

Thank you in advance for taking the time to review this letter. It was distributed to MUSC faculty, students and staff on Friday, September 30, after being submitted to The Post & Courier as a guest column.

As we move toward resolution of this situation, please know that MUSC remains committed to our institutional goal: To provide the highest quality education, research and patient care as we serve the health care needs of our state, region and beyond. Thank you again for your time and support of the MUSC community.

Don't Rush to Judgment – September 30, 2016

In light of inaccurate statements made in a September 30 article in *The Post & Courier*, we feel compelled to identify errors that are being presented as facts. This newspaper stated "...that two medical students were caught cheating on several tests and were referred to the MUSC Honor Council. That group voted to expel the students..." Review of the disclosable MUSC Honor Council records shows that over the past 12 months, no student who was accused of cheating has been recommended for expulsion by any of MUSC's six Honor Councils. This fact has been repeatedly misrepresented. Two basic tenets of justice, which form the underpinnings of the U.S. judicial system, are that an individual is innocent until proven guilty, and that, once accused, everyone is entitled to the appropriate administration of due process.

It is naturally tempting to play judge in the court of public opinion based on "common knowledge." However, the facts of all Honor Council cases must remain confidential to protect the privacy of any accused student and in order to comply with the Family Educational Rights and Privacy Act (FERPA, enacted in 1974). FERPA was created by the federal government to protect the privacy of student education records, including grades and most disciplinary procedures. That means any information gleaned during MUSC Honor Council sessions is federally and legally protected from disclosure. Thus, without the consent of the student, MUSC is legally and professionally bound not to disclose any information about student academic or behavioral performance. To put this in perspective, FERPA is the educational equivalent of HIPAA – the federal law that requires health care workers to safeguard a patient's private medical records. Everyone would be outraged if a patient who was in the hospital had his or her private health information leaked. Additionally, failure to comply with FERPA could result in the university losing its eligibility for federal funding, which is obviously critical to all the students and to the operation of this institution. So it isn't simply a matter of complying with federal regulations for the sake of complying, but rather it is also the potentially dire and devastating financial consequences of knowingly not complying with these regulations.

With FERPA limitations clearly defined, we would like to address the petition ostensibly posted by a few MUSC medical students, requesting an independent, external review of a specific Honor Council case. The student petition writers may be well-intentioned, however, the privacy rights of students must be balanced against the benefits of such a review. An external review, even done in a de-identified manner, would have no

purpose but to reopen a matter that has been finalized in compliance with the MUSC Honor Code.

Of equal importance, since we are restricted from releasing any information regarding any Honor Council cases, we respectfully request that the accused students referred to in previous articles and Raymond DuBois, M.D., dean of the MUSC College of Medicine, not be “tried” in the court of public opinion. It is most unfortunate that what should have remained private is being publicly shared in an unbalanced and unfair manner. Second guessing the process, the decisions made, and ultimately the guilt or innocence of accused parties without knowing all the facts is folly. We urge everyone to use caution and not make assumptions based on speculative and incomplete information.

We also feel it is critical that we publicly affirm our unmitigated support for Dr. DuBois, who arrived to serve as the MUSC College of Medicine dean in March 2016. Dean DuBois is an internationally renowned expert for his more than 25 years of work in cancer research and academic medicine. His work is positively impacting the lives of citizens in the United States and people around the world. During his long career at some of the most prestigious academic and research institutions in this country, he has established an impeccable reputation, earning the admiration, confidence and support of peers throughout the country as well as internationally. His accomplishments speak volumes about the talent, honesty, integrity and heart he brings to his role as dean. MUSC is fortunate indeed to have engaged such a collaborative, forward-thinking and empathetic leader. We stand firmly with Dean DuBois in exercising his rights and responsibilities as the leader of our largest college.

As we work through this period of public scrutiny, we want to stress that MUSC is a family and while family members sometimes have serious disagreements, it is important to find common ground where we can respectfully agree to disagree and move forward. MUSC is also a values-based institution with one of those values being respect. We ask every member of our MUSC family and those who support our mission to show respect for the judgment of the dean of the College of Medicine; respect for the state and federal laws that mandate the confidentiality of student records; and respect for our student body, which is comprised of compassionate men and women dedicated to serving others.

Rest assured that the integrity of this institution remains intact. We are proud of our diligent and committed students, alumni, faculty and staff. We will continue to hold members of the MUSC family to the highest ethical standards in order to educate and train exemplary health care professionals, prepared to give their best to the communities where they live, work and learn.

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