

Policy Name:	Probation, Suspension, & Dismissal		
Section #:	2.2	Section Title:	Performance Management
Approval Authority:	GMEC	GMEC Approved:	07/18/2025
Responsible Executive:	DIO	Revised:	
Responsible Office:	Office of Clinical and Health Affairs, Rutgers Health	Contact:	Institutional Coordinator

1. Reason for Policy

To establish compliance that meets Rutgers, state, federal, and accreditation regulations

2. Applicable ACGME Institutional Requirements

Section 4: Institutional GME Policies and Procedures

3. Resources

- i. Accreditation Council for Graduate Medical Education Institutional Requirements
- ii. Accreditation Council for Graduate Medical Education Common Program Requirements
- iii. Committee of Interns and Residents (CIR) Collective Bargaining Agreement
- iv. Rutgers University Policies
- v. New Jersey Board of Medical Examiners
- vi. American Board of Medical Specialties

4. Scope

The scope of this policy applies to all residents and fellows in training at Rutgers Health.

5. Terms

- i. Period of Concern: a period of focused improvement implemented when the housestaff is not demonstrating anticipated progress in one or more of the core competencies (also known as “remediation”)
- ii. Probation: a time limited disciplinary period implemented when the housestaff has not demonstrated anticipated progress after a period of concern or when the housestaff demonstrates severe deficiencies in one or more of the core competencies.
- iii. Suspension: a time limited removal or restriction of training activities placed on a housestaff due to violations of policies, safety concerns, or disruptive behavior.
- iv. Academic termination: dismissal from a training program due to egregious deficiencies or unsatisfactorily completing a probationary period without anticipated progress.

6. Policy

- I. Purpose: To establish the process for addressing severe academic deficiencies or periods of concern without anticipated progress within individual housestaff that are in a Rutgers Health GME training program.
- II. Procedure:
 - a. When a housestaff has been in a period of concern and not demonstrated anticipated progress or has severe deficiencies in one or more core competencies, they may be placed on probation.
 - i. Examples of severe deficiencies include, but are not limited to, egregious breaches of professionalism or failure to meet basic standards of patient

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care or performance that are so deficient that the housestaff is not anticipated to reach the point where they are determined to be able to practice independently and without supervision.

- ii. When it has been determined by the program director that a housestaff is to be placed on probation, the program director must contact their local CAO/Associate Dean and DIO.
- iii. The housestaff is to be given notice that they are required to attend a meeting where an adverse action may be taken. Such notice shall be given no less than five [5] business days prior to the meeting. If represented by a collective bargaining unit [CBU], the housestaff has the right to have a CBU representative with them at the meeting. The representative shall not interfere with the meeting. Once the representative determines in good faith that the matter is academic in nature, they should excuse themselves from the meeting.
- iv. At the meeting, the housestaff is to be given a letter documenting the reasons for the probation and the subsequent plan. The letter is to be placed in the housestaff's file. The meeting/ letter documents:
 - 1. The deficiencies, ideally associated with relevant competencies and/or milestones.
 - 2. Examples of the housestaff's performance that demonstrate the deficiencies.
 - 3. Specific actions that will be taken by the program to guide the housestaff.
 - 4. Specific actions that the housestaff is expected to engage in.
 - 5. Length of probation and the anticipated date of the housestaff's next evaluation by the CCC.
 - 6. The letter must document that at the end of the period of probation, the program director may decide to remove the housestaff from probation, continue the probation, not promote to the next level of training, or dismiss the housestaff from the program [academic termination].
 - 7. Process for appeal.
 - 8. The housestaff is to sign a copy of the letter to document they have received the letter and attended the associated meeting. Signing does not indicate agreement.
- v. A housestaff may appeal the decision to be placed on probation.

b. When a housestaff poses a threat to the safety, health, or well-being of others, conducts any criminal activity, or has had repetitive disruptive and egregious behavior that affects the learning environment, the housestaff may be placed on suspension.

