Status **Active** PolicyStat ID **16175392**

Origination	06/2015
Last Approved	08/2024
Effective	08/2024
Last Revised	08/2024

Owner	Dan Walters: Director of Special Projects and Contract Mgmt
Area	AA > CCHS > Graduate Medical Education Policies
Applicability	College of Community Health Sciences
References	Policy

College of Community Health Sciences

COPY

Probation and Remediation Policy

Purpose

The purpose of this policy is to set forth the Sponsoring Institution's process for administration of Probation and Remediation applicable to all graduate medical education training programs.

Policy

A trainee may be placed on Remediation or Probation for reasons including, but not limited to:

- Unsatisfactory administrative, academic or clinical performance;
- Failure to comply with the policies, rules, and regulations of the training programs, University of Alabama, College of Community Health Sciences or other facilities where the trainee is trained.

Depending on the severity of the concerns, trainees may be placed on Level 1 Academic and/or Administrative Remediation or Level 2 Academic and/or Administrative Probation:

- A **Level 1** Letter of Academic and/or Administrative Remediation ("Level 1 Remediation") is generally used for low to moderate aspects of the trainee's academic or administrative performance that while deemed worthy of formally addressing with the trainee, do not rise to the level of making an entry into the trainee's official permanent academic record. A Level 1 Remediation, by itself, generally does not warrant a report to the Board of Medical Examiners as evidence of being placed on Academic or Administrative Probation, or being disciplined for unprofessional conduct/behavioral reasons, or being notified that there were limitations or special requirements imposed on the trainee because of questions of academic or clinical incompetence, disciplinary problems, or other reason(s).
- A **Level 2** Academic and/or Administrative Probation ("Level 2 Probation") is generally used for moderate to potentially severe concerns that warrant formal remediation and recording the sanction on the trainee's official permanent academic record. A Level 2 Probation will be reported to the Board of Medical Examiners as evidence of being placed on Academic or Administrative Probation, or being disciplined for unprofessional conduct/behavioral reasons or being notified that there were limitations or special requirements imposed on the trainee because of questions of academic or clinical incompetence, disciplinary problems, or other reason(s).

Level 1 Remediation

Academic or Administrative Remediation: The Program Director is authorized to issue a trainee a Letter of Academic or Administrative Remediation whenever the trainee fails to meet certain expectations commensurate with their level of training. The distinction between an Academic Letter versus an Administrative Letter will follow the distinctions noted below for Academic or Administrative Probation. The Program Director will have the discretion to issue a Letter of Remediation when the training program believes the trainee's performance has a better than average chance of being remediated. While there shall be no entry into the trainee's official permanent academic record regarding the Letter of Remediation, the Letter of Remediation may be part of the overall evaluation process that the Clinical Competency Committee (CCC) uses to determine semi-annual milestone evaluations. These milestone evaluations are reported to the Accreditation Council for Graduate Medical Education (ACGME) on an aggregate and confidential basis.

The Letter of Remediation will be accompanied by a specific remediation plan (see below) and is not subject to appeal.

Level 2 Probation

Academic Probation

The Program Director is authorized to place a trainee on Academic Probation, regardless of whether the trainee has been issued a Letter of Remediation.

Grounds for Academic Probation include, but are not limited to:

- performance judged to be unsatisfactory for the trainee's level of training;
- unprofessional attitudes, behaviors or conduct;
- failure to comply with institutional and/or program and/or a training facility's policies and

COPY

procedures;

- prior issuance of a Letter of Academic or Administrative Remediation, followed by insufficient remediation by the trainee.

Academic Probation will be communicated to the trainee via a **Probation Notice Letter** (sent by certified letter, hand delivery, or encrypted email) and accompanied by a remediation plan (see below). An official entry will be made on the trainee's official permanent academic record indicating they were placed on Academic Probation. That entry will remain on their record for the duration of their career. In addition, the Academic Probation will be reported pursuant to the mandatory reporting requirements of various State and Federal boards or agencies. This mandatory reporting may include requests to credentialing bodies in perpetuity.

