

## College of Health Professions Student Academic Appeal Process

Students have a right to appeal a dismissal or another decision affecting their academic standing to the Dean of the College of Health Professions (Dean).

A student wishing to appeal can do so by submitting a written appeal with pertinent documentation to the Dean within ten (10) business days of notification of the decision. The Dean, or the Dean's designee, has discretion to grant an appeal based on evidence that the appealed decision was reached arbitrarily or capriciously, meaning without regard for applicable academic criteria, requirements or procedures or without reasonable academic judgment.

Pending the Dean's decision on the appeal, the student who appeals is generally permitted to continue to participate in the course or courses in which they are enrolled unless the Dean the department or program can substantiate to the satisfaction of the Dean a reason for the student not continuing.

### Appeal Process

The Dean may decide an appeal based on the written submission or may choose to appoint an Appeal Panel of faculty and students, within five business days, to review the merits of the appeal and make a recommendation to the Dean. The Appeal Panel will be selected from the standing CHP Student Appeals Committee comprised of faculty and students. Each Appeal Panel will be composed of five members, including a chair of the Appeal Panel:

- Four faculty members, including a Chair. At least one shall teach at the same level of the student who is appealing (i.e., at least one faculty who teaches at the undergraduate level if the appealing student is an undergraduate).
- A student enrolled in a program offered by the CHP at the same level of the student who is appealing.

The Chair of the Appeal Panel shall request that the appealing student and the department or program responsible for the appealed decision (each a party to the appeal) submit relevant information in writing within five business days of the request. Requests for time extensions must be submitted to the Dean or the Dean's designee.

The Appeal Panel shall maintain the confidentiality of all student and employee information in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and VCU's personnel policies, respectively.

The Chair shall convene a meeting of the Appeal Panel. Following initial review, the Appeal Panel must decide and recommend to the Dean or her designee one of the following:

- Dismissal or granting of the appeal.
- Mediation of the issue informally with the consent of the student and department chair/program director; or,
- A hearing.

### ***Appeal Hearing***

If the Appeal Panel determines that a hearing is necessary, the Appeal Panel Chair will schedule a hearing within five business days or as soon as reasonably practicable thereafter and notify all parties. Rules for the hearing are:

1. The hearing will be closed. Only those invited by the Chair, Dean, or designee may attend.
2. Witnesses (rather than the appealing student and the department or program representative) shall be excluded from the hearing except when being questioned.
3. The appealing student and department or program representative (the parties) remain present throughout the hearing until the Chair of the Appeal Panel calls for closed deliberations. At that point all but the members of the Appeal Panel will leave the hearing.
4. An appealing student may have a non-participating advisor of his or her choice. If an advisor is an attorney, the appealing student must notify the Dean or her designee, the Chair of the Appeal Panel, and the department chair or program director at least twenty-four hours in advance of the hearing.
5. The hearing will consist of the following phases:
  - Opening statement by the department chair, program director or duly designated representative describing the academic disciplinary action was taken, including the action subject to the student's appeal, and the basis for the action (written evidence may be presented). Opening statement by the student which states the grounds upon which the appeal is based (written evidence may be presented).
  - Questioning of the department or program representative by the Appeal Panel, as considered necessary.
  - Questioning of the student by the Appeal Panel as necessary.
  - Questioning of other individuals, identified by the parties or by the Appeal Panel, as may be necessary. Either party may ask questions or request clarification of statement made by the individual/s called by the Appeal Panel. To maintain the academic nature of the hearing, the Chair may require all parties to direct questions to the Chair, who will relay the question to the individual for response. The Appeal Panel will consider

responses only as they are relevant to the student's appeal. If an appealing student asks questions that are not relevant to the appeal, the Chair may limit the amount of time that an appealing student has to ask questions.

- Closing summary statements may be made by both parties.
6. Following closed deliberations, the Appeal Panel recommends one of the following to the Dean or her designee:
- That the decision/action of the department or program should be upheld.
  - That the decision/action of the department or program should be overturned.
  - That the decision/action of the department or program should be modified as recommended by the Appeal Panel.

### ***Appeal Disposition***

The Appeal Panel Chair will submit the recommendation to the Dean or her designee within five business days of the deliberations. The recommendation must include the rationale for the recommendations and supporting materials.

The Dean shall have final decision-making authority in the matter and shall inform the appealing student and department chair or program director of her decision in writing via university email within five business days of receipt of the Appeal Panel's recommendation. The Dean's decision is the final decision in the College of Health Professions.

### ***Graduate School Review for Appeals Resulting in Dismissal***

After completing the College of Health Professions Student Academic Appeal process, graduate students may appeal dismissal from their graduate program to the Dean of the Graduate School. Review guidelines are available on the VCU Graduate School website or by accessing VCU graduate bulletin: <http://bulletin.vcu.edu/academic-regs/grad/dissmissal/>