- i. Examples include but are not limited to:
 - 1. Safety concerns: any behavior that poses a threat to the safety, health, or well-being of other staff, residents, or patients.
 - 2. Disruptive conduct: repeated disturbances, harassment, or other behavior that adversely affects the learning environment.
 - 3. Criminal activity: any criminal conduct occurring within the housestaff's training period.
- ii. When it has been determined by the program director that a housestaff is to be placed on suspension from training, the program director must notify their local CAO/Associate Dean and DIO.
- iii. The housestaff is to be given notice that they are required to attend a

meeting where an adverse action may be taken. Such notice shall be given no less than five [5] business days prior to the meeting. If represented by a collective bargaining unit [CBU], the housestaff has the right to have a CBU representative with them at the meeting. The representative shall not interfere with the meeting. Once the representative determines in good faith that the matter is academic in nature, they should excuse themselves from the meeting. A housestaff member whom the program and/or institution has given notice of disciplinary action may be removed from service without five (5) working days notice where their continued presence is deemed to imperil patient safety, public safety or the safety of any fellow employee (staff, housestaff or medical faculty).

- iv. At the meeting, the housestaff is to be given a letter documenting the reasons for the suspension and the subsequent plan. The letter is to be placed in the housestaff's file. The meeting/ letter documents:
 1. The reason for suspension, detailing specific deficiencies and ideally associated with relevant competencies and/or milestones.
 2. Examples of the housestaff's performance that demonstrate the reason for suspension.
 3. Specific actions that will be taken by the program to guide the housestaff.
 4. Specific actions that the housestaff is expected to engage in.
 5. Length of suspension and the anticipated date of the housestaff's next evaluation by the CCC.
 6. The letter must document that at the end of the period of suspension, the program director may decide to remove the housestaff from suspension, continue the suspension, not promote to the next level of training, or dismiss the housestaff from the program [academic termination].
 7. Process for appeal.
 8. The housestaff is to sign a copy of the letter to document they have received the letter and attended the associated meeting. Signing does not indicate agreement.
- c. When a housestaff has failed to correct deficiencies after a period of probation, suspension, or demonstrated egregious deficiencies the housestaff may be dismissed from the program.
 - i. When it has been determined by the program director that a housestaff is to be dismissed from the program, the program director must notify their local CAO/Associate Dean and DIO.
 - ii. The housestaff is to be given notice that they are required to attend a meeting where an adverse action may be taken. Such notice shall be given no less than five [5] business days prior to the meeting. If represented by a collective bargaining unit [CBU], the housestaff has the right to have a CBU representative with them at the meeting. The representative shall not interfere with the meeting. Once they determine in good faith that the matter is academic in nature, they should excuse themselves from the meeting.
 - iii. At the meeting, the housestaff is to be given a letter documenting the reasons for the dismissal from the program. The meeting/letter must document:
 1. The deficiencies, ideally associated with relevant competencies and/or milestones.

2. Examples of the housestaff's performance that demonstrate the deficiencies.
3. The effective date of dismissal from the program.
4. Process for appeal.

- iv. The housestaff is to sign a copy of the letter to document they have received the letter and attended the associated meeting. Signing does not indicate agreement.
- v. A housestaff may appeal the decision to be dismissed from the program.

- d. Housestaff have the right to appeal adverse academic actions such as non-promotion, probation, suspension, or dismissal from a program.
 - i. If they elect to appeal such an action, they must notify the program director and the CAO/Associate Dean in writing no less than five [5] business days after being notified of the action.
 1. If the housestaff requests an appeal, it will be heard by an ad hoc committee within one month. The committee shall be appointed by the DIO and consist of no less than four [4] faculty members. The faculty members should be experienced in graduate medical education. The committee should include at least two faculty members from the program that the housestaff is a member of, when feasible. The faculty composition is per the discretion of the DIO. The Program Director shall not be a member of the ad hoc committee.
 2. At the hearing, the program director will review the reasons for the adverse academic action to the committee. The housestaff will then be invited to make a presentation as to why the decision should be reversed. The housestaff may choose to have a faculty member accompany them as an advisor. If represented by a CBU, a CBU representative may attend the meeting but shall not interfere with the hearing or communicate with the committee.
 3. After hearing both presentations, the committee shall confer and make a recommendation [uphold the action or reverse it] to the Department Chair.
 4. The Department Chair shall then render a decision, and the decision of the chair is final. If the Department Chair is also the involved Program Director, the decision of the committee is final.
 - e. The Department Chair [or committee, when applicable] shall provide notice of their decision in writing to the housestaff, with copies to the program director, CAO/Associate Dean and DIO.
 - f. All academic appeals and other related matters shall be presented to the GMEC at its next scheduled meeting. The DIO and Chair of the GMEC are apprised of any and all academic matters. The GMEC Chair informs the GMEC about any proposed actions and appeals during regular meetings and discusses the issue with committee members.