Administrative Probation

The Program Director is authorized to place a trainee on Administrative Probation, regardless of whether the trainee has been issued a Letter of Remediation. Administrative Probation is used for violations of the eligibility standards for becoming and remaining a trainee in the training programs as outlined in the Eligibility, Recruitment, Appointment Policy and the Promotion, Renewal, and Dismissal Policy.

Grounds for Administrative Probation include, but are not limited to:

COPY

- failure to complete the employment physical (if applicable);
- failure to comply with the timely completion of medical records as per institutional policy on a repetitive and/or recurrent basis;
- failure to complete any administrative tasks on a repetitive and/or recurrent basis;
- failure to obtain certification in all Advanced Life Support courses in a timely manner;
- failure to meet deadlines for obtaining passing scores for USMLE step 3 as outlined in the residency handbook.
- failure to meet the deadline for obtaining the appropriate Alabama medical license, controlled substance (Federal and State);
- prior issuance of a Letter of Academic or Administrative Remediation, followed by insufficient remediation by the trainee.

Administrative Probation will be communicated to the trainee via a **Probation Notice Letter** (sent by certified letter, hand delivery or encrypted email) and accompanied by a remediation plan (see below). An official entry will be made on the trainee's official permanent academic record indicating that they were placed on Administrative Probation. That entry will remain on their record for the duration of their career. In addition, the Administrative Probation will be reported pursuant to the mandatory reporting requirements of various State and Federal boards or agencies. This mandatory reporting may include requests to credentialing bodies in perpetuity.

A copy of the certified or hand-delivered letter may, in addition, be sent by encrypted email.

Remediation Plan

In all such cases when a Letter of Remediation or a Probation Notice Letter is issued, the trainee will be placed on a remediation plan. The Remediation plan will lay out steps and expectations and includes a timeline for the trainee to correct deficiencies. In the event a trainee's performance, at any time, is determined by the Program Director to require remediation, the Program Director shall provide the trainee a written remediation plan as a component of either the Letter of Remediation or the Probation Notice Letter. Failure of the trainee to comply with the remediation plan may result in Probation (when remediation follows a Letter of Remediation), or the adverse actions of non-reappointment, non-renewal, non-promotion, suspension or dismissal.

Appeal to Associate Dean for Academic Affairs

A trainee who is dissatisfied with a Program Director's decision to impose Academic or Administrative Probation may appeal that decision to the Associate Dean for Academic Affairs to discuss the basis of the trainee's dissatisfaction. A written appeal must be delivered within five (5) working days of receiving the Program Director's decision. If the trainee fails to follow the above timeline, the trainee will automatically waive their right to further appeal. The decision of the Associate Dean for Academic Affairs shall be final. As stated above, the decision to issue a Letter of Remediation is not appealable.

COPY

Day Count

For purposes of day counts within this policy, only business days shall be counted, and such count will begin the next business day after the precipitating action.

Personnel

Should any position(s) within CCHS be vacant at a time when such role is required to implement any portion of this policy, the Dean and/or DIO may designate an impartial member of the CCHS faculty (for example, another Associate/Assistant Dean, a Department Chair or a tenured professor) to serve in that role on an interim basis in the context of this policy implementation only.

Conflict of Interest

In any case of a potential conflict of interest, as determined by the DIO, on the part of the Program Director or Assistant Dean for Academic Affairs, the Chair of the Graduate Medical Education Committee and the Dean of the College will select an appropriate replacement.

Definitions

- ACGME – Accreditation Council for Graduate Medical Education
- CCC – Clinical Competency Committee
- CCHS – College of Community Health Sciences

- DIO – Designated Institutional Official
- GME – Graduate Medical Education
- GMEC – Graduate Medical Education Committee
- SI – Sponsoring Institution (The College of Community Health Sciences)
- UMC – University Medical Center

Scope

This policy applies to all residents and fellows (hereafter, collectively, “trainees”) and all other participants associated with all of the graduate medical education programs at CCHS.

References

- Due Process Policy
- Promotion, Renewal and Dismissal Policy

Graduate Medical Education Committee Approved 12/2023

COPY

Approval Signatures

Step Description	Approver	Date
Division	Lesley Reid: Associate Provost	08/2024
Workflow Review	Policy Management: Policy Manager [JC]	07/2024

Applicability

College of Community Health Sciences