

Clinical Evaluation of Students: Ethical & Legal Guidelines



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1

Program Objectives

- Discuss the ethical and legal principles related to student evaluation
- Analyze the clinical evaluation process
- Review measures faculty can take to provide students the opportunity to demonstrate satisfactory performance
- Review documentation needed when unsatisfactory performance may lead to a failing grade
- Examine the implications of students who chose to appeal a grade.

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2

What is Evaluation?



Evaluation is the process by which judgments are made about performance.

(Gaberson & Oermann, 2014)



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3

Clinical Evaluation



Clinical evaluation is the process by which judgments are made about a nursing student's clinical performance.

Clinical evaluation is NOT objective.



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4

Clinical Evaluation



However, clinical evaluation must be fair and respectful of the student's rights.



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5

Student Rights



- Fair treatment
 - Students should be informed of evaluative criteria early in the course
 - Criteria applied consistently across students

- Confidentiality and privacy
 - Grades should not be publicly posted
 - Only faculty directly involved in a student's learning should access academic records
 - Personal evaluations and notes on a student should be
 - maintained in a secure, private place
 - never placed in academic/advising file

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6

Student Contract



- Information provided by the school regarding criteria to be met for graduation constitutes a contract with a student.
- Information provided by a course syllabus regarding criteria to be met for satisfactory completion of the course constitutes a contract with a student.



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7

Student Policies



- Student policies should be available in a formal document such as the student handbook
- Maintain documentation that students have received this information
- Policies that should be included:
 - Progression, retention, and graduation
 - Academic standards (grading scale, appeal/grievance policy)
 - Conduct



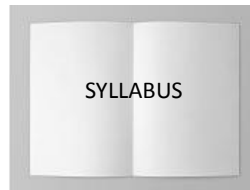
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8

Student Policies



- Policies should be reviewed at the beginning of each course and reflected in the syllabus
- Syllabus should contain:
 - Course description, objectives, credit hours
 - Course faculty along with contact information
 - Class schedule/deadlines and attendance policies
 - Evaluation criteria/tools/methods and standards
 - May also require faculty notification of need for accommodations



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9

Due Process



- Students have the right to due process if they feel their grade was not awarded in a fair manner.
 - Faculty decisions are not arbitrary, capricious or discriminatory
 - Student is entitled to a hearing
 - Decision made in hearing should be fair, objective, and non-discriminatory



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Attendee Question

How many of you have ever had a student appeal
a grade you have assigned?



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Student Appeal Process – Student Role

- Appeal/grievance policy should be readily available to students
- Guidelines for initiating appeal should be included along with a timeline
- Committee should be in place to review student appeals/grievances
- Decision made by committee will determine if:
 - Evidence presented by student is **inadequate** to challenge grade assigned
 - Evidence presented by student **supports** the need for re-evaluation of grade by course faculty



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12

Student Appeal Process – Faculty Role



- Validate that grade assigned was fair and consistent with criteria outlined in syllabus
- Don't make assignments or develop criteria that will be difficult for students to complete successfully
- Ensure grading criteria is clear to students and the faculty who will be assigning the grade (rubric)
- Grade earned should be given even if appeal seems inevitable

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13

Student Appeal Process – Outcome



- If student's appeal is not upheld and wishes to continue process, further guidelines should be followed:
 - Review by Academic Dean/Director
 - Legal counsel
 - Courts have consistently supported faculty decision regarding student evaluation *as long as...*

DUE PROCESS WAS FOLLOWED!!!



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14

Clinical Evaluation



Faculty have the legal and ethical responsibility to pass only students who are safe practitioners and meet the clinical objectives of the course.



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15

Clinical Evaluation



- Clinical objectives should be clear with observable and measurable behaviors identified
- Clinical evaluation tool should be provided at the beginning of the course with along with information regarding its use
- Schedule for evaluations should be set at the beginning of the course



(Billings & Halstead 2016)

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16

Faculty Expectations



- Clinical objectives set by each course should show progression beginning with fundamentally appropriate expectations
- Remember that students are “novice” nurses and work from facts and context-free rules
- Students require time, repetition and guidance to be able to assimilate theory into practice
- Students should be evaluated based on a fair expectation of their performance

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17

Faculty – Fair Evaluations



- Base standards for performance on established clinical objectives
- Base performance expectations on knowledge and skills learned in current and previous courses
- Make clear the requirements for assignments and their due dates and stick to them
- Clarify that expectations are consistent with other clinical faculty in course
- Judge all students equally and consistently



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18

Formative Evaluation



- Formative evaluation should be given informally and formally as well as frequently and privately
- Grades are not usually assigned during formative evaluation (performance level in relation to expectations can be – satisfactory, need improvement, unsatisfactory)
 - Daily/Weekly evaluations (verbal and written)
 - Midterm evaluation
 - Clinical/Midterm contract
- Evaluations must be backed up with factual, anecdotal data
 - no interpretations should be made or opinions offered in anecdotal notes



(Billings & Halstead, 2016)

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19

Formative Evaluation



- Ensure students understand grading schema and how grading continuum is defined
 - Satisfactory vs unsatisfactory
 - Outstanding
 - Needs improvement



- Weekly assignments (NCPs, concept maps, etc.)
- Acknowledge personal goals
- Inform students of your personal goals or “buttons” that should be avoided



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20

Clinical/Midterm Contract



- When in doubt, give it out!!!
- Informs student of unsatisfactory performance and potential for failure/implications
- Must include specific list of criteria that has to be met to pass and within what time frame
- Student must be given opportunity to read anecdotal notes and sign that they were read
- Improvement plan must be included
- Weekly follow-up should be provided

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21

Summative Evaluation

- Summative evaluation should be given at end of course
- Use of a clinical rubric will enhance objectivity
- Seek validation of student performance with another educator
- Discuss concerns with course/level coordinator
- Conduct a formal final evaluation and have course/level coordinator present when appropriate
- Inform student of right to appeal



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Overview of Clinical Evaluation Process



- Understand clinical objectives/student expectations
- Become comfortable with evaluation tools/methods
- Select appropriate clinical sites and experiences
- Observe students and collect data
- Provide judicious amount of feedback
- Keep private anecdotal notes
- Evaluate performance in relation to objectives
- Give student time to correct deficiencies
- Arrive at a final grade that is fair and supported with data



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23

Additional pearls



- Understand curriculum and level of course
- Allow students time for learning
- Frame mistakes as a learning experience
- Provide positive as well as negative feedback (constructive criticism, feedback oreo)
- Remember –
 - Students will experience a temporary set back each time they move to a new clinical area
 - We were students at one time too



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24

QUESTIONS?

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25

References

- Billings, D. M. & Haslstead, J.A. (2016) *Teaching in Nursing: A Guide for Faculty*. St. Louis: Saunders Elsevier.
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26