

Sixth Circuit Reverses Lower Court's Decision To Grant Medical Student His Degree

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On January 28, 2015, the United States Court of Appeals for the Sixth Circuit reversed a decision by the US District Court for the Northern District of Ohio, which had forced Case Western Reserve University School of Medicine to grant a diploma to a medical student after the University had determined that the student lacked the professionalism required to earn his medical degree.

In Amir A. Al-Dabagh v. Case Western Reserve University, Civil Action No. 14-3551, the Sixth Circuit held that the University's finding that the student lacked professionalism was an "academic judgment to which courts owe considerable deference." Despite the student's strong academic performance, the University had determined that the student did not demonstrate the professionalism required to receive a medical degree, based on his conduct, including, but not limited to: frequent tardiness and his attempts to convince professors to lie about his tardiness; sexually inappropriate behavior towards female classmates at a University social gathering; receiving complaints from hospital staff and patients about his demeanor; and being convicted of drunk driving in the state of North Carolina.

The Sixth Circuit held that the student handbook was the contract that governed the student's relationship with the University, and within that handbook professionalism was emphasized as a core requirement by the University. Thus, a determination of whether a student demonstrates the professionalism required to graduate is an academic judgment that is reserved for the University to make, which is only interfered with by the courts if the determination was arbitrary or capricious. There was no such finding here.

Client Tip: *This case highlights the continued deference the courts will grant to institutions of higher learning in making academic decisions and the broad scope given to what constitutes and academic decision, but also serves as a reminder of the need to establish and communicate the core requirements of a particular program in order to receive that deference from the courts.*

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