

# University of Minnesota Medical Student Peer Review Committee

## Procedural Guidelines For Faculty, Medical School Administration, and the Peer Review Committee

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### Article I Responsibilities of Students and the Role of Faculty and Administration During and Following Examinations or Other Course Work.

#### Section 1. Responsibilities of the Student

- A.** Each student will respect intellectual and physical property and will not use such property without the owner's permission.
- B.** Each student will recognize the right and obligation of the University of Minnesota Medical School Executive Faculty to establish and maintain high standards of academic performance. Examinations taken at the University of Minnesota Medical School will represent each student's individual efforts only; during the examination each student will not use notes, textbooks, information provided by other individuals, or other references except as specified by the evaluator. Similar standards also apply to other work required in medical school courses. Backpacks/bags should be closed/zipped during the examination. Any book, papers, note cards or written materials should be inside the closed backpack/bag or otherwise not on one's person.
- C.** At the end of an examination, each student will be given a reaffirmation of the University of Minnesota Medical School Statement of Intellectual Responsibility. A student who believes that he/she may have observed a violation of the Statement of Intellectual Responsibility should contact a member of the Peer Review Committee to determine whether there is cause for action as outlined in the Peer Review Committee Procedural Guidelines and the Statement of Intellectual Responsibility.
- D.** Each student will recognize his/her responsibilities to patients and clinical colleagues and will not act in an unprofessional manner in those relationships. (See Medical Student Professionalism Code and Statement of Intellectual Responsibility Part II: 3, 4.)
- E.** Each student will confidentially report other students who violate the Statement of Intellectual Responsibility or Medical Student Professionalism Code to a member of the Peer Review Committee. Reasonable suspicion that a violation has occurred obligates a student to report such a violation. Strict confidentiality must be observed at all times.
- F.** Responsibility for a violation rests not only with the violator, but equally with any student who is aware of the violation and fails to deal with it properly. Failure to call to the attention of a Peer Review Committee member any suspected dishonesty or irregularity is considered cause for action.

**G.** A Peer Review Committee member shall be duty bound to bring to the attention of the Peer Review Committee Chairperson the occurrence of any dishonesty or irregularity.

**H.** Procedural irregularities and inconsistencies in faculty examination or evaluation policy should be brought to the attention of the Chairperson of the Peer Review Committee.

## **Section 2. Role of the Faculty**

**A.** At the start of each examination a department representative in charge shall arrange the examination materials for distribution. Definitive starting/stopping times should be made clear at the start of the exam. The department representative shall remain in attendance for a brief period to give adequate instructions and to answer pertinent questions or may remain in the room, provided this is not for the purpose of proctoring the examination.

**B.** At the close of an examination, the department representative in charge shall return to collect the examination materials previously distributed.

**C.** When any faculty member becomes aware of any dishonesty occurring in any medical school course work, including examinations and clinical rotations, the matter should be reported directly to the Peer Review Committee.

**D.** When a faculty member reports an incident of dishonesty or academic misconduct to the Dean's Office, the matter will be referred to the Peer Review Committee by the Dean's Office.

**E.** At the request of the Peer Review Committee, faculty members are expected to cooperate with the Committee's investigation.

## **Section 3. Role of the Office of Admissions and Student Affairs**

**A.** The Office of Admissions and Student Affairs will arrange for the printing of the standard forms of the Statement of Intellectual Responsibility.

**B.** The Office of Admissions and Student Affairs will arrange for distribution of the Statement of Intellectual Responsibility to all incoming first year students and transfer students (including Duluth Students).

**C.** The Office of Admissions and Student Affairs will arrange for collection of the signed Statement of Intellectual Responsibility Affirmation from all incoming first year and transfer students (including Duluth students) subsequent to their familiarization with the Statement of Intellectual Responsibility.

## **Section 4. Role of the Office of Curriculum Affairs**

**A.** The Office of Curriculum Affairs will arrange for the printing and distribution of reaffirmation reminder forms for examinations.

