



## **EMS ACADEMY INSTRUCTOR COORDINATOR DISAFFILIATION PROCESS**

### **I. Introduction**

This University of New Mexico EMS Academy Instructor Coordinator Disaffiliation Process (hereafter “EMS IC Disaffiliation Process”) outlines for UNM EMS Instructor Coordinators affiliated with the EMS Academy Programs, the process should the EMS Academy wish to disaffiliate an Instructor Coordinator.

The individual UNM EMS Academy Affiliated Instructor Coordinators (hereafter “I/C”) are responsible for delivering initial licensure EMS education at all levels as well as monitoring their students’ performance and compliance with academic, professionalism and ethical requirements and standards as specified in the EMS Academy Policies as well as state and national requirements and standards.

### **II. Adverse and Corrective Action Defined**

The distinction between an adverse and corrective action is significant. In regard to an I/C’s affiliation and for purposes of this Process, the sole adverse action is termination of an I/C’s affiliation with the EMS Academy (referred to herein as “disaffiliation”). The decision to disaffiliate an I/C is in the sole discretion of the EMS Academy.

Conversely, a corrective action is an action the EMS Academy may impose upon an I/C that is intended to allow the I/C the opportunity to remediate an issue that may result in adverse action if the issue needing correction is not sufficiently resolved. Usually, a corrective action involves the EMS Academy imposing an educational plan that, in the opinion of UNM EMS Academy, is necessary in order to improve an aspect of an I/C’s performance, behavior, attendance, or other factor that could jeopardize an I/C’s continued affiliation with the EMS Academy. Corrective actions may include, but are not limited to, mandating remedial training, mandating an I/C meeting with various EMS Academy or department personnel, and mandating additional professionalism training. While failure to meet these improvement expectations may result in disaffiliation, no I/C is entitled to corrective actions or improvement periods prior to disaffiliation. Corrective action will be issued in the sole discretion of the EMS Academy.

### **III. Notification of Proposed Disaffiliation and Opportunity to Respond**

In most cases, the I/C will be provided written notification by the EMS Academy of its proposal to disaffiliate the I/C prior to disaffiliation. Such notice may not be provided when not reasonably practicable, including, but not limited to, in emergent circumstances. The notice will include the grounds upon which the

EMS Academy bases its proposal to disaffiliate the I/C.

After receiving notice of disaffiliation, the I/C will be offered an opportunity to respond to the issues/concerns provided to them -in writing. If the I/C wishes to challenge the grounds upon which the proposal to disaffiliate is based, they should clearly state in writing the basis for their challenge, including citing to specific facts, policies, or other factors that they believe relevant and pertinent to their challenge. The I/C should include any documentary or other evidence they feel relevant and pertinent to the challenge with their submission. If the I/C wishes to include testimonial evidence with their submission, such evidence should be in writing in the form of an affidavit or a written statement that is signed and dated by the witness providing the testimony. The written response and evidence in support thereof must be submitted to the EMS Academy Director within (15) calendar days from the receipt of the notice of proposed disaffiliation.

**IV. Consideration of Challenge to Proposed Disaffiliation by the EMS Academy Leadership Committee**

Challenges made to disaffiliation decisions will be considered by the EMS Academy Leadership Committee. The EMS Academy Leadership Committee may, as appropriate, consult with or forward challenges to disaffiliation decisions to other UNM departments as part of or in lieu of its consideration of such challenges.

Within a reasonable time of receiving the I/C's challenge to the disaffiliation decision and evidence in support thereof, the EMS Academy Director will forward to the EMS Academy Leadership Committee the written challenge and all evidence provided by the EMS Academy and the I/C presenting the challenge. The EMS Academy Leadership Committee retains sole discretion in determining what, if any, evidence it accepts for consideration as well as the relevance and weight it gives that evidence when it considers the challenge to the proposed disaffiliation.

