

R- Dean of the COP  
A – SPC Chair, Assistant Dean of Student Affairs, and  
Assistant Dean of Academic Affairs  
C – All COP Deans; Legal  
I – All Campus Community



# California Health Sciences University

## COLLEGE OF PHARMACY

### STUDENT PROFESSIONAL CONDUCT REVIEW COMMITTEE POLICY

#### **I. PURPOSE & SCOPE**

The Student Professional Conduct Review Committee (SPCRC) is an ad-hoc COP faculty committee charged with being the primary body responsible for review of the totality of COP students' professionalism, conduct, and ethics. For matters involving unprofessional conduct that are referred to the SPCRC chaired by the COP Assistant/Associate Dean for Student Affairs ("College Student Affairs Dean"), SPCRC is responsible for adjudicating complaints of unprofessionalism, including recommending an appropriate sanction. SPCRC shall be responsible for tracking final adjudications of professional conduct referrals.

The SPCRC has broad authority to review students' records and recommend a broad number of options for consideration as part of any final decision. SPCRC is authorized to suspend or dismiss students from the COP program for engaging in conduct which violates the University's professionalism, conduct, and/or ethics policies.

This policy shall serve as the COP's policy required by the CHSU Student Professionalism and Conduct policy governing adjudication of professionalism matters and providing required due process to students appearing before the committee.

#### **II. SPCRC Membership & Regular Meetings**

The Dean shall appoint a total of four (4) or more faculty members to serve as voting members on SPCRC on an ad-hoc basis with the Assistant/Associate Dean for Student Affairs serving as Chair of SPCRC. When possible, members will be comprised of at least one faculty each from the Department of Pharmaceutical and Biomedical Sciences and the Department of Clinical Sciences. All voting members of the SPCRC must be full-time CHSU COP faculty and may not be adjunct faculty unless approved by the Dean's office. A quorum of at least three (3) committee members is required to finalize any decision of SPCRC. All voting members shall have one vote. The Chair votes in the event of a tie. SPCRC meetings shall include the voting members of SPCRC and may include others invited by the Chair or Dean who may serve as resources in accomplishing the work of the committee. SPCRC will be constituted and shall meet on need basis to conduct its business.

#### **III. SPCRC PROCESS FOR PROFESSIONALISM & STUDENT CONDUCT REFERRALS**



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Under CHSU's University Policy for Student Conduct & Professionalism, each college is required to develop policies which govern adjudication of professionalism complaints and concerns, providing required due process to students who are referred to the Student Progress Committee for such matters. The below policy and hearing procedures shall govern CHSU COP students referred to SPCRC for student professionalism, conduct and ethics concerns.

As a threshold matter, SPCRC hearings are not formal court, judicial or administrative proceedings. Accordingly, the rules of evidence do not apply. The University may, in its discretion, create an audio or video recording of the hearing and, if so, it is the only recording permitted. Unauthorized video or audio recording may subject a student to discipline, up to and including dismissal.

If a policy violation is found, possible corrective actions imposed by SPCRC include, but are not necessarily limited to: a written or verbal apology; a written or verbal warning, letter of reprimand, or other document outlining expectations for future behavior and related consequences; training or educational requirements such as an assigned reading or reflection paper; attending an educational program or seminar; mandatory or voluntary counseling; mentorship or accountability meetings; community service; disciplinary probation; no-contact directives; drug or alcohol testing or rehabilitation programs; temporary or permanent exclusion from attending University events or extra-curricular activities; suspension from participation in the academic program; dismissal from the academic program; termination of employment with the University.

The following procedures shall apply to the SPCRC hearing for professionalism, conduct, or ethics referrals if the matter is referred to SPC:

1. **Notice to Student:** Student is notified by the COP Office of Student Affairs via CHSU email of the professionalism and/or conduct referral, and of the date, time, and location of the SPCRC hearing. The notice shall include a description of the behavior giving rise to the referral. If the right to cross-examination applies, as set forth below, the notice shall also include a list of witnesses and the information they are expected to provide related to the referral.
2. **Recommended Pre-Meeting with Student Affairs:** Upon request, prior to the hearing the student will meet with the COP Office of Student Affairs (or designee). The COP Office of Student Affairs' role is to help the student better understand the SPCRC hearing process, to answer the student's related questions, and advise on how the student can prepare for the hearing. The student may decline the assistance of the COP Office of Student Affairs. In all cases, it is the student's responsibility to timely request the assistance from the COP Office of Student Affairs in advance of the hearing.
3. **SPCRC Materials for Review and Pre-Hearing Meetings:** Prior to the hearing or at the start of the hearing, SPCRC may receive a copy of the student's academic file, including any disciplinary documents, the student's notice of referral, a copy of investigation reports, findings of fact provided to the student, and other relevant documents applicable to the referral. Students are not entitled to the full investigation file, if any. SPCRC members shall not discuss the matter prior to the SPCRC meeting and shall maintain the confidentiality of the information in accordance with law and policy. The SPCRC Chair shall determine whether any such statements are or are not relevant to the proceeding. Prior to the hearing, SPCRC Chair may request a pre-meeting based on the circumstances of the referral, and may request additional information from the administration, members of the faculty or the student, prior to the hearing.



