

Mandatory leaves of absence from the UME Program					Class: B
Procedure					
<b>Approved By:</b>	Associate Dean, Undergraduate Medical Education				
<b>Approval Date:</b>	2020 05 12	<b>Effective Date:</b>	2020 05 12	<b>Review Date:</b>	2023 03 30
<b>Responsible Portfolio:</b>	UME				
<b>Responsible Officer(s):</b>	Associate Dean, Undergraduate Medical Education				

### 1.0 Purpose

The creation of a safe learning environment is a priority of NOSM University (NOSM U). Students cannot participate in the Undergraduate Medical Education (UME) program if they represent a risk to other members of the NOSM community. This procedure describes the process by which students may be placed on a mandatory leave of absence from the UME program.

### 2.0 Scope

This procedure applies to all students enrolled in the UME program.

### 3.0 Definitions

- 3.1 “NOSM U community” means any persons involved with the activities of NOSM U including, but not limited to, patients, community members, staff, faculty, residents, and students.

### 4.0 Procedures

- 4.1 All decisions made by the Associate Dean UME, or the Mandatory Leave of Absence (MLOA) Review Committee, using this Procedure, will be communicated to the student within two business days, in writing, sent by email with a copy being sent by registered mail.
- 4.2 The Associate Dean UME can place students on a MLOA from the UME program if the student represents (i) a risk to the health and safety to one or more members of the NOSM U community, and (ii) all other methods of dealing with the concern have first been

considered (e.g., a voluntary Leave of Absence as per the appropriate Phase-specific procedure or policy).

- 4.3 On becoming aware of a potential safety threat, the Associate Dean UME shall investigate the matter with the aim of corroborating or confirming the information initially received. This will include, when possible, communicating directly with the student.

#### Imposition of temporary MLOA

- 4.4 Within five business days, the Associate Dean UME will decide on a course of action under this or any other appropriate Policies or Procedures. In doing so, the Associate Dean UME will consult with the Senior Director UME Administration and others, as needed. Information will be shared by the Associate Dean UME with others on a need-to-know basis. The Associate Dean UME may subsequently decide to impose a MLOA if, in the opinion of the Associate Dean UME, the student presents a significant risk to the safety of any member of the NOSM U community. In making this decision the Associate Dean UME will act reasonably.
- 4.5 Using this procedure, the Associate Dean UME may decide to (a) impose a partial MLOA (e.g., the student will not participate in clinical learning), or (b) impose a full MLOA (e.g., the student will not participate in any activities related to the student's medical education). The Associate Dean UME may also define conditions for ending the MLOA. Such conditions will vary and will be related to why the MLOA has been imposed including, but not limited to, (i) the student being absolved in criminal or civil court proceedings, (ii) an alleged breach of the Code of Student Conduct is resolved, or (iii) concerns regarding patient safety have been resolved.
- 4.6 The length of the MLOA will not initially exceed 10 business days, starting on the date the student is informed and will be subject to review within that time period as described in paragraph 4.8.
- 4.7 After making the decision to impose a MLOA, the Associate Dean UME will communicate this in writing to the student. The letter will include the reason for the MLOA, the length of the MLOA, whether the MLOA is partial or full, and the conditions, if any, for ending the MLOA. The letter will draw the student's attention to this Procedure, including the review process described in paragraph 4.8. The letter to the student will be copied to the UME Student Records and Electives Officer, and to the Senior Director UME Administration who will inform others in NOSM U involved directly or indirectly in teaching of the student. In doing so, the Senior Director UME Administration will state only that the student is on leave. The Senior Director UME Administration may divulge additional details within the UME portfolio on a need-to-know basis.

#### Review of MLOA

- 4.8 A formal review of the MLOA must occur within 10 business days following the date that the MLOA is communicated to the student.

The review will be undertaken by the MLOA Review Committee consisting of the Senior Director UME Administration, the Assistant Dean Clinical Education, the Assistant Dean Learner Affairs, and, either the Assistant Dean Phase 1, the Phase 2 Director, or the Phase 3 Director, depending on the student's year of enrollment.

The Committee will be chaired by the Assistant Dean Clinical Education and will attempt to reach decisions by consensus, with a vote being used if consensus cannot be reached. All members of the Committee must be in attendance for decisions to be made. The Associate Dean UME will provide to the Committee, a copy of the letter imposing the MLOA that was sent to the student. The student may also submit a written request to the chair of the MLOA Review Committee including rationale as to why the MLOA be ended. In making decisions, the Committee may seek additional information or advice from any person they deem appropriate. The MLOA Review Committee can decide to either (a) end the MLOA (b) extend the MLOA as imposed by the Associate Dean UME for a fixed or indefinite period of time, or (c) extend the MLOA in a modified form, including adding or changing any conditions for ending the MLOA. The decision of the MLOA Review Committee will be communicated to the student in writing by the Chair of MLOA Review Committee within five business days of the decision being made. The letter will contain the date(s) the Committee met to consider the MLOA, who attended the meeting(s), and the decision (a, b, or c, as per this paragraph). In the case of a modified MLOA, the letter will also include details of the modification. No other information will be included. The decision of the MLOA Review Committee is final and binding.

#### Ending a MLOA

- 4.9 The MLOA may be ended by the Associate Dean UME when the conditions intimated to the student for ending the MLOA have been met. This may be initiated by the Associate Dean UME or, the student may request, in writing, that the Associate Dean UME do so by submitting evidence that the conditions have been met. Should the Associate Dean UME not grant the student's request to end the MLOA then the student may request that the MLOA Review Committee consider the request as per paragraph 4.10. The ending of the MLOA will be communicated to the student in writing.
- 4.10 The student may also request that the MLOA be ended if additional, new, significant, and relevant information becomes available that, in the student's opinion, would merit ending the MLOA. The request must be submitted, in writing, to the Chair of the MLOA Review Committee and will include the rationale for ending the MLOA, including a justification that the request includes additional, new, significant, and relevant information. The MLOA Review Committee will consider the request within 10 business days of its receipt. The MLOA Review Committee can decide to (a) end the MLOA (b) continue the MLOA without modification, or (c) modify the MLOA. The decision of the MLOA Review Committee will be communicated to the student, in writing, by the Chair of MLOA Review Committee within five business days of the decision being made. The letter will contain the date(s) the Committee met, who attended the meeting(s), and the decision (a, b, or c, as per this paragraph). In the case of a modified MLOA, the letter will also contain how the MLOA is modified. No other information will be included. The decision of the MLOA Review

Committee regarding the request to end the MLOA is final and binding. Vexatious requests to end an MLOA will be viewed as unprofessional conduct and may result in a complaint being submitted using the policies and procedures governing student professionalism. An example of a vexatious request is to submit multiple requests to end a MLOA that do not include relevant, significant, and new information.

4.11 This Procedure may be used in addition to, and simultaneously with, other policies or procedures of NOSM U, including those governing student professionalism.

## 5.0 Getting Help

Queries regarding interpretations of this document should be directed to:

Associate Dean UME (adume@nosm.ca)

Version	Date	Authors/Comments
1.0	2019 08 22	Approved by Associate Dean UME
1.0	2019 09 05	Presented to UMEC for information
1.1	2020 05 12	Minor edits approved by Associate Dean UME
1.1	2020 08 06	Provided to UMEC for information
1.2	2022 05 03	Non-contextual minor edits, including updating to NOSM U