In arriving at its decision, the EMS Academy Leadership Committee may, as appropriate under the circumstances, consider the following:

1. Whether the I/C complied with EMS Academy policies and course processes/procedures governing student performance, advancement and program completion including certification eligibility, course operations and coordination, codes of conduct and behavior, or I/C professional responsibilities/requirements and professionalism;
2. Whether the I/C complied with third party policies, procedures, codes of conduct and behavior, or other standards of care or compartment;
3. Whether the I/C complied with applicable law, regulation, guidance, or other legal, administrative, accreditation, licensing, or organizational standards;
4. Whether the evidence supports the action to disaffiliate;
5. Whether the disaffiliation decision is consistent with EMS Academy policy, New Mexico state licensing regulations, or New Mexico law; and/or



6. Any other reason given for the disaffiliation or the challenge thereto.

Upon completion of its consideration of an I/C's challenge to a proposed disaffiliation, the EMS Academy Leadership committee will make a written recommendation regarding the proposed disaffiliation to the EMS Academy Director. Within thirty (30) calendar days of receiving the recommendation, the EMS Academy Director will issue a written decision regarding whether to disaffiliate the I/C as proposed, which will include their rationale. The EMS Academy Director's decision will be final unless appealed as provided below.

**V. Appeal to the Department Chair of Emergency Medicine of a Disaffiliation Decision**

The I/C may appeal the decision of the EMS Academy Director to the Department Chair of Emergency Medicine or the Chair's designee by submitting a written appeal to the Department Chair of Emergency Medicine within (15) calendar days of the issuance of EMS Academy Director's decision. Failure to submit a timely appeal constitutes the I/C's waiver of their right to appeal the decision of the EMS Academy Director, which shall therefore be final.

Should the I/C appeal the Director's decision, the Department Chair or their designee may, in their sole discretion, review the I/C's instructional record; the grounds for the proposed disaffiliation and the evidence in support thereof; any evidence the I/C submitted in response to the proposed disaffiliation; the I/C's challenge to the disaffiliation; any documents submitted to the EMS Academy Leadership for its consideration of the challenge; the recommendation from the EMS Academy Leadership team regarding the I/C's challenge to the disaffiliation decision; the EMS Academy Director's decision; and any other documents the Chair or their designee deems relevant or pertinent to their consideration. Additionally, the Department Chair may meet with the I/C, EMS Academy Leadership (including, but not limited to the Director or Leadership Committee members), or any other person the Chair or their designee deems relevant or pertinent to their consideration. After considering all evidence they deem relevant or pertinent to the matter, the Department Chair or their designee shall issue a written decision either granting or denying the appeal within (30) days unless not reasonably practicable under the circumstances. A copy of the Department Chair's or their designee's decision will be sent to the I/C, the EMS Academy Leadership team, and the EMS Academy Director. The Department Chair's or their designee's decision shall be final.

**VI. Review of Corrective Action**

As stated in Section II herein, an I/C is not entitled to access the appeals process described above to dispute corrective action imposed by the UNM EMS Academy. If the I/C believes that the corrective action is fundamentally flawed, unfair or otherwise inappropriate, the I/C may request review by the EMS Academy Director. The I/C shall present his or her reasons for disputing the corrective action in writing. The EMS Academy Director may, in their sole discretion, meet with the I/C, may discuss the matter with the EMS



Academy Leadership team, may consult with or forward the dispute to other UNM departments (as appropriate), or take any other action the EMS Academy Director deems appropriate. Upon completion of their review, the EMS Academy Director will issue a written decision regarding the appropriateness of the corrective action. The decision of the EMS Academy Director shall be final and is not subject to discretionary review.

## **VII. General Provisions**

For good cause, the time limits provided herein can be extended. Good cause includes, but is not limited to, the fact that a deadline falls during school holidays, vacations or summer session if parties or decision makers are absent. Any such time extensions will be communicated in writing to all interested parties and the decision will be made thereafter as expeditiously as possible.

The University of New Mexico EMS Academy reserves the right to make changes to this procedure as it deems necessary. Any changes hereto will be prospectively applicable to all Instructor Coordinators with current affiliation with the UNM EMS Academy.