frequently asked questions associated with this policy.

CONTACTS

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<tr>
<th>Subject</th>
<th>Contact</th>
<th>Phone</th>
<th>Fax/Email</th>
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<tbody>
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DEFINITIONS

**Academic deficiency:** failure to maintain a satisfactory academic record. Examples of academic deficiencies include, but are not limited to the following:

- Inadequate knowledge or inability to apply knowledge appropriately to the situation.
- Inability to master the technical skills required to competently practice in the specialty.
- Unsatisfactory interpersonal, communication, and professionalism skills with patients, colleagues, and other personnel.
- Unacceptable academic commitment, such as not fulfilling all responsibilities, not participating in all required educational activities, and not completing all required documentation and assignments.
- Unsatisfactory recognition of own limits, such as failing to seek appropriate help when indicated.
- Failure to meet program-specific academic requirements.

**Non-academic deficiency:** behavior judged to be objectionable, unethical, or illegal, or violation of school or institutional policies or rules, or civil or criminal law. Examples of non-academic deficiencies include, but are not limited to, the following:

- Failure to fulfill any term of the employment contract or violation of University of Minnesota or affiliated training site policies.
- Violations of mutual respect or Code of Conduct.
- Threatening, intimidating, harassing, or coercing patients, learners, employees, volunteers, or visitors on University of Minnesota premises at any time for any reason.
- Lying or cheating, misrepresentation, plagiarism.
- Distribution, possession, or use non-prescribed drugs or illegal/controlled substances on University of Minnesota property.
- Reporting with the odor of alcohol on one’s breath or appearing to be under the influence of alcoholic beverages or any drug that impairs judgment or work performance.
- Theft, vandalism, misuse, misallocation, or inappropriate removal or disposal of property belonging to the University of Minnesota, patients, learners, employees, or visitors.
- Breach of ethics concerning confidentiality of employee, patient, or institutional information.
- Engaging in criminal behavior.
- Engaging in sexual misconduct.
- Any deliberate or negligent act that jeopardizes the health or safety of a patient, employee, learner, volunteer, or visitor.
- Dishonesty in dealing with a patient, student, faculty, or staff member.
- Fighting, agitating a fight, or attempting bodily harm to anyone on University of Minnesota property.
- Bringing a firearm or weapon onto University of Minnesota's property without authorization.
- Failure to report for expected assignments without notification, including excessive tardiness or repeated unexcused absenteeism.
- Disruptive behaviors, which compromise the learning environment of colleagues.
- Conscious and reckless disregard for safety rules or University of Minnesota’s safety practices.
- Failure to comply with infection control protocol.
- Improper management of patient records.
- Abandonment of patients.
- Use of instruments or materials not approved for use in the clinics.

**Probation**: a trial period in which a trainee is permitted to redeem academic performance or behavioral conduct that does not meet the standard of the program.

**Suspension**: a period of time in which a trainee is not allowed to take part in all or identified program activities. Time spent on suspension may not be counted toward the completion of program requirements.

**Dismissal**: the condition in which a trainee is directed to leave the training program, with no award of credit for the current year, and termination of association with the University of Minnesota School of Dentistry and its participating teaching hospitals.

**RELATED INFORMATION**

- Conflict Resolution Process for Student Academic Complaints Policy.
- School of Dentistry Code of Conduct Hearing Rules of Procedure.
- Student Conduct Code Procedures: Twin Cities

**HISTORY**

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