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4. **Student Written Statement**: The student may submit a written statement for SPC's review and may submit written statements from others which have information relevant to the matters under consideration by the SPC.
5. **Student Appearance at Hearing; Support Person**: Students are generally required to attend the SPCRC hearing in-person unless they are on a clinical rotation at a substantial distance from campus, in which case remote conference technology may be used to attend the hearing. The student may bring a support person to the SPCRC hearing, who may or may not be an attorney. The support person may not participate directly in the hearing, even if that person is an attorney. Support persons may not disrupt the hearing; if disruption occurs or attempts to directly participate are made, the SPCRC Chair may ask the support person to leave.
6. **Standard of Evidence**: The standard of evidence applicable to professionalism and conduct referrals is the preponderance of the evidence standard.
7. **Right to Cross-Examine Witnesses**: A student facing possible suspension or dismissal shall have the opportunity to cross-examine witnesses regarding the allegations of professionalism and/or conduct violations in the following circumstances: (a) where the facts are in dispute; (b) where the credibility of witnesses is critical enough to determine the outcome of the matter; (c) where the witnesses to be cross-examined are relevant to determining whether the facts as alleged are true or not based on the preponderance of the evidence standard. Whether these criteria exist to require cross-examination under this policy shall be made in the discretion of the SPC. The method of cross-examination shall be at the discretion of the SPCRC and could include, for example, submission of questions in writing to be asked by the SPCRC Chair, the use of hearing advisors to facilitate questioning, or other method. If the opportunity to cross-examine witnesses is provided pursuant to another grievance procedure or policy, such as the University's harassment or Title IX procedures, then that hearing with cross-examination shall be the only cross-examination required and the SPCRC may then rely on the findings of fact of the adjudicator in determining whether the findings violation the University's professionalism, conduct and/or ethics policies.
8. **Use of an Internal or External Hearing Officer**: The College may, in its discretion, provide an internal or external hearing officer to assist the SPCRC in conducting the hearing, but it is not required to do so.
9. **SPCRC Deliberation, Decision Regarding Policy Violation, & Recommendation on Corrective Action**: After the student is excused from the hearing, SPCRC will discuss the case and vote on: (a) make findings of fact; (b) determine whether, based on those facts, a policy violation occurred; and(c) a recommended corrective action if a policy violation has occurred. This decision and, if applicable, the recommendation on corrective action, is determined by a majority vote of the SPCRC members attending the hearing, with the Chair voting only in the event of a tie. Based on the circumstances of the student's referral, if more time is needed the SPCRC Chair, in consultation with the SPCRC and the COP Office of Student Affairs, may choose to continue deliberations to another meeting time without notice to the student. The SPCRC Chair shall provide the decision and, if applicable, the recommendation on corrective action, to the Dean of the College of Pharmacy via CHSU email.



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10. **Role of the Dean of the College of Pharmacy; Notice to Student of SPCRC Decision:** Upon receipt of SPC's decision the Dean of College of Pharmacy will review the decision on findings of fact and whether a policy violation has occurred and any applicable recommendation on corrective action. The Dean of College of Pharmacy may accept or modify the SPC's recommendation on corrective action based on mitigating or aggravating factors in the SPC's findings of fact or other good cause. The Dean of College of Pharmacy will issue the decision and corrective action, if any, to the student. Generally, the Dean of College of Pharmacy will provide the student notice of the decision within two (2) business days of receiving the SPCRC decision. A copy of the decision will be placed in the student's file, and will be provided to the Registrar, the COP Office of Student Affairs, the Financial Aid Office, and the Dean of the College.
11. **Appeal Rights:** The student may appeal the findings of fact, determination of policy violation, and/or decision regarding corrective action to the Provost in writing via email within five (5) business days from the date of the final decision. The written appeal must state the basis for why a different result is appropriate based on adequate grounds for appeal. Grounds for appeal are limited to: (a) any new and compelling information that was not available to the SPCRC committee at the time of deliberation which would have impacted the outcome of the matter; or (b) if there was a procedural error in the SPCRC committee process which would have impacted the outcome of the matter. In the event the Dean has a conflict of interest, the appeal shall be to the Provost. The Provost's (or President's) decision is final. The written decision on an appeal request shall be issued in writing to the student, generally within fifteen (15) business days from the date the appeal is received.

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- o Policy Owner: Dean of COP
  - o Effective Date: 7/1/2022
  - o Approval by Provost Date: 7/14/2022
  - o Approval by President Date: 7/14/2022