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## **Article II**

### **Procedural Guidelines of the Peer Review Committee**

#### **Section 1. Procedural Role**

The Peer Review Committee (“PRC”) has two primary roles. Peer Review Committee acts as a screening organization, screening reported violations of the Statement of Intellectual Responsibility to determine if referral to the Committee on Student Scholastic Standing is necessary. Peer Review Committee also acts as a screening organization for reported violations of the Medical Student Professionalism Code to determine if referral to the Senior Associate Dean for Undergraduate Medical Education is necessary.

**A.** The Peer Review Committee does not determine guilt or innocence, but determines whether referral to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education is necessary based on probable cause (i.e., reasonable belief that a violation of the Statement of Intellectual Responsibility has occurred). The committee may hold its own hearing before deciding whether or not to refer the matter to the appropriate body, and may make recommendations to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education. The Peer Review Committee does not impose sanctions.

#### **Section 2. Mechanisms by which a medical student may initiate action by the Peer Review Committee**

**A.** Approaching a Peer Review Committee member to report an alleged infraction by email.

#### **Section 3. Initiating Peer Review Committee action**

**A.** Once action by the Peer Review Committee has been requested, the Chairperson of the Peer Review Committee should be notified and he/she should delegate the responsibility of contacting the parties to individual committee members.

**B.** One member of the Peer Review Committee will contact the accuser to hear the account. This member, if possible, should not be in the same medical school class as the accuser. The accuser should be made aware that the member is his/her primary contact on the Peer Review Committee and that his/her confidentiality will be maintained during the investigation. Only the member handling the case and the Peer Review Committee Chairperson will be aware of the accuser's identity. The accuser should also be made aware that no supportive statements from other parties will be solicited or accepted at this time. This contact is to be made within five university business after action by the Peer Review Committee has been requested. The accuser should be contacted directly by email to ensure a record of all communication exists. The PRC member assigned to the accuser should inform the accuser that the PRC member is available to answer any questions.

**C.** A different member of the Peer Review Committee will contact the party accused and inform the party that an accusation has been made against him/her. This Peer Review Committee member, if possible, should not be in the same medical school class as the accused. The accused should be made aware that the member is his/her primary contact on the Peer Review Committee, and that his/her confidentiality will be maintained during the investigation. Only the member

handling the case and the Peer Review Committee Chairperson will be aware of the accused's identity. The accused should be informed of the date and exam during which the violation was purported to have occurred, but not be given complete details of the accusation. The accused should also be made aware that no supportive statements from other parties will be solicited or accepted at this time. This contact will be made within five university business days after action by the Peer Review Committee has been requested. The accused should be contacted directly by email to ensure a record of all communication exists. The PRC member assigned to the accused should inform the accused that the PRC member is available to answer any questions.

**D.** At the time of this initial contact, the accuser and accused shall each be asked to write a complete account of the event in question. These written statements should be received by the Peer Review Committee Chairperson within five university business days of the initial email contact. If either the accuser or the accused has not sent an account within five university business days, he/she will be contacted by his/her Peer Review Committee contact member and given an additional two university business days to send the account. If no account has been received by the Peer Review Committee Chairperson by university business days after the Peer Review Committee member's reminder, the Peer Review Committee Chairperson may grant an extension under extenuating circumstances. Then, if no statement is forthcoming, the matter will be referred to the entire Peer Review Committee for further action.

#### **Section 4. Conducting the investigation**

After each of the contacts has been made, the involved Peer Review Committee members shall report back to the Peer Review Committee Chairperson who will decide how to proceed, choosing from the following options:

**A.** The Chairperson determines that based on the information presented, clearly no violation has occurred and the matter is closed. The accused will be informed that the matter has been completely dropped and no records will be retained.

**B.** The Chairperson determines that the Peer Review Committee should convene to review the case, at which time the accounts will be presented to the committee. This meeting shall be held within ten university business days of acquisition of accounts from both the accused and the accuser(s) by the PRC Chairperson. The Peer Review Committee will then review the accounts and determine how to proceed. If, for any reason, a member of the Peer Review Committee feels that they cannot fairly and impartially participate in a particular case, they are obliged to inform the Peer Review Committee Chairperson, and remove themselves from future proceeding regarding that case. Options include:

- 1) No business shall be conducted without a quorum of members: a quorum is at least two thirds of the voting members. All members of the Peer Review Committee are eligible to vote. Decisions will be by majority vote. In the case of a tie, referral to appropriate party will be default action.
- 2) All accusations will first be considered by the Peer Review Committee as potential violations of the Statement of Intellectual Responsibility. If the Committee decides there is not probable cause that a violation of the Statement of Intellectual Responsibility may have occurred, the accusation will then be considered as a potential violation of the Professionalism Code.

- 3) Further investigation by the Peer Review Committee is deemed unnecessary, and the matter is dropped.
- 4) It is determined that probable cause does not exist and the violation in question is not serious enough to warrant referral to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education. The accused will receive a verbal or written warning that the reported behavior is inappropriate and should not occur again. Counseling may also be recommended. The Peer Review Committee will usually elect to keep a record of the warning. If so, all records of the event (including the letters by both the accuser and the accused) and/or a summary statement, which could be forwarded to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education in the case of future action involving the accused, will be held in the Peer Review Committee file for further reference until the student graduates. The letters will then be destroyed. (In most cases, the Peer Review Committee should elect to issue a warning to reduce the likelihood of further misconstrued behavior.)
- 5) Additional information is required before a final decision can be reached. Follow-up information may be obtained from any of the involved parties. Also at this time, supportive statements may be obtained from other parties who have not yet come forward, but who may have pertinent information. These other parties can be named by the accuser or accused, but should be contacted by the appropriate Peer Review Committee member (i.e., the accuser's Peer Review Committee contact will contact those who may have statements to support the accuser). Upon receipt of these additional documents (again following the five day rule), another Peer Review Committee meeting will be held to make a final decision. This second meeting should be held within ten university business days after obtaining the new documents.
- 6) After the Committee has reviewed all of the information obtained through the procedures Described in #4 and #5 above, and it is determined that there is reason to believe that a violation may have occurred, but there is not enough evidence to refer the case to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education for a full hearing. The Peer Review Committee may hold its own hearing. Both accused and accuser will appear before the Committee, but they will not appear together so as to preserve their confidentiality. This Peer Review Committee hearing should be held within ten university business days after the second meeting and should occur on two separate days; one day to meet with the accuser, another to meet with the accused. The Peer Review Committee should have a faculty advisor present at the hearing. After the hearing, the Peer Review Committee may either issue a warning with all evidence to be kept in the Peer Review Committee file, or decide to refer the case to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education.
- 7) The evidence supporting the reported violation is so convincing that probable cause exists (i.e., reasonable belief that a violation of the Statement of Intellectual Responsibility or Medical Student Professionalism Code has occurred), and/or the violation itself is so serious as to demand referral to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education for further investigation and potential execution of disciplinary action.

**C.** At the time of referral to the Committee on Student Scholastic Standing or Senior Associate Dean for Undergraduate Medical Education, the Peer Review Committee may include recommendations regarding potential disciplinary actions that may be appropriate.

**D.** The accused will be informed of the proceedings of the Peer Review Committee and of any resultant actions within five regular university business days of the decision.

### **Section 5. Confidentiality**

Unless a case is referred to the Committee on Student Scholastic Standing for a hearing, the identities of the accuser and the accused will remain known only by the Peer Review Committee Chairperson and the individuals' Peer Review Committee contacts. If the Peer Review Committee meets to determine a course of action, the identities of involved students will not be revealed during Peer Review Committee discussion. If the Peer Review Committee holds a hearing, identities will be revealed to all Peer Review Committee members present at the hearing, but the identity of the accuser will not be revealed to the accused and vice versa (as explained in Section 4, part 4 above). In all actions, the members of the Peer Review Committee will preserve strict confidentiality and not discuss specific names or actions with any outside parties. If a case is referred to the Committee on Student Scholastic Standing, then the names of all involved parties will be released to the Committee on Student Scholastic Standing. At a Committee on Student Scholastic Standing hearing, because of due process considerations, the identity of the accuser and the accused are revealed since the accused has the right to be present, to hear evidence, and to question witness when the case is heard by the Committee on Student Scholastic Standing. At the initial stages of a Statement of Intellectual Responsibility violation, both parties should be reminded of the possibility of a Committee on Student Scholastic Standing hearing, however, it should be stressed that students are bound to report violations of the honor code and that referral to the Committee on Student Scholastic Standing occurs in rare instances.

If a case is referred to Senior Associate Dean for Undergraduate Medical Education, PRC will disclose the identity of the accuser and the accused, as well as the documentation regarding the case only to the Senior Associate Dean for Undergraduate Medical Education. Any subsequent disclosures will be made by the Senior Associate Dean for Undergraduate Medical Education at her/his discretion and in keeping with the overall rules and regulations of the Medical School.

### **Section 6. Records of the Peer Review Committee**

**A.** All records are kept in strict secrecy in a secured and encrypted Peer Review Committee storage drive. The records will be maintained by the Chairperson, who will have sole access to the files.

**B.** The records of accused students shall be retained until their graduation when they will be destroyed by the Peer Review Committee Chairperson.

**C.** Past records retained by the Peer Review Committee may be referred to during the investigation of a new case, in order to take into consideration previous behavior that may indicate a pattern. Also, if a new case is referred to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education, then the Peer Review Committee Chairperson shall forward all Peer Review Committee files and materials pertaining to the accused to the respective body.

**D.** No records retained by the Peer Review Committee shall become a part of a student's personal permanent record, unless those records are referred to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education and those bodies determine that those records should be retained. The Peer Review Committee does not have jurisdiction over student permanent records.

### **Section 7. Appeal of Peer Review Committee decisions**

**A.** A request for an appeal may be made to the Peer Review Committee Chairperson. At the discretion of the chairperson any new evidence may be used to determine whether or not a new meeting or hearing should be held, and may be presented at the subsequent Peer Review Committee meeting or hearing.

**B.** Based upon new evidence unavailable at the time of the original hearing, a student may appeal the decision of the Peer Review Committee:

- 1) If a case is referred to the Committee on Student Scholastic Standing, and such an appeal is granted after the matter has been forwarded, the Peer Review Committee would have the option to forward a revised recommendation to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education, if appropriate.
- 2) In cases that have not been forwarded to the Committee on Student Scholastic Standing or the Senior Associate Dean for Undergraduate Medical Education, the Peer Review Committee may hear appeals to destroy student records retained by the Peer Review Committee.

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## **Article III**

### **Elections, terms, vacancies and duties of the Peer Review Committee Members**

#### **Section 1. Election of Peer Review Committee members**

All elections will be held in accordance with the by-laws of the Medical Student Council governing Council Elections as described in the constitution of the Medical Student Council. The elections shall be held at the following times:

Year 1: Prior to the October Student Council Meeting

Years 2 and 3: At an all class meeting or exam held prior to the time at which the classes advance to the next level.

The Chairperson shall be elected from among the Peer Review Committee members by the Peer Review Committee Members on the first meeting of the committee by majority vote.

#### **Section 2. Term of office: Peer Review Committee Members**

Terms of office shall be as follows:

Year 1: Immediately after elections until the joint meeting of the incoming and outgoing members.

Year 2: From the June meeting of the Medical Student Council immediately following elections for one year until the following joint meeting.

Year 3: From the June meeting of the Medical Student Council immediately following elections for two years.

### **Section 3. Vacancies**

Any position(s) vacated for whatever reason shall be refilled as follows:

Years 1 and 2: Position(s) shall be refilled by a special election held within thirty days if an eligible candidate can be found. This special election shall be conducted by the Medical Student Council and shall follow the same rules as govern the Medical Student Council elections.

Year 3: Position(s) shall be appointed by the Medical Student Council. The vacancy shall be refilled within thirty days and shall require majority vote of the Medical Student Council.

### **Section 4. Additional Duties of Peer Review Committee Members**

**A.** Communication between the Peer Review Committee and the student body:

1. Second year Peer Review Committee Members should prepare and present a brief oral reminder of principles of the Statement of Intellectual Responsibility and Medical Student Professionalism Code to the following: 1) Summer anatomy medical students prior to their first exam. 2) First and Second year medical students prior to their first exam. 3) During a brief presentation at Medical School orientation

2) At the end of his/her term, PRC chairperson will write a brief report noting the number of cases reported to PRC and their outcomes during his/her term. This report will not include any identifying information and will only note aggregate numbers. This report will be submitted to the Senior Associate Dean for Undergraduate Medical Education and Student Council President as a record of activities of PRC.

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