
Policy: Student Academic Appeal Procedures

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Section: Academic Affairs

Area:

Subject: Academic Appeals

PURPOSE

The purpose of academic appeals is to provide students with an objective hearing of a wide range of issues related to the students' professional education. The appeal procedures below provide opportunities for students to request a review of recommendations and decisions made by the department faculty, submit information not previously available to the faculty, or suggest alternative remedies.

SCOPE

These procedures apply to circumstances and events related to the students' education programs, including academic issues and professional conduct or judgment. Policies and procedures for scholastic dishonesty or other non-academic disciplinary matters differ from these procedures and are addressed in a separate policy. Established college or program policies themselves cannot be appealed.

POLICY

Appeal of Grades or Evaluations

The procedures below are followed in the College of Health Professions for appeal of academic matters including grades or other evaluations awarded for a course, assignment, project, examination, clinical procedure, clinical rotations, or other program-related performance including professional conduct and clinical judgment.

Step 1: Meet with the Course Instructor – Before initiating an appeal, the student must contact the course instructor to discuss the academic matter or grade within 2 business days of the occurrence. "Occurrence" is the notification of a student's grade or performance evaluation.

Step 2: Appeal to the Department Chair or Program Director – If the matter is not resolved with the course instructor, the student may appeal in writing to the department chair or director of the program in which the student is enrolled within 2 business days following the meeting with the course instructor. If the instructor is the department chair, the student may appeal directly to the dean (Step 4, below). The written appeal should include:

1. Student's name
2. Nature of the occurrence
3. Date of the occurrence
4. Name of the course instructor(s) involved
5. Summary of the student's meeting with the course instructor, including date, time, and outcomes
6. Student's rationale for the appeal

Simultaneously with the submission of the appeal, the student is responsible for setting an appointment with the department chair or program director to discuss the appeal. This meeting should occur as soon as feasible.

Step 3: Meet with the Department Chair or Program Director – In preparation for meeting with the student, responsibilities of the department chair or program director include:

1. Investigating the facts and examining the evidence
2. Meeting with the course instructor(s) and student to clarify areas of dispute
3. Mediating a mutually-acceptable resolution, if possible
4. Documenting, in writing, actions taken to seek resolution

The department chair or program director will notify the student and course instructor in writing of her/his decision within 2 business days following the final meeting with concerned parties.

Step 4: Appeal to the Dean¹ – If a mutually acceptable resolution is not achieved, or if the student wishes to appeal the decision of the department chair or program director, the student may submit a written request to the dean to review the merits of the student's appeal. The request must be submitted within 2 business days of the department chair's or program director's notification. The dean will review the student's appeal and the information and may solicit other information deemed appropriate for resolving the matter. The dean will inform the student and the department chair or program director in writing of the dean's decision within 2 business days following the final meeting with concerned parties. The decision of the dean will be final and may not be appealed.

Note: Timeframes in the appeal procedures are recommended intervals and may be modified as a result of weekends, holidays, vacation periods, and other circumstances.

Appeal of Program-Related Penalties

At times, the faculty may judge that it is in the best interest of the student, patients, education program, or public to recommend that penalties be assessed against a student. Such penalties may include probation, suspension, dismissal, repetition of course(s), or other penalties deemed appropriate under the circumstances. Reasons for penalties may include a variety of factors, e.g., poor academic performance, violations of professional standards of conduct, poor professional judgment, failure to demonstrate ethical behavior, etc. Established college or program policies themselves cannot be appealed. The following procedures are followed for appeal of program-related penalties:

Step 1: Initial Decision and Notification – The student will have been identified as performing below expectations in the education program, and the course instructor and/or the department's student progress committee (SPC)² may assess one or more penalties. It is recommended that the student be allowed to provide information related to the matter before the decision is made about penalties. If the proposed penalty is dismissal, the faculty must provide the student an opportunity for a personal hearing before the decision is reached. Minutes of the meeting in which the decision was made will summarize the allegations, facts, and rationale for the faculty's decision.

The department chair will notify the student in writing of the faculty and/or the SPC decision and the rationale, and inform the student about appeal procedures. Copies of the faculty/SPC meeting minutes and the notification to the student will be sent to the associate dean for academic affairs. If the student does not appeal the decision, the penalty becomes effective 2 business days after receipt of the department chair's notification. If the decision is dismissal, the student should complete the clearance process for the university unless he or she decides to appeal the decision. Completion of the clearance process is an indication that the student waives his or her right to appeal.

¹ "Dean" may refer to the dean or another person designated by the dean, e.g., the associate dean.

² Names of department committees that deal with student progression may vary.

Step 2: Appeal to the Dean¹ – The student may appeal the penalty assessed by the faculty/SPC by submitting a written request to the dean within 2 business days of receipt of the department chair’s notification. The written appeal should include:

1. Date
2. Student’s name
3. Specific reasons that the penalty assessed is deemed inappropriate, e.g., extenuating circumstances affecting the student’s performance or behavior that the faculty/SPC was unaware of at the time of the decision, misapplication of department policy or procedure, etc.
4. Any documentation relative to the points of the appeal

Note: Documentation provided by the student or faculty/SPC after submission of the initial appeal is subject to review by the hearing officer (see Step 4, below). The hearing officer may disallow such documentation at the appeal hearing if he or she deems the documentation to be unrelated to the initial points of the appeal letter.

Step 3: Preliminary Review of the Appeal - Within 2 business days of receipt of the student’s appeal, the associate dean for academic affairs will submit a written recommendation to the dean on the suitability of the appeal for review by the Appeal and Grievance Committee. The recommendation should provide specific reasons the appeal is either suitable or not suitable for review by the Committee. The dean will make the final determination to convene the Appeal and Grievance Committee.

Step 4: Hearing Before the Appeal and Grievance Committee - Students in the College of Health Professions may be afforded the opportunity to appeal penalties assessed for both academic and disciplinary reasons to the Appeal and Grievance Committee. The Appeal and Grievance Committee is appointed annually by the Dean and consists of at least one faculty representative from each department.

When the Dean determines that the student’s appeal is suitable for review by the Appeal and Grievance Committee, the Dean will convene the College of Health Professions Appeal and Grievance Committee and appoint a hearing officer and hearing panel of at least 3 members of the committee to hear the student’s appeal. The hearing officer and members of the hearing panel may not be faculty members in the student’s department.

Hearing Officer and Hearing Panel - The hearing officer is the spokesperson for the hearing panel and is responsible for:

- Informing the student, hearing panel, dean, and other interested parties of the date and location of the appeal hearing at least 5 business days before the hearing. The student may request that the appeal hearing be scheduled with less than 5 business days’ notice.
- Reviewing, in advance of the appeal hearing, any documentation submitted by the student relevant to the appeal. The hearing officer may request written documentation from other parties as deemed appropriate.
- Conducting the hearing in a fair, unbiased manner.
- Recording the testimony at the hearing in audio or video format in accord with university policy. The hearing panel’s deliberation following testimony is not recorded.
- Providing the dean with a written summary of the student’s appeal, the hearing, and the hearing panel’s recommendations.
- Providing the dean with a file of all evidence accumulated in the appeal process and all materials related to the appeal following the final disposition of the appeal.

The hearing panel is responsible for:

- Providing a fair, unbiased hearing of the student’s appeal.
- Maintaining confidentiality of all documentation and deliberations related to the appeal and hearing.
- Making recommendations to the dean about the appeal and the penalty assessed by the faculty. The hearing panel may recommend that the dean support, reject, or modify the penalty.

Appeal Hearing Participants – The appeal hearing provides for an objective hearing of all facts related to the appeal and should include at a minimum the student and a spokesperson for the faculty. The hearing will be “closed” and confidential. Only individuals personally involved in the hearing will be permitted to attend and participate, including hearing panel members, the student, faculty representative, witnesses, and counsel, if desired. A representative of the dean’s office or UAMS legal counsel may be available to provide advice on procedural and policy matters.

Witnesses – If called, witnesses will give only their testimony; witnesses may not be present in the hearing before or after their testimony is given. If the student and/or the faculty representative wish to call witnesses, they must inform the Hearing Officer of the names of the witnesses and a brief written summary of their relevant testimony at least 3 business days before the hearing. The hearing officer must inform each party of the witnesses that the other party plans to call at least 2 days before the hearing.

Procedures during the Hearing

- The hearing officer will review the purposes of the hearing and procedures to be followed, and clarify the data-gathering and decision-making functions of the hearing panel. The hearing officer will orally read the student’s appeal submitted to the dean. Only the concerns of the student presented in the written appeal will be discussed during the hearing.
- The student will present the issues and rationale for the appeal. The hearing panel may question the student. The student and faculty representative may question each other, at the discretion of the hearing officer.
- The hearing officer will call witnesses as desired by the student and the faculty representative, and the hearing panel may question the witnesses. The student and the faculty representative may question the witnesses at the discretion of the hearing officer. At all times, it is the prerogative of the hearing officer to monitor and control the extent and degree of questioning and terminate it as her/his judgment dictates.
- Counsel of choice, if requested by the student, may be present to advise and support the student. The student must inform the hearing officer of the name of the counsel of choice, if one is desired, at least 3 business days before the hearing. The hearing is not intended to be adversarial in the sense of a court trial and, therefore, witnesses will not be “cross examined” as in a legal context. Counsel of choice may only confer with the student and will not be allowed to question witnesses or otherwise engage in discussion with the hearing officer, hearing panel, or other participants in the hearing.
- If the student’s counsel of choice is an attorney, university counsel must also attend. The university’s counsel will observe the proceedings and will not be allowed to question witnesses or otherwise engage in discussion with the hearing officer, hearing panel, or other participants in the hearing.
- When all testimony has been provided, all individuals except the hearing officer and hearing panel will leave the hearing room. The hearing panel will discuss the matters and may request additional information as deemed appropriate and necessary. Although it is desirable to conclude appeals expeditiously, the hearing panel may use as much time as necessary and reasonable to assess thoroughly and evaluate the appeal and related facts. If the hearing panel’s decision is delayed more than 5 days after the hearing, the hearing officer will notify the dean, student, and faculty of the delay. Following careful review of all information, the hearing panel will make a recommendation to the dean about the student’s appeal.
- The hearing officer will notify the dean of the hearing panel’s recommendation(s) within 5 business days of its final meeting on the appeal.
- The dean may concur with, modify, or reject the hearing panel’s recommendations. The dean will notify the student, department chair, hearing officer, and hearing panel in writing of his or her decision within 3 business days.
- The decision of the dean is final and may not be appealed.

APPROVAL

This policy was approved by the College of Health Professions Executive Committee on February 18